



CASTLE
HOMES

LANDLORD COMPLIANCE CHECKLIST

Keeping self-managing landlords
safe and free from risk of prosecution





Tenancy Compliance Health Checklist

Property Address:

Landlord Name:

Tenancy Start Date:



PRE-TENANCY (Please check the box)

CONSENTS TO LET

- ☐ If there is a mortgage, is all the paperwork in place to allow the landlord to let the property?
- ☐ Does the landlord have landlord insurance?
- ☐ If leasehold is applicable, is the landlord sure they are not in breach of any covenants in this?
- ☐ Is the landlord registered with ICO?

SAFETY LEGISLATION

- ☐ **Furnishing and fire regulations** – is all furniture compliant?**
- ☐ **Smoke and Carbon Monoxide regulations** –smoke alarm on each floor?**
- ☐ If you have a solid fuel appliance or fixed combustion appliance in any room used as living accommodation (excluding gas cooker) – carbon monoxide detectors present?
- ☐ **Gas Safety certificate:** completed by gas safe engineer before tenancy start date?**
- ☐ **Details of gas contractor:** _____
- ☐ Gas safe register certificate for engineer and copy of ID card? **Date of Expiry of Cert:** _____
- ☐ **What appliances is he qualified to work on?** _____
- ☐ Any warning notices or comments regarding repairs? _____
- ☐ **EICR cert conducted by qualified NICEIC electrician?**
- ☐ **Details of electrician:** _____
- ☐ **PAT test** conducted on any portable appliances you are leaving in the property?
- ☐ **Date of Expiry of PAT test:** _____
- ☐ The Property has a **valid Energy Performance Certificate** with a rating E or above to comply with the Minimum Energy Efficiency Standards.
- ☐ **Rating of EPC:** _____ **Date of expiry of EPC:** _____
- ☐ HHSRS risk assessment on file?
- ☐ Legionella risk assessment on file?



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SETTING UP TENANCY (Please check the box)

☐

Full references for tenant on file?

To include financial viability, any prior renting history and employment checks:

Right to Rent Checks on all over eighteen-year-old occupiers (failure to do this can result in a prison sentence and a hefty fine under the Immigration Act 2016): **

☐

Time sensitive visas? If so, dates of expiry added to CRM system to check back? _____

☐

Keep copies of all relevant documents, passport etc, secure in line with GDPR regulations

☐

Proof that prescribed information has been served to tenants within 30 days of receipt

☐

Deposit monies taken and protected with relevant scheme

☐

Deposit protection certificate downloaded and served to tenants? Within 30 days of receipt

☐

Proof that Gas cert served to ALL tenants' pre-tenancy

☐

Proof that EPC cert showed to tenants pre-viewing and then given to ALL tenant's pre-tenancy

☐

Proof that the correct version of the how to rent guide served to tenant's pre-tenancy

☐

Proof that license has been issued to the tenants where applicable

☐

Proof that a copy of the EICR has been given to the tenants prior to the start of tenancy (this document does not form part of the de-regulation act)

Proof of service of all of these is essential if you ever need to give notice, as without this the application (notice 6A) for possession to the court will be dismissed.

☐

Assured Shorthold Tenancy agreement in place which outlines the fixed term of the tenancy, rent payments and all obligations.

☐

Proof that tenancy agreement given to tenant's pre-tenancy start date in order for them to read and understand (and get legal advice if necessary)

☐

Tenancy agreement signed by all parties?

☐

Tenancy agreement executed?

☐

Guarantors: referenced in line with tenants?

☐

Guarantor ID received and address/contact details saved on file?

☐

Guarantor deed signed by all parties and executed?

☐

Thorough inventory obtained on property to include dated photographic evidence



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STARTING THE TENANCY (Please check the box)

- ☐ Each tenant has signed all documents in relation to the tenancy and has copies of all documents?
- ☐ Confirmed your bank details and how and when your tenants pay their rent (this should also be in the AST so it's clear and defined)
- ☐ Tenants issued with inventory and made aware of their obligations to sign and return within a designated time or alternatively attended and gone through the document, mutually agreeing and signing the document off. (Essential to facilitate a smooth conclusion at the end of the tenancy)
- ☐ Attended the property on the day of move in prior to handing over the keys to check all smoke alarms are in working order, documenting that they are in working order and then ensuring tenants are aware of the responsibilities regarding smoke and carbon monoxide detectors. Complying with the Smoke and Carbon Monoxide Regulations 2015
- ☐ Tenants signed document to prove they are aware you have tested smoke alarms on first day and that they have a responsibility to ensure they are working throughout the tenancy?
- ☐ Make tenants aware that under the terms of their tenancy agreement you will do periodic property checks in line with the Housing Act Regulations giving them a minimum of 24 hours' notice to include how often you will be doing them so as not to breach their quiet enjoyment and to avoid breaching the Protection from Harassment Act 1997



DURING THE TENANCY (Please check the box)

- ☐ Ensure that the Gas Safety certificate date remains valid, not allowing it to run out at any time. Dates of gas safety certificates completed: _____
- ☐ Proof that Gas cert served to tenants within 28 days of it being renewed?
- ☐ Ensure PAT testing is completed yearly (Portable Appliance Checks) and electrical checks completed in line with correct dates?

INSPECTIONS

- ☐ Completed at 6-month intervals for duration of tenancy? Dates of inspections: _____
- ☐ Time sensitive visas checked? *In line with the Immigration housing Act 2016. If illegal occupants who do not prove their right to reside in the UK then must be reported to Home office or you could be liable for imprisonment and unlimited fine.*
- ☐ Any previously under 18s need their right to rent status checked? (is so, completed and on file?)
- ☐ Documented photographic reports from inspections on file?
- ☐ Evidence of maintenance works being received and responded to in writing
- ☐ Audit trail of any maintenance recorded on inspection and follow up actions?
- ☐ All rooms, basements and exterior etc checked during inspection?
- ☐ If during these inspections, you see any signs of illegal activity you are obliged to report to the relevant authorities or you could be charged under The Proceeds of Crime Act 2002. Any signs of unauthorised occupants must have their ID verified, failure to provide the ID will result in you needing to report the unauthorised occupiers.**



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DURING THE TENANCY (Please check the box)

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Complete all maintenance issues in a timely manner, keeping tenants informed and getting their permission every time someone has to enter the property. Even if they have notified you of the problem, they still have a right under the Landlord and Tenant Act 1985 and Protection from Harassment Act 1977 to confirm who goes into their home. Keep all these interactions documented with in-depth notes; you may need them as evidence at a later date.

☐

All information in relation to the tenancy secure and be aware not to disclose any unnecessary details regarding your tenants. Ensuring compliance with the General Data Protection Regulations



Section 21 notice: (Notice to vacate Property) (Please check the box)

☐

Issued the correct notice – Form 6a

☐

Did you ensure that all relevant documents to allow notice has been issued, EPC, Deposit registration, Gas Certificate, how to rent guide and a copy of the license (where applicable) in line with the Deregulation Act 2015?

☐

Ensured that this is not a retaliatory eviction under section 33 of the Deregulation Act

☐

If you issued your tenants the statutory two months' notice to quit and they have failed to move out, do not, under any circumstances, enter the property as you will be breaking several laws, including Protection from Eviction Act 1977. Take urgent legal advice you will need to apply for possession through the courts.

☐

When you get possession through the courts, you must wait for the tenants to surrender the keys before you can enter, then follow the procedure above for check out and return of the deposit. If the tenant breaches the court-ordered eviction date, you will need to apply for a bailiff's warrant. Failure to bring the tenancy to an end this way could result in a prison sentence.

*****FALLING FOUL OF ANY THESE SECTIONS COULD LEAD TO BANNING ORDERS, RENT REPAYMENT ORDERS, 6 MONTHS IMPRISONMENT, £5000 - £30,000 FINES AND THE INABILITY TO SEEK POSSESSION.*****