
Accommodation

Right to rent – information for staff

The UK Government has introduced a new law that requires all private landlords in England to make right to rent checks. This means checking that tenants have the right to be in the UK. This factsheet has important information you will need to know if you are planning to rent accommodation from a private landlord. You should read it before you start looking for accommodation.

Who is affected?

This information does not apply to staff who are in the UK temporarily and have their main home elsewhere. For example, staff who come to the University for a fixed term and who can show that they have a home they own or rent elsewhere, which is their main home – e.g. their family live there, they pay bills on the property or the majority of their possessions are there.

This information does apply to staff who wish to rent from a private landlord indefinitely or long term: These staff will have to prove that they have the right to reside in the UK

How will the checks be made?

Before allowing you to take up a tenancy the landlord will need to see originals of certain documents:

British citizens and EEA and Swiss nationals should only need to show their passports.

Other International citizens will need to show their passports AND their visas or e.g. biometric resident permits, residence cards or something from the list of acceptable documents in the Home Office Code of Guidance, see Useful Information overleaf.

The landlord will have to take copies of the documents and keep them for at least one year after the tenancy ends. If he doesn't he will be fined. These copies must be securely stored.

What does this mean for me?

If you cannot show the landlord the required documents you will not be able to move into the

accommodation. If you only have limited leave to enter or remain in the UK the landlord will need to do follow up checks, usually when your leave is due to expire.

Tenancies that began prior to February 2016:

Landlords are not legally obliged to see the relevant documents for tenancies that are already in place or for renewal of a tenancy as long as the renewed agreement is for the same people and there's no break in the tenancy.

Booking accommodation from abroad: The landlord can arrange the tenancy in advance with you as long as they see the original documents before you move in. It is likely you will be asked to show copies of your visa and University offer letter via a video link such as Skype when you book the accommodation. If you are having problems booking from abroad due to Right to Rent requirements please contact the Accommodation Office for help.

Subletting: If you sublet your accommodation then you will have to make the Right to Rent checks on the new tenants and if you don't you may be fined.

What if I cannot show my documents?

If you do not have your documents e.g. if you have applied for a visa extension, have an application in progress or an ongoing immigration case or your documents are lost, your landlord can use the Home Office 'checking service'.

You will give the landlord your Home Office reference number and the landlord can then

request the evidence from the Home Office here: <https://eforms.homeoffice.gov.uk/outreach/lcs-application.ofml> The Home Office should get back to the landlord within 2 working days, however, you will not be able to move in until the check is complete.

Renting short term accommodation: The rules only apply to landlords letting accommodation to someone as their only or main home. If you can show that you have another home elsewhere that is your principle home and show you are here for only a very short period then your landlord might not require the documents.

Children: Anyone aged under 18 should not be required to show their documents

If a landlord discriminates against a potential tenant: The law states that landlords renting out property cannot discriminate because of a tenant's race, i.e. colour, nationality, ethnic origin. The Home Office has produced a Code of Practise for landlords on avoiding race discrimination. See Useful Information below.

Can the University confirm my immigration status: No, the law says only the landlord can carry out the checks.

Useful information:

Code of Practice for Landlords Avoiding unlawful discrimination when conducting 'right to rent' checks in the private rented residential sector:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/376789/Code_of_Practice_for_Landlords_web.pdf

Code of practise on illegal immigrants and private rented accommodation for tenancies that start on or after 1st February 2016: www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice/code-of-practice-on-illegal-immigrants-and-private-rented-accommodation-for-tenancies-starting-on-or-after-1-february-2016

Landlords guide to checking documents:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/497035/Right_to_Rent_Document_Checks_-_a_User_Guide.pdf

Need help or advice?

If you cannot find the answer or information you need on this factsheet, please contact the Accommodation Office for advice using the details below.

The University of Bristol Accommodation Office runs a housing advice service for all staff and students, if you have any problems with your private rented accommodation please contact us.

The Accommodation Office | The Hawthorns | Woodland Road | Bristol | BS8 1UQ

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Office opening times: Mon 10-4, Tues 1-4, Wed 10-4, Thur 10-4, Fri 10-4



The contents of this fact sheet are for information only. You should consult the Accommodation Office or an advice centre such as the CAB before taking any action.