

CARDIFF UNIVERSITY STUDENTS' UNION

advice and
representation
centre

arc

IN ASSOCIATION WITH:



CARDIFF STUDENT LETTING

Owned and run by Cardiff University Students' Union

NO AGENCY FEES



HOUSING INFORMATION

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Updated November 2012

CARDIFF STUDENT LETTING

LOCATED IN THE GROUND FLOOR MALL OF THE STUDENTS' UNION



STUDENT HOUSING

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UNIVERSITY STUDENTS' UNION**

**Cardiff University Students' Union
Undeb Myfyrwyr Prifysgol Caerdydd**

INTRODUCTION

This booklet is designed to help you be aware of some of the issues in finding and keeping accommodation in the private rented sector.

If you are looking for accommodation take your time - **don't rush in – ask questions and understand your rights and responsibilities.**

Housing law can be complex – **if in doubt get advice.**

Cardiff University Students Union Advice and Representation Centre (ARC)

• Advice • Information • Support • Confidential • Independent

Advice and Representation Centre

3rd floor of the Students Union.

Monday - Friday, 10-3pm.

except Thursdays 1-3pm

For ARC drop-in times at the Heath Hub, see website.

telephone: **029 2078 1410**

e-mail: advice@cardiff.ac.uk

www.cardiffstudents.com/advice

SPEAK WELSH?

If you would like a Welsh copy of this booklet, please visit www.cardiffstudents.com to download a pdf version, or visit the Advice & Representation Centre, 3rd Floor, Students' Union.

Os wyt ti eisiau'r llyfryn yma yn y Gymraeg, mae o ar gael ar ffeil pdf yn www.cardiffstudents.com neu yn y Ganolfan cyngor a chynrychiolaeth ar drydydd llawr undeb y myfyrwyr

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CONTRACTS

- Once signed, a contract (tenancy agreement) is legally binding.
- A contract can be written or verbal. It can be either joint or individual.

Legally Binding

Always make sure you read the contract carefully before you sign it. If you are not happy or not sure about some parts of it, don't sign it. Bring it to the ARC before you sign it to have it checked. Don't be coerced into signing a contract because you think you might lose the house. There is no cooling off period, so if you find a better house down the road you can't get out of the contract you've already signed.

Joint Tenants

If you agree to take a house that you have viewed, and you and your housemates all sign the same contract at the same time, you become joint tenants and therefore jointly and severally liable for any rent arrears, outstanding utility bills and damage to the property. If one or more tenant moves out, the landlord or agent can pursue the remaining tenants for any rent arrears or unpaid bills. S/he can also pursue the one that has left.

Guarantors

Many letting agents and some landlords require a guarantor form signed by your parents. This is a form that guarantees payment of the rent and any other bills that you are liable for under the terms of the agreement. If the tenancy is joint, be careful that the form is worded correctly otherwise your parents could find themselves liable for money owed by the other tenants.



Promises, Promises

Any promises made at the time of viewing, new kitchen, new beds, decoration etc., should be written into the contract with an agreed time limit for completion. But, consider, if these improvements and or repairs are not carried out, would you still be happy to live in the house. If the answer is 'no', then walk away. 'What you see is what you get' is a good thought to hold.

Unfair Terms

The Unfair Terms in Consumer Contracts Regulations 1999 state that you should not have unfair terms in your contract. Check with the ARC if you have any queries or Cardiff Trading Standards on 02920 872059 <http://www.oft.gov.uk/>

Leaving Early

You can only leave before the end of the tenancy if the landlord agrees. This is normally only when you have found a replacement. This can be more difficult if you

are a joint tenant because the replacement must be acceptable to the remaining tenants and to the landlord. Clearly it's better for everyone if an agreement can be reached as quickly as possible because there will still be a liability to pay the whole rent. The replacement tenant and the original tenants should sign a new Assured Shorthold tenancy agreement. You should ask your landlord or agent to confirm in writing that they have agreed to release you from the contract, and that your bond is to be returned. You will also need to notify the Tenancy Deposit Protection Scheme.

Resident Landlords

Living with a resident landlord can sometimes be very complicated. This will include living with a friend whose parents have bought them a house. Take advice from the ARC before signing a contract. You can also look at <http://www.communities.gov.uk/publications/housing/rentingrooms>

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Landlord and Letting Agent Accreditation

Accredited letting agents and Landlords are more likely to adopt best practice and provide you with a good service. When you are looking for accommodation you can check that the landlord or agent is accredited.

Landlords

Landlord Accreditation Wales
<http://www.welshlandlords.org.uk/>

National Landlord Association
<http://www.landlords.org.uk/index.htm>

Letting Agents

Association of letting Management Agents (ALMA)
<http://www.almacardiff.co.uk/>

Association of Residential Letting Agents (ARLA)
<http://www.arla.co.uk/>

National Approved Letting Scheme (NALS)
<http://www.nalscheme.co.uk/>
Royal Institute of Chartered Surveyors (RICS)
<http://www.rics.org/>

National Association of Estate Agents (NAEA)
<http://www.naea.co.uk/>

Managed Houses

If you use a letting agency to find your house, make sure you know if they are going to manage the property for the landlord. If the answer is yes, you will always deal directly with the agency if you have any problems or repair needs.

Your responsibilities as tenants

To pay rent as agreed, to take care of the property, to pay utility bills as agreed in the

contract and comply with all other fair terms as written in the contract.

Post-dated Cheques

Many agents/landlords ask students to pay rent for the whole year in the form of 12 post-dated cheques. You should avoid this at all costs. Post-dated cheques can be presented before the due date, inadvertently, and if you have insufficient funds in your account you will then be charged by your bank for 'bouncing' a cheque. Ask the landlord if you can set up a standing order instead. Good agents/landlords should not have a problem with this.

DEPOSITS

A bond or deposit is a sum of money which is held against damage to the property, rent/utility arrears, any essential cleaning, removal of large amounts of rubbish and the cost of replacing any locks or keys if not returned on time. Deductions cannot be made for reasonable wear and tear to the property. Always pay your bond by cheque or credit card and get a receipt showing the amount and what it covers.

Tenancy Deposit Protection (after 6th April 2007)

When you pay your deposit your landlord or agent must protect it using a government authorised tenancy deposit

scheme. Make sure you ask your landlord/agent 'how is my deposit protected?' Within 30 days, the landlord or agent is required to give you various details about how your deposit is protected. This should include the name of the Tenancy Deposit Scheme or a tenancy deposit certificate.

The deposit protection schemes will usually only deal with the lead name on the tenancy agreement. This person must accept the responsibility as representative of the other joint tenants.

For further information call into the ARC or go to www.direct.gov.uk/tenancydeposit

At the end of the tenancy check whether you are leaving the property and its contents in the condition that it was let to you – allowing for fair wear and tear – and check that you have paid your rent and any other expenses. Then agree with the landlord or agent how much of the deposit should be returned to you. Within 10 days you should have received the agreed amount of the deposit. If you do not reach an agreement you must contact the tenancy protection scheme immediately who can arbitrate.

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Inventory

An inventory is a list of all furniture, fittings and other equipment provided by the landlord. At the beginning of the tenancy you will be asked to sign this document. You should ensure that it contains information not only about the contents of the house but

the condition of everything in the house. This can be used as evidence in any dispute over damage or cleaning when it is time to get your deposit back. Photographs taken at the same time can also be very useful. If you are not provided with an inventory, draw one up yourself, sign it and ask the landlord or agent to also sign it.

BILLS

If the cost of the bills are not included in your rent then you are responsible for paying them; gas, electricity, water. The day you move in, take the gas and electricity meter readings and pass them on to the suppliers. If you don't do this you could end up paying the previous tenants bills. If you don't know who is supplying these services ring the following numbers.

Gas: To obtain details of your Meter point reference number (MPRN) or gas supplier call: 0870 6081524

Electricity: To obtain details of your electricity supplier call the Meter point admin service on: 0845 60159721

Water: Call Welsh Water on: 0800 0520145

It is usually possible to have more than one name on the bills. If only one person signs for the supply then that person is liable to pay the bills. Make sure you are not the only person on the utilities contract.

Changing Supplier

If your contract doesn't prevent you from changing supplier you could check out the best prices on www.uswitch.com but be warned, sometimes its more trouble than its worth.

Remember - fuel is expensive, so budget carefully and use energy efficiently. See www.energysavingadvice.co.uk

Media and broadband services

Shop around for the best deal and always check the terms and conditions of the contract and for some services you may need your landlords permission.

Council Tax

Full time registered students are exempt from Council Tax liability. You will receive an exemption certificate from the University around November after you have moved in. If you share with tenants who are not students they will be liable to pay Council Tax Liability for council tax can be complicated, if in doubt seek advice..

TV Licence

You must be covered by a valid TV Licence if you watch or record television programmes as they're being

shown on TV. It makes no difference what equipment you use - whether it's a laptop, PC, mobile phone, digital box, DVD recorder or a TV set - you still need a licence

Contents Insurance

Your landlord is responsible for insuring the premises but you are responsible for insuring your personal possessions. Student houses are prime targets for opportunistic thieves. Shop around for the best deals.



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CONDITION OF THE HOUSE

Standards

The Local Authority, Cardiff County Council, is responsible for checking standards in rented property in Cardiff. Shared student houses come under the regulations for Houses in Multiple Occupation. These include minimum standards for bathroom and kitchen facilities, room size and fire protection. Also a Health and Safety rating system is used to assess the property and if it is found to be unsafe or damaging to health the Landlord must take remedial action. Full details can be found on Cardiff Council's website www.cardiff.gov.uk/privaterent in the Living section. If you think your property fails to meet the required standards you can contact Private Sector Housing on **029 20871762** or email privatesectorhousing@cardiff.gov.uk. You will be able to discuss your situation and if necessary arrange for a member of staff from the Council to visit your property and make a full assessment. If action is needed to bring the property up to the required standard the Council will contact your landlord. You do not need the permission of the landlord before contacting the Council.

Licences

In addition, some houses of multiple occupation must have a licence issued by the Local Authority. Cardiff Council has introduced additional licensing in the Cathays area which means that properties with more than 3 tenants must have a

licence. The licence ensures the property is managed by a competent person and has the required facilities, which are higher than in non-licensable properties. There are penalties for landlords who rent out a licensable house without a licence. If you are unsure if your house is licensed, contact Private Sector Housing, Cardiff County Council. Calls can be taken anonymously if necessary.

Repairs

Landlords are legally responsible for dealing with repairs to their property. If a repair is needed, report it quickly and confirm in writing asking for a date when the repair will be carried out. The work should be done in a reasonable time, which will vary depending on the nature of the repair. For example, a repair to a broken boiler should be dealt with quickly but you would expect to wait longer for minor problems. If there is an unreasonable delay, write again reminding the landlord of his responsibilities. Keep copies of your letters and send by recorded delivery so you have proof of them being received. If there is still

no response you should seek advice. The Local Authority has extensive powers and duties that require landlords to carry out repairs. If repairs are not carried out in a timely and satisfactory fashion after you have written to your landlord, you can contact the Private Sector Housing section of Cardiff City Council on Tel. **029 20 871762** or email privatesectorhousing@cardiff.gov.uk.

You should not withhold rent because the landlord has failed to carry out a repair, as you will be breaking your contract. Although you may feel justified in refusing to pay the rent your landlord could take court action against you. **Seek advice from ARC**

Redecorating

If you want to redecorate or make any other changes to the property you must have the permission of the landlord. It is advisable to obtain this in writing.

Pests

Cardiff Council can advise on dealing with pest problems, including mice, rats and bed bugs. There is a charge for their services. Details at www.cardiff.gov.uk under pest control, phone **029 2087 2934** or email pestcontrol@cardiff.gov.uk. Your landlord may be unwilling to pay for the service but if you can argue that disrepair has led to the problem you will have a stronger case.



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SAFETY

Gas Safety Certificate

It is a legal requirement for landlords to have all gas appliances in rented property checked annually and a copy of the gas safety certificate given to tenants. This is because carbon monoxide, which you cannot see, taste or smell, may accumulate in the property from unsafe appliances and can kill. If you have requested a copy of the certificate and it has still not been provided you can report your landlord to the Health and Safety Executive Gas Safety Advice line on 0800300363 See also <http://www.hse.gov.uk/pubns/gasindex.htm>

Electrical safety

A landlord has a responsibility to ensure that any electrical appliances supplied with the accommodation are safe. This includes heaters, cookers, kettles, and any other electrical goods. If you are concerned that an electrical appliance is not safe and your landlord is unwilling to check it, you can contact the Trading Standards department of the local authority 02920872059 or email tradingstandards@cardiff.gov.uk Trading standards departments have a duty to enforce legislation which covers the safety of electrical appliances supplied with accommodation.

Furniture supplied by the landlord

Any furniture provided by a landlord must be fire resistant. All new and second hand upholstered furniture sold after 1 September 1990 should meet the fire safety regulations, and carry a label to say so. If a piece of furniture does not carry a label saying that it meets the regulations,

it is likely that the item does not and you should ask your landlord for it to be replaced. There are no minimum standards for what should be provided in furnished rented accommodation, but you should have a table and chairs, sofas and/or armchairs, beds and storage for clothes in each bedroom, heating systems or appliances, curtains and floor coverings, a cooker and fridge. Other items, such as desks, are often provided but unless it was agreed when the contract is signed the landlord can refuse to provide extra items.

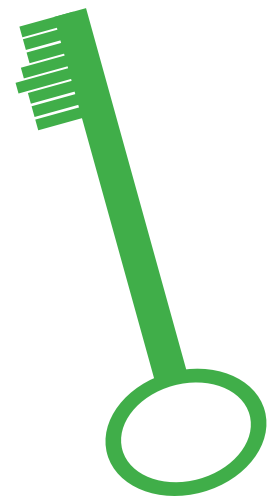
Fire safety

The design, construction and condition of any residential property should limit the chances of carelessness causing a fire, limit the spread of a fire and provide safe and ready means of escape. All rented properties should have fire alarms, smoke detectors, a fire extinguisher and fire blanket. Larger properties are required to meet additional standards. Full details can be found on the Cardiff Council website www.cardiff.gov.uk in the Living section.

Security

Ideally a house should have mortice locks on front and rear doors, but landlords are not obliged to provide them unless the property requires a licence from the council. Window locks on the ground floor and other accessible windows are a deterrent to burglars. Always make sure doors are locked and windows are shut when you go out, and do not leave valuables such as laptop computers in

view. Most burglaries occur in properties where access is easy through open windows or unlocked doors.



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LANDLORDS

Contact details

If you do not have direct contact with your landlord it can be useful to have his full details in case of problems with the tenancy. You can find out the landlord's name and address by making a written request to the person who last collected rent, pointing out your right to this information under Section 1 of the Landlord and Tenant Act 1985. You should keep a copy of the letter, and send it by recorded delivery. If the person does not reply in writing within 21 days of receiving the letter, that person is committing a criminal offence and can be reported to the Housing Options Centre Advice Unit on [02920 570750](tel:02920570750) or email hau@cardiff.gov.uk

Quiet Enjoyment - Landlord's access to property

You have a right to live in the property as your home. The landlord should ask your permission before he or she enters the premises and should give you 24 hours' written notice of an inspection, to carry out repairs or to show prospective tenants around. This should also be at reasonable times for you.

All landlords have to follow special legal procedures in order to evict tenants. There are laws to protect you. Whether or not your landlord can evict you and how the process works will depend on the type of tenancy you have.

Harassment

If the landlord is entering the accommodation so often and at such times that the tenant no longer feels secure in their own home, this could be interpreted as a form of harassment. Harassment is a criminal offence and the landlord could be prosecuted. Other forms of harassment include threatening or abusive behaviour. Contact the Tenancy relations officer, details above.

COMMUNITY

Refuse & Recycling Collection

Always remember to put your rubbish out on the correct day! Cardiff Council operates a zero-tolerance attitude to refuse disposal and you could face a hefty fine if you put your rubbish out on a day other than bin day. Refuse is also extremely attractive to vermin. Recycling and Bio waste bags are free and can be collected from Cardiff Council Libraries and Leisure centres and the Students' Union. More information on this and waste collection can be found under the Environment section on <http://www.cardiff.gov.uk>

Noise

The most common complaint from Cardiff Council's Pollution Control department is that of noisy neighbours. If you have a problem with noisy neighbours it is advisable to try and resolve the matter informally. You may find it useful to discuss the matter with an adviser at the ARC. If it is an ongoing problem, it is important to keep a detailed log of all the incidents as you may wish to make a complaint to Pollution Control at Cardiff County Council on 02920871650

Parking

If you drive a car in Cardiff you will obviously need a parking space. However, some areas are resident parking only. If your student house is in a

resident parking area, you will need to apply for one from Cardiff council.

For more information about resident parking permits go to Environment section www.cardiff.gov.uk

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MOVING OUT

At the end of your tenancy, remember to take final meter readings and to inform the utility companies of your forwarding address so you can obtain the final bill. Many housing contracts state that all bills need to be paid in full before the bond is returned.

It is advisable to check the condition of the property and all items on the inventory in the presence of the landlord to avoid any disputes over damage. If you are concerned that a dispute will arise, it may be advisable to take photographic evidence of the

property when you leave. If your Landlord decides to withhold your bond in part or in full, and you disagree with this you should contact the Tenancy Deposit Scheme with whom it is protected immediately.

CONTACT INFORMATION

Advice and Representation Centre (ARC) 029 20781410

E: advice@cardiff.ac.uk W: cardiffstudents.com/advice

Useful website for housing advice information:

www.cardiff.gov.uk

www.cardiffstudents.com

www.nus.org.uk/en/Student-Life/Housing-Advice/

www.direct.gov.uk/tenancydeposit

www.sheltercymru.org.uk

www.shelter.org.uk/get_advice

www.cardiffdigs.co.uk

Useful Telephone Numbers:

Cardiff County Council	029 20872000
Connect 2Cardiff	029 20872087
Housing Option Centre (Cardiff County Council)	029 20570750
Private Sector Housing (Cardiff County Council)	029 20 871762
Health and Safety Executive	0800 300 363
Consumer Direct Wales	08454 040506
Police non emergency number	101
Police Student Liaison Officer	029 20633420
Gas Supply	0870 6081524
Electricity Supply	0845 6015972
Cardiff University Student Support	02920874844

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**THE AWARD-WINNING LETTING AGENCY OWNED
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Cardiff Student Letting, has been awarded '**Wales Best Single Office**' at The Lettings Agency of the Year Awards in association with The Sunday Times and the Times.

Cardiff Student Letting was also shortlisted for:

**PROPERTY MANAGEMENT LETTINGS AGENCY OF THE YEAR 2012
STUDENT LETTINGS AGENCY OF THE YEAR 2012**

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FIND US:

- 3rd floor Students' Union Park Place
- Telephone: 029 2078 1410
- advice@cardiff.ac.uk
- www.cardiffstudents.com

For ARC drop-in times at the HeathHub, see website.

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