



Student Advice
Cyngor i Fyfrwyr

Cardiff University Students' Union
Undeb Myfyrwyr Prifysgol Caerdydd

Housing Information November 2014



FIND US

3rd floor Students' Union Park Place

☎ 029 2078 1410

✉ Advice@Cardiff.ac.uk

🌐 cardiffstudents.com/advice

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Introduction 99

This booklet provides general information about 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.**

Remember that housing law can be complex – if in doubt get advice.

Student Advice at Cardiff University Students' Union

3rd Floor, Students' Union Park Place

Monday - Friday, 10am - 3pm (except Thursday 1-3pm) No appointment needed.

Also at The Hub at Heath Park campus Monday 12 - 2pm. No appointment needed.

Appointments available at other times, or contact us:

 029 20 781 410

 advice@cardiff.ac.uk

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If you would like a copy of this booklet in Welsh, please visit:

cardiffstudents.com/advice and download a pdf version, or visit Student Advice, 3rd Floor, Students' Union Park Place or Students' Union at The Heath.

Tenancy Contracts



- Once signed, a contract (tenancy agreement) is legally binding.
- A tenancy 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 Student Advice 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 or right to cancel after you have signed, so only sign when you are certain. A reputable landlord or agent will give tenants time to get advice about the tenancy contract.

Joint Tenants

If you agree to take a house that you have viewed, and you and your housemates all sign the same contract, you become joint tenants who are jointly and individually liable for any rent, arrears, utility bills and damage to the whole rented 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 tenant who has left.

Guarantors

Many letting agents and some landlords require a guarantor form signed by e.g. parent(s) or other family member. This is a form that guarantees payment of the rent and any other bills or payments that you are liable for under the terms of the agreement. If the tenancy is joint, be careful that the guarantor form is worded carefully otherwise your parent(s) could find they are liable for money owed by the other tenants. If you do not have someone to act as your guarantor, you may be asked to pay several months' rent in advance. If this happens, contact Student Advice before you sign, to discuss your options.

Promises, Promises

Any promises made at the time of viewing e.g. new kitchen, new beds, redecoration etc. should be written into the contract with an agreed time limit for completion. But ask yourself, 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, because if this work isn't done, it doesn't mean you can automatically get out of the contract. Talk to Student Advice about your options if promises aren't kept.

Your Responsibilities as Tenants

To pay rent as agreed, to pay utility bills as agreed in the contract and comply with all other fair terms as written in the contract.

Post-dated Cheques

A few agents/landlords ask students to pay rent by post-dated cheques (sometimes for the whole year). It is advised that you 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. Or if the cheque is paid, you could be unexpectedly left without money in your account. Ask the landlord if you can set up a standing order instead. Good agents/landlords should not have a problem with this.

Unfair Terms

The Unfair Terms in Consumer Contracts Regulations 1999 state that you should not have unfair terms in your contract. Check with Student Advice if you have any queries or contact Cardiff Council Trading Standards on **08454 04 05 06**.

Leaving Early

Most tenancies are for a fixed period of time, which means you can only leave before the end of the tenancy if the landlord and other tenants agree. 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. Contact Student Advice for more information on rights and responsibilities. Student Advice can also help advertise a room and help students find an empty room. The replacement tenant and the original tenants should sign a new Assured Short hold 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 deposit is to be returned.

Resident Landlords

Living with a resident landlord can sometimes be complicated as there is less legal protection. This may include living with a friend whose parents have bought them a house. Take advice from the Student Advice before signing a contract. More information is also available at **communities.gov.uk** (find the full link on our website: **cardiffstudents.com/advice**).

Landlord & Letting Agent Accreditation



You can look for accommodation through a letting agency or directly with a landlord. Some agencies charge tenants an agency fee, although some don't, such as Cardiff Student Letting. Accredited letting agents and landlords are more likely to adopt best practice. When you are looking for accommodation you may use the websites below to find an accredited landlord/agent or to check whether the landlord or agent is accredited. A compulsory registration scheme for landlords/agents will be introduced in Wales, but a date for the start of the scheme has not been announced (at time of printing).

Landlords

Landlord Accreditation Wales:
welshlandlords.org.uk

National Landlord Association:
landlords.org.uk

Letting Agents

Association of Letting Management Agents (ALMA)
almacardiff.co.uk

Association of Residential Letting Agents (ARLA)
arla.co.uk

National Approved Letting Scheme (NALS)
nalscheme.co.uk

Royal Institute of Chartered Surveyors (RICS)
rics.org

National Association of Estate Agents (NAEA)
naea.co.uk

Managed Houses

If you use a letting agency to find your house, ask if the agency is going to manage the property for the landlord when you move in. If the answer is yes, you will deal directly with the agency if you have any problems or repair needs (although the tenancy is with the landlord who keeps legal responsibility for the tenancy).

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 deposit by cheque or debit/credit card and get a receipt showing the amount and what it covers.

Tenancy Deposit Protection

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 will my deposit be protected'? Within 30 days of receiving the deposit, the landlord or agent is required protect the deposit and to give tenants various details about how your deposit is protected. This must include the name and details of the tenancy deposit scheme and may include a tenancy deposit certificate or reference number. Landlords/agents who fail to comply with this law can face penalties.

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

For further information contact Student Advice or go to:
gov.uk/tenancy-deposit-protection

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 immediately contact the relevant tenancy protection scheme who can arbitrate. (Note: some schemes have short deadlines for registering a dispute, or else you lose protection of deposit registration – contact Student Advice).

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 not only a list of the contents of the house but the condition of everything in the house (including carpets, doors, and walls) aswell. 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, prepare one yourself, sign it and ask the landlord or agent to also sign it.

Bills

If the cost of the bills is not included in the rent, then the tenants 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 **08706 081524**.

Electricity

To obtain details of your electricity supplier, call the Meter Point Admin Service: **0845 60159721**.

Water

All enquiries about water supply should be made to Welsh Water **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 contracts.

Changing Supplier

You may want to investigate changing supplier by using websites like **uswitch.com**. Before you make a decision, check the terms of your tenancy about changing supplier. And check with the utility company that you are not tied in for a minimum period which is longer than the tenancy.

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

Media & Broadband Services

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

Council Tax

Full time registered students are exempt from council tax liability. Cardiff University sends out exemption letters during November each year. This is posted to your Cardiff address, so make sure this information is on your SIMS account. 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, contact Student 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, games console, mobile phone, digital box, DVD recorder or a TV set - you still need a licence. Check the position at tvlicensing.co.uk.

Contents Insurance

Your landlord is responsible for insuring the premises and his belongings, but you are responsible for insuring your personal possessions. Student houses are prime targets for opportunistic thieves. Shop around for the best insurance deals. See also page 10 for security information.

Condition of the House

Standards

The standards in your rented home are governed by a tenant's rights under the contract and laws enforced by the local authority. The local authority, Cardiff County Council, is responsible for checking standards in rented property in Cardiff. Some shared student houses come under the regulations for Houses in Multiple Occupation (HMO). These include minimum standards for bathroom and kitchen facilities, room size and fire protection. More information is available on the Cardiff Council website. The full link is on our website cardiffstudents.com/advice.

Some houses must have an additional licence from Cardiff Council even if they are not an HMO. If you are renting a property with 3 or more tenants in Cathays or Plasnewydd (Roath), check with the agent or landlord if an additional licence has been applied for and granted. Additional licences look at property standards (including size of rooms, number of bathrooms etc.), health and safety, a 'fit and proper person test' for owner/manager and can have conditions attached (e.g maximum number of occupiers/ improvements).

If you want to check your property is licensed or think it fails to meet the required standards, you can contact Cardiff Council's 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.

Repairs

Landlords can be legally responsible under the tenancy contract for dealing with repairs to the 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 emails and send letters by recorded delivery so you have proof of them being received. If there is still no response you should seek advice. The local authority (Cardiff Council) has extensive powers and duties that require landlords to carry out repairs. If repairs are not carried out in a timely and satisfactory manner after you have written to your landlord, contact Student Advice for further information.

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.

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. More information is available on the Cardiff Council website. The full link is on our website **cardiffstudents.com/advice**. Your landlord may be unwilling to pay for the service if he says that lack of cleanliness/failure to dispose of rubbish correctly has caused the problem (see page 11 for more information about rubbish disposal). If the problem existed when you moved in, or there is a problem with the property which is contributing to the situation, you can ask your landlord to pay for (or contribute to) the costs. Student Advice can give more information about this.

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 important because carbon monoxide, which you cannot see, taste or smell, may accumulate in a property from unsafe appliances and carbon monoxide can kill. If you have requested a copy of the certificate and it has not been provided, you can report your landlord to the Health and Safety Executive Gas Safety Advice line on **0800300363**. See also [hse.gov.uk/gas/domestic/index.htm](https://www.hse.gov.uk/gas/domestic/index.htm)

Electrical safety

A landlord has a responsibility to ensure that the wiring and any electrical appliances supplied with the accommodation are safe. This includes heaters, cookers, kettles, and any other electrical goods. Information can be found here: electricalsafetyfirst.org.uk/

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 (see below). Trading standards departments have a duty to enforce legislation which covers the safety of electrical appliances supplied with accommodation.

Furniture Supplied by the Landlord

Your landlord has obligations to tenants about the safety of furniture and furnishings in the property. If there is upholstered furniture (including beds) in the property, look to see if it has a label showing compliance with fire safety laws. If not, ask your landlord for it to be replaced. To report a concern, or for more information about electrical or furniture safety, see Cardiff Council website. The full link is on our website [cardiffstudents.com/advice](https://www.cardiffstudents.com/advice).

Before you sign the contract, check what furniture your landlord will be including if the property is furnished. There should be a bed and storage in each bedroom, cooker and fridge, chairs in a lounge area, heating. If there are other items which you agree the landlord should provide, list these in the contract when it is signed.

Fire Safety

When an application is made by a landlord for an HMO or Additional Licensing Licence, Cardiff Council will make a fire safety risk assessment and can impose conditions for fire safety.

More information about fire safety risk assessments is on the Cardiff Council website (see cardiffstudents.com/advice for the full link). See also gov.uk/firekills for advice on preventing fires.

Security

When you are viewing a house, look at the locks on the front and back doors. Are there mortice locks with thumb turn locks on the inside? 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.

Landlords

Some landlords have a managing agent to deal with queries and repairs at their property. However, the contract is with the landlord, who has legal obligations and responsibilities.

Contact Details

Your contract should provide an address for tenants to contact about their tenancy. This must be an address in England or Wales and can be an agency address. If you do not have direct contact with your landlord it can be useful to have his/her full details. 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. The law says that the information should be provided within 21 days of the request. Contact Student Advice for more information.

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 or to carry out repairs (or to show prospective tenants around, if your contract gives permission for viewings during the contract). This should also be at reasonable times for you.

If your landlord claims you have broken a term of the tenancy and asks you to leave, contact Student Advice urgently. All landlords have to follow special legal procedures in order to evict tenants (even if the fixed period of the tenancy has ended). The process depends on the type of tenancy you have and other factors, so contact Student Advice.

Harassment

If the landlord is entering the accommodation either without notice, or 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. Other forms of harassment include threatening or abusive behaviour. Harassment is a criminal offence and a breach of the tenant's rights under a tenancy contract. If you have concerns or questions about your landlord's behaviour, contact Student Advice.

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 food waste bags are free and can be collected from Cardiff Council libraries and leisure centres. More information on this and waste collection can be found at cardiffdigs.co.uk.

Noise

The most common complaint to 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 Student Advice. 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**. More information is available at cardiffdigs.co.uk (under Community relations).

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 a permit from Cardiff Council.

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 deposit 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 is advisable to take photographs of the property (inside and out) when you leave.

If your Landlord decides to withhold your deposit, in part or in full, and you disagree with this, you should immediately contact the tenancy deposit scheme with which it is protected. There are strict deadlines for reporting a dispute, or you may lose the protection of the scheme. Contact Student Advice for information.

Useful Numbers

Student Advice, Cardiff University's Students Union	029 20781410
Cardiff University Student Support	02920874844
Connect 2Cardiff	029 20872087
Consumer Direct Wales	08454 040506
Electricity Supply	0845 6015972
Gas Supply	0870 6081524
Health and Safety Executive	0800 300 363
Police non-emergency number	101
Police Student Liaison Officer	029 20 633420
Private Sector Housing (Cardiff County Council)	029 20 871762

Useful Websites for Housing Advice



Visit cardiffstudents.com/advice for more websites and links.

Advice on Deposits:
direct.gov.uk/tenancydeposit

Cardiff Council:
cardiff.gov.uk

Cardiff Digs:
cardiffdigs.co.uk

NUS Housing Advice:
nus.org.uk/en/Student-Life/Housing-Advice

Shelter Cymru:
sheltercymru.org.uk

Ask Yourself These Questions When Looking At Houses/Flats



On Arrival

- ☐ Does the house look well cared for?
- ☐ How secure are the front/back doors and ground floor windows?

Bedrooms

- ☐ Are the bedrooms a good size?
- ☐ Is there enough study and storage space?
- ☐ Does the furniture belong to the landlord or tenant? Is it in good order?
- ☐ Is there heating in the bedrooms?

Shared Areas

- ☐ How many bathroom/toilets?
- ☐ Are bathrooms heated and ventilated?
- ☐ How big is the kitchen?
- ☐ Enough kitchen units/fridges for everyone?
- ☐ Furniture and carpets in good condition?
- ☐ How many chairs/sofas are there?
- ☐ Are all the shared areas heated?

General Observations

- ☐ Do all the windows open and close?
- ☐ Is there any musty smell, smell of damp or signs of mould?
- ☐ Smoke detectors throughout the house?
- ☐ Is there a safe escape route in case of fire?
- ☐ Can you easily walk/cycle/bus/train to lectures/tutorials/placements/nights out/shops?

Ask The Landlord/Agent

- ☐ Which of the mandatory schemes for protecting the deposit/bond will be used?
- ☐ Is the house licensed with Cardiff Council?
- ☐ Is there a current Gas Safety Certificate?
- ☐ Is the landlord/agent a member of an accredited organisation?
- ☐ What will you be asked to pay now, if you decide to rent the house?

Remember

You can have a **free, independent** check of your tenancy contract before you sign it.
For an appointment contact Student Advice:

3rd Floor Students' Union Park Place, or The Hub at Heath Park campus

☎ 029 20 781410

✉ advice@cardiff.ac.uk

or come to our drop in service (no appointment needed)

3rd Floor Park Place: Monday - Friday 10am-3pm (except Thursdays 1-3pm)

The Hub at Heath Park campus: Monday 12-2pm



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