

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



www.cardiffstudents.com



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Updated November 2013

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

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CONTENTS

CONTRACTS

p: 4

DEPOSITS

p: 5

BILLS

p: 6

CONDITION OF THE HOUSE

p: 7

SAFETY

p: 8

LANDLORDS

p: 9

COMMUNITY

p: 9

MOVING OUT

p:10

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

Os wyt ti eisiau'r llyfryn yma yn y Gymraeg, mae o ar gael ar ffeil pdf un www.cardiffstudents.com/advice neu yn y Ganolfan Cyngor a Chynrychiolaeth ar drydydd llawr Undeb y Myfyrwyr

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3 www.cardiffstudents.com

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

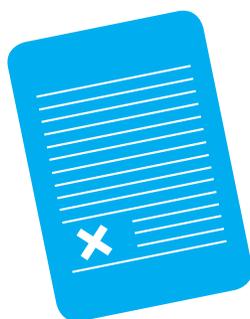
Always make sure you read the contract carefully before you sign it. If you are not happy or not sure about some parts of it, don't sign it. Bring it to the ARC before you sign it to have it checked. Don't be coerced into signing a contract because you think you might lose the house. There is no cooling 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, you become joint tenants and therefore jointly and severally liable for any rent, arrears, 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 tenant who has left.

Guarantors

Many letting agents and some landlords require a guarantor form signed by your parent(s). 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 correctly 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, ask ARC for advice before you agree.

Promises, Promises

Any promises made at the time of viewing eg new kitchen, new beds, redecoration 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, because if this work isn't done, it doesn't mean you can automatically get out of the contract. '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 contact Cardiff Trading Standards on 029 20872059 www.oft.gov.uk

Leaving Early

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. 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 deposit 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 as there is less legal protection. This may 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 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 whether the landlord or agent is accredited.

Landlords

Landlord Accreditation Wales
www.welshlandlords.org.uk

National Landlord Association
www.landlords.org.uk/index.htm

Letting Agents

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

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

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

Royal Institute of Chartered Surveyors (RICS)
www.rics.org

National Association of Estate Agents (NAEA)
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 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

Some 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 deposit by cheque or debit/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 must include the name and details of the Tenancy Deposit Scheme and may be a tenancy deposit certificate.

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 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 immediately contact the relevant tenancy protection scheme who can arbitrate. (Note: some schemes have short deadlines for registering a dispute).

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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

(including carpets, doors, walls). This can be used as evidence in any dispute over damage or cleaning when it is time to get your bond 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 is not included in your 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: 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 it's more

trouble than it's worth. Remember - fuel is expensive, so budget carefully and use energy efficiently. See www.energysavingadvice.co.uk

Media and broadband services

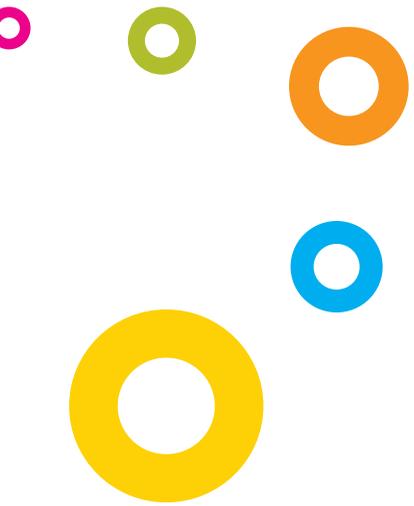
Shop around for the best deal and always check the terms and conditions of the contract. For some services you may need your landlord's permission.

Council Tax

Full time registered students are exempt from Council Tax liability. You will receive an exemption certificate from the University during November after you have moved in. 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, 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, games console, mobile phone, digital box, DVD recorder or a TV set - you still need a licence. www.tvlicensing.co.uk/check-if-you-need-one/for-your-home/students-aud1

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.



IN ASSOCIATION WITH:



CONDITION OF THE HOUSE

Standards

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. 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

Some houses must have an additional 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 20871762** 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.

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 not been provided, you can report your landlord to the Health and Safety Executive Gas Safety Advice line on **0800 300363**. See also 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 **02920 872059** 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.

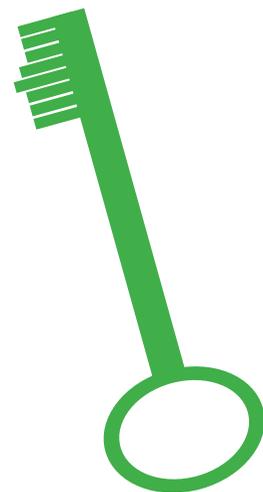
Fire safety

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. See also www.firekills.direct.gov.uk for advice on preventing fires.

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/her 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 Advice Unit at Cardiff Council on **02920 570750** 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 Housing Advice Unit, 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 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 under the Environment section on **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 **02920 871650**.

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 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 be advisable to take photographic evidence of the

property 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.

CONTACT INFORMATION

Advice and Representation Centre (ARC) 02920 781 410

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

Useful websites 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:

Advice and Representation Centre (ARC)	029 20781410
Cardiff County Council	029 20872000
Connect vv	029 20872087
Housing Advice Unit (Cardiff County Council)	029 20871050
Private Sector Housing (Cardiff County Council)	029 20871762
Health and Safety Executive	0800 300 363
Consumer Direct Wales	08454 040506
Police non emergency number	101
Police Student Liaison Officer	029 20633420
Cardiff Trading Standards	029 20872059
Gas Supply	0870 6081524
Electricity Supply	0845 6015972
Cardiff University Student Support	029 20874844



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NO
AGENCY
FEES

HELPING YOU FIND YOUR

HOME SWEET HOME

CARDIFFSTUDENTLETTING.COM

CALL US ON 029 2078 1525

ASK YOURSELF THESE QUESTIONS WHEN YOU ARE 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? *(All rented houses in Cathays for 3+ should now be licensed. In other areas licenses are needed if 5+ people are sharing 3+ floors).*
- 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?

You can have a FREE, INDEPENDENT check of your tenancy contract before you sign it - just visit ARC

DROP IN SESSIONS: Park Place Monday - Friday 10:00 - 15:00 Thursday 13:00 - 15:00 **Heath Campus** Monday 12:00 - 14:00