

HOUSING SERVICES

# Resident Landlord Guide

Lodgings and  
Homestay 2017-18

US  
UNIVERSITY  
OF SUSSEX

Welcome to the University of Sussex guide for resident landlords. This guide has been produced to provide information about letting your property to students studying at the University of Sussex.

LAURA KING  
DEPUTY MANAGER  
HOUSING SERVICES (PRIVATE SECTOR AND HEADLEASE)



Whilst we house the vast majority of our first year students in university managed accommodation, returning students and the majority of postgraduates look for accommodation in the private sector. We also welcome details of property available to let to staff or faculty only.

Once you are registered with us your property will be advertised on Sussexstudentpad. This is a password-protected website that we run in conjunction with Studentpad, a company who work with many universities in providing details of property available in the private rented sector. Sussexstudentpad.co.uk allows landlords the facility to update their own information and to add their own pictures to their adverts. If you wish to do this please contact the Housing Services team and we will provide you with your access details.

We hope you find the information in this booklet useful. We welcome the contribution that local landlords make to housing our students and look forward to hearing from you if you have any further questions. Contact details on back cover and page 12.

The University offers landlords the opportunity to advertise their property via an online database, see page 2.

Contact details for all offices are on page 12.

## About us

### WHY CHOOSE US?

The University of Sussex currently has a population of around 15,000 students, aiming to raise to 18,000 within the next five years. The Housing Services team provides help and advice to students who are looking for somewhere to live and to landlords who wish to let to students.

Student expectations of their housing are increasingly high, and these days students demand and expect the highest quality of accommodation and furnishings. Properties also need to offer value for money and deliver high safety standards and security.

This booklet gives guidance on how to register your property with the University of Sussex. It also contains information with regard to types of preferred property, landlord and tenant responsibilities.



### EQUAL OPPORTUNITIES

The University of Sussex is committed to providing a fair environment that embodies and promotes equality of opportunity and values the diversity of all members of our community. To reflect this, owners must ensure that there is no discrimination in the provision and letting of accommodation and that all tenants are treated respectfully and fairly.

Discrimination on grounds of disability, gender, marital status, family or caring responsibilities, race, colour, ethnic origin, sexual orientation, age, gender identity, nationality, religious beliefs, may be unlawful as well as representing a breach of university policy.

Failure to respect the University's commitment to equal opportunities may result in owners being removed from the accommodation register.

### DATA PROTECTION

Personal data, i.e. any information from which a living person can be identified, is covered by the Data Protection Act 1998 whether it is stored manually or on computer. All personal information provided will be treated strictly in terms of the Act. This means that confidentiality will be respected, and that all appropriate security measures will be taken to prevent unauthorised disclosure. The data which we require is necessary for the proper administration of our relationship.

We will not share information with other parties unless required to by law or unless authorised by the individual themselves.

## Sussexstudentpad



### THE MAIN ADVANTAGES

- Your property can be seen by at least 15,000 students.
- The service is free to owners – there is no charge to register or advertise.
- We actively market and encourage students to use the website.
- Over the summer, the site receives up to 50,000 hits a month.

### WHAT IS STUDENTPAD?

[www.sussexstudentpad.co.uk](http://www.sussexstudentpad.co.uk) is an online database of properties available to students at the University of Sussex. Students looking for a place to live in the private sector can search for and locate properties on the database.

To list your property on studentpad you will need to register with us. This will enable university students or prospective students to see your property details from wherever they are based. The site is password protected so only those authorised by the University will be able to see property details.

### REGISTERING

Registering requires the following:

- If you have registered with us before we will send you a new form each year. If you are a new landlord, please contact housing services for a chat and an information pack.
- Return the completed form, with the Code of Standards declaration signed, to the Housing Services team with the following:
  - current landlord/home owner Gas Safety Record (see page 5)
  - any photographs that you may wish to add to your advert in digital form.

When we have received your completed registration form and all the required documentation and are satisfied that your property complies with the Code of Standards we will advertise your property on the site. We find that owners who provide photos receive a better response to their advertisements. You can now add as many pictures as you like to your advert, either by uploading them to the site yourself or emailing them to Housing Services as jpegs.

Please note that it is your responsibility to make sure that applications submitted for listing are complete. We are unable to register properties if documents are missing.

We inspect Sussexstudentpad properties on a random basis to ensure compliance with the Code of Standards. However, if we receive a complaint about a particular property we will need to investigate the issues raised and may wish to inspect the property.

We do not advertise the street number of your property so students will only be able to view properties by making an appointment directly with you.

Once registered, your property details will be displayed for two months unless we are advised that the property is let or until your gas safety certificate expires.

### RENT LEVELS

We have removed any specific rent guidelines to provide greater choice and flexibility to owners and students. It is the owner's responsibility to ensure that the rent reflects the quality, location, amenities and decoration of the property. If we feel your property is unrealistically priced we reserve the right to refuse to advertise it.



## Letting a room



### WHAT TYPE OF PROPERTY

Location is very important. Although some students have cars, it is best if the property is near to public transport, either on main bus routes or near railway stations if applicable. Ideally the property needs to be close to good transport providing easy access to campus sites. Accommodation which shares communal facilities with the landlord is useful for first year students and international students who appreciate the home comforts that a family can provide. Only single occupancy rooms will be considered.

As we also have a number of students on exchange programmes we are always interested in hearing from landlords who are willing to let to students on a short-stay basis.

### WHAT SHOULD BE PROVIDED?

Before the room can be advertised on Sussexstudentpad you will need to sign up to our Code of Standards for residential landlords and provide a current gas safety record for your property, if applicable.

Compliance with the code will ensure that:

- both owner and student enjoy the benefit of good standards of housing management and practice
- misunderstandings and disputes are reduced and promptly resolved should they occur.

Students are looking for comfortable rooms which are well lit and adequately heated. All students expect good Wi-Fi connections in their room on arrival these days. One of the first things they like to do is log on and contact home to say that they have arrived safely so we ask you to have this up and running for them.

Whether or not you are providing meals for your students, you should allow them access to your kitchen to prepare refreshments and meals. It is wise to discuss times when students can use your bathroom to avoid inconvenience for both sides during the busy morning period.

You will need to decide whether or not students will have access to other communal areas of your house, such as the lounge and/or dining room. Adequate cooking facilities and food storage (including use of the refrigerator) should be provided in the kitchen and use of the washing machines at agreed times is desirable. We suggest one shelf in a fridge and freezer and one cupboard per student. You should decide on what your arrangements will be for washing, drying and ironing. Toilet and bathroom facilities should be adequate for the number of family members and students forming the household.

A key to your property should be provided, on the understanding that students are also responsible for ensuring that the property is secure. Students are asked to inform the householder if they expect to return late at night or stay out overnight.

We recommend for each study bedroom:

- Bed with clean, stain free and firm mattress (replacement mattresses must be new)
- Wardrobe (not canvas or plastic)
- Mirror-securely fixed to wall
- Chest of drawers with adequate storage
- Desk or table (minimum size 2.5ft x 3ft) with desk lamp
- Upholstered desk chair which is suitable for study use
- Book case or wall shelving of an appropriate size
- Rubbish bin

- Lined curtains are required for all bedrooms (with nets in ground floor rooms). In some instances blinds are suitable. Other suitable coverings are required for all other windows.
- At least four electrical plug sockets appropriately positioned to minimise trailing extension leads.

#### LODGINGS OR HOMESTAY?

Lodgings are self-catered furnished study/bedrooms in a landlord's home, generally preferred by more mature students who seek a quiet environment. Homestay offers furnished study/bedrooms with catering (either half or full board) and linen and washing and is generally preferred by international or language students seeking to improve their English within a family environment. Such students are often younger.

Think about your lifestyle and which sort of rental would suit you better. Don't offer Homestay if you work full time or can't cook well for example, as this will just lead to a poor experience for the Homestay student and a stressful experience for you. For Lodgings you need to provide cooking facilities, a cupboard, a shelf in the fridge and a shelf in the freezer. For Homestay, the students will still need access to the kitchen to make drinks or snacks in between meals.

## The Right to Rent

### RIGHT TO RENT SCHEME TO ROLL OUT ACROSS ENGLAND FROM 1 FEBRUARY 2016

The Home Office has announced that from 1 February 2016, the Right to Rent scheme will be extended across England. This means all private landlords in England, including those subletting or taking in lodgers, will have to check new tenants have the right to be in the UK before renting out their property.

The scheme is being extended following an evaluation of the first phase in the West Midlands (which has been published on [www.gov.uk/government/publications/evaluation-of-the-right-to-rent-scheme](http://www.gov.uk/government/publications/evaluation-of-the-right-to-rent-scheme)) and has received the continued input of a panel of industry experts, housing and homeless charities and local authorities.

Right to Rent is one part of the government's ongoing reforms to the immigration system to make it harder for people to live in the UK illegally.

### WHAT THIS MEANS FOR THE PRIVATE RENTED SECTOR

As of 1 February 2016, anyone who rents out private property in England will need to see and make a copy of evidence that any new adult tenant has the right to rent in the UK (for example a passport or a biometric residence permit).

The process is simple and many organisations in the private rented sector already check the immigration status of tenants.

In most cases, checks can be carried out without contacting the Home Office. However, if a tenant has an outstanding immigration application or appeal with the Home Office, landlords can request a Home Office Right to Rent check. A yes or no answer will be provided within two working days.

Landlords who don't make the checks could face a civil penalty of up to £3,000 per tenant if they are found to be renting out a property to someone who is in the UK illegally.

The Government is also making it easier for landlords to evict illegal migrants as part of the Immigration Bill. Visit [www.gov.uk/government/collections/immigration-bill-2015-16](http://www.gov.uk/government/collections/immigration-bill-2015-16)

You can read more about Right to Rent at [www.gov.uk/check-tenant-right-to-rent-documents](http://www.gov.uk/check-tenant-right-to-rent-documents)

Register your details for updates on the roll out of the scheme at [www.qbaseprojects.co.uk/homeoffice/survey.asp?id=27](http://www.qbaseprojects.co.uk/homeoffice/survey.asp?id=27)

### HOW TO DO A CHECK

1. Establish who will live at the property
2. Examine original documents
3. Take dated copies
4. Return originals and retain the dated copies as evidence.
5. If there is an application outstanding with the Home Office, ask the Landlords Checking Service to confirm status.
6. For temporary migrants, make further checks just before permission to be here runs out.
  - A list of acceptable documents is on [www.gov.uk](http://www.gov.uk), and includes a passport with a valid visa, and a Biometric Residence Permit.
  - Landlords should check all adult tenants, regardless of perceived nationality.
  - Landlords can transfer liability to agents in writing.
  - Sub-letters are liable if they have not informed their landlord of the let.

# Agreements and payment



## LODGER AGREEMENTS

The type of agreement applicable to this arrangement is known as an excluded tenancy or licence to occupy. As a landlord, you are agreeing to let someone live in your own home and so you should choose carefully and make sure that both of you have a clear understanding of the rules and courtesies that each expects. We require that all agreements are in writing as this avoids confusion between both parties. We strongly recommend that, even though such agreements are relatively informal, you write down the main points to avoid confusion at a later date. Lodger agreements can be obtained from any good stationer.

The agreement should state:

- the full names of both landlord and the occupier
- how much rent is to be paid, when and how often
- if bills are to be included with the rent, how much notice each side will give to the other if either wants to end the agreement

- what meals and services will be provided, if any
- whether a retainer will be charged for vacation periods
- how much deposit is to be paid and what it could be retained for
- any other house rules which must be clear, unambiguous and non-discriminatory.

Both parties should sign and keep a copy. You may also find it useful to take a note of the student's home address for future reference. If your student pays rent weekly you are required by law to provide them with a rent book. These can be obtained from most large stationers.

It is normal to give at least two weeks' notice or one month's notice if your tenant pays rent monthly. If the relationship with your tenant is good, you will want to give him or her as much time as possible to find another home. Even if it is not, you must not use force to evict your tenant.

## AGREEMENTS AND PAYMENT

To let a room in your own home you will need to provide:

- current landlord/home owner Gas Safety Record
- and sign the Code of Standards declaration on the application form.

## DEPOSITS

We suggest that all landlords take a deposit as a safeguard against damage. It is usual to charge the equivalent of one month's rent where rent is paid monthly or the equivalent of one week's rent where rent is paid weekly. You should never deduct from the deposit to cover 'fair wear and tear'. The tenancy agreement should also outline what the deposit may be used for. Deposits generally form the last weeks' or months' rent in a resident landlord arrangement.

## UNFAIR TENANCY TERMS

The Unfair Terms in Consumer Contracts Regulations 1999 requires landlords to ensure that their agreements are in clear language and not containing any 'unfair terms' i.e. clauses that impose unfair restrictions, penalties or obligations on the tenant.



We will investigate any complaints made by students stating that their deposit has been unfairly withheld. If a registered landlord is found to be unfairly withholding deposits, they will be removed from the register. Information showing that an owner is not complying with the Code of Standards is in the public domain and will remain so for three years even if an owner leaves, or is removed from the code.

Unless there are separate gas/electricity/water meters for tenant, it is usual to include all bills in a Lodger agreement and for the rental amount to be all-inclusive. No additional charges should be added such as £3 a week for toilet rolls or cleaning materials.

## HMO LICENCE

Please note that if you rent out three or more rooms in your property you will need to apply to your local council for an HMO (house of multiple occupancy) licence and ensure your house is compliant with all that the HMO licence requires.

**TAX AND INSURANCE**

**COUNCIL TAX**

Students studying full time (21 hours per week or more) for a full academic or full calendar year are not required to pay council tax. Brighton based students must obtain their exemption certificate online at [www.brighton-hove.gov.uk/counciltax](http://www.brighton-hove.gov.uk/counciltax) or via the Sussex University website at: [www.sussex.ac.uk/studentssystem/counciltax](http://www.sussex.ac.uk/studentssystem/counciltax)

Students living outside Brighton & Hove (for example Lewes) will still be eligible for council tax exemption but would need to submit a council tax form to their local council tax office. Students that live outside of Brighton & Hove should be exempt from council tax but will need to submit a council tax certificate to your local council tax office. To obtain this from Student Systems, fill in the Request a Council Tax Exemption letter form.

Please note that if you are unable to prove that your property was occupied solely by students at a later date, you may be asked to pay any council tax owing on the property.

**INCOME TAX**

Landlords letting rooms in their own homes are allowed to earn a certain amount of rent without paying tax. Contact your local tax office for more details or visit: [www.hmrc.gov.uk](http://www.hmrc.gov.uk)

**INSURANCE**

Landlords are advised to contact their insurance companies before letting to students to ensure that they are covered for student occupants. Not doing so may render policies null and void. Students are advised to provide their own insurance for their personal belongings.



**FURNITURE AND FURNISHING (FIRE SAFETY) REGULATIONS 1988**

Owners are responsible for ensuring that all upholstered furniture complies with this legislation. Items covered include beds, headboards, mattresses and bases, sofa beds, futons, settees, armchairs, padded upright chairs, scatter cushions, seat pads and pillows, loose and stretch sofa covers.

**GAS SAFETY**

By law, landlords are responsible for ensuring that gas appliances are maintained in good order and checked for safety at least every 12 months. You must provide a legible copy of the Gas Safety Record which will be retained for our records.

Please note, we will not list any property until we have seen a complete copy of the current landlord/home owner gas safety record plus any evidence that any required remedial works have been completed.

We would encourage resident owners to install, in each room where a gas appliance is located, an efficient carbon monoxide detector which meets current European and British safety standards BS EN 50291.

HSE Gas Safety Advice Line  
0800 300363 or 0845 345 0055.

**GAS SAFETY RECORD - CASE STUDY**

A landlord in Wigan received a community service order for falsifying the dates on an annual gas safety check certificate to pretend that it was still valid.

The Health & Safety Executive took legal action against the landlord after it discovered he had changed the dates on the record. On 13 April, Trafford Magistrates' Court heard his tenant had contacted the authorities after suspecting a carbon monoxide leak at the house. A National Grid engineer visited the property and sealed off the gas supply after finding a leak.

The court was told the landlord had arranged a gas safety check at the house through his letting agents in April 2009, which expired a year later. When he decided to hire a new agent in April 2011, he provided a copy of the gas safety document with the dates altered so that it appeared to still be current.

The landlord pleaded guilty to a breach of the Gas Safety (Installation and Use) Regulations 1998 by failing to arrange an annual gas safety check. The landlord received a community order requiring him to carry out 150 hours of unpaid work in the next 12 months. He was also ordered to pay £600 towards the cost of the prosecution.

### STUDENT RESPONSIBILITIES

Your student has a number of responsibilities as part of a licence agreement, these include:

- paying the rent on time
- not causing a nuisance to neighbours or other occupants
- using the property in a proper manner and avoid damaging it
- taking steps to prevent major damage, for example turning off water if pipes have burst
- securing the property when it is empty
- informing the landlord if any repairs are needed.

The University of Sussex has adopted a Code of Standards for private sector accommodation. The purpose of the code is to facilitate transparency and define how the landlord and tenant do business with one another.

The criteria in the code have been chosen to reflect a balance of common sense obligations and responsibilities between landlords and tenants and set standards that are achievable without significant expenditure of time and money and without prejudice to their respective legal rights.

Compliance with the code will ensure that:

- both landlords and tenants enjoy the benefit of good standards of housing management and practice
- misunderstandings and disputes are reduced
- where problems occur they are promptly resolved.

Compliance with the Code of Standards is mandatory for all properties advertised on Sussexstudentpad. The code is also actively promoted amongst students searching for housing.



## Code of standards



### THE CODE OF STANDARDS

#### 1.0 Equal opportunities

The University of Sussex is committed to providing a fair environment that embodies and promotes equality of opportunity and values the diversity of all members of our community. To reflect this, the host must ensure that there is no discrimination in the provision and letting of accommodation and that all students are treated respectfully and fairly. Discrimination on grounds of disability, gender, sexual identity, marital status, family or caring responsibilities, race, colour, ethnic origin, sexual orientation, age, gender identity, national origin, nationality, trade union membership and activity, political or religious beliefs, work or study pattern or contractual status may be unlawful as well as representing a breach of university policy.

#### 2.0 Data protection

Personal data, i.e. any information from which a living person can be identified, is covered by the Data Protection Act 1998 whether it is stored manually or on computer. All personal information provided will be treated strictly in terms of the Act. This means that confidentiality will be respected, and that all appropriate security measures will be taken to prevent unauthorised disclosure. The data which we require is necessary for the proper administration of our relationship. We will not share information with other parties unless required to by law or unless authorised by the individual themselves.



**3.0 Prior to letting, the resident landlord will ensure that:**

- 3.1 Study bedrooms have the following:
- one bed with clean, stain free and firm mattress;
  - wardrobe;
  - mirror – securely fixed to wall;
  - chest of drawers with adequate storage;
  - desk or table (minimum size 2.5ft x 3ft) with a lamp;
  - upholstered desk chair which is suitable for study use;
  - book case or wall shelving;
  - rubbish bin;
  - lined curtains or blinds are required for the bedrooms (with nets in ground floor rooms); and
  - minimum of four electrical plug sockets appropriately positioned to minimise trailing extension leads.
- 3.2 A copy of the current Landlord/Home Owner Gas Safe Record must be available to the student
- 3.3 All furnishings and furniture are clean, in reasonable condition and comply with the Furniture and Furnishing (fire safety) Regulations 1988.
- 3.4 Smoke alarms are in place (one per storey), functioning and if battery operated, the battery is checked regularly and replaced at least annually.
- 3.5 All exit routes within the property (such as hallways and stairs) are, as far as reasonably practical, well maintained and free of obstruction.
- 3.6 The lodger is provided with a written set of agreements stating rent levels and any terms and conditions that have agreed between the parties.

**4.0 During the period of the agreement resident landlords will ensure that:**

- 4.1 Business is pursued in a professional, courteous and diligent manner at all times.
- 4.2 The student's right to privacy is respected. The resident landlord will not enter the student's bedroom without permission except in a genuine emergency.
- 4.3 Repairs are carried out punctually and effectively with consideration for the student's privacy.
- 4.4 The student has a clear understanding of the permitted use of kitchen facilities (cooking, washing machine and fridge / freezer for example).
- 4.5 The student receives instruction on the first day of occupancy on how to operate any domestic appliance they have access to.
- 4.6 The student receives instruction on how to operate any heating appliance or central heating system on their first day of occupancy. The extent of control that the student has over adjusting heating that affects other parts of the house, must be made clear at the outset.
- 4.7 All gas appliances are serviced and repaired by Gas Safe Register approved engineers.
- 4.8 All facilities for the storage, preparation and cooking of food are well maintained and easy to clean.
- 4.9 The student has use of an efficient vacuum cleaner.
- 4.10 The property is maintained free of avoidable and unnecessary hazards (as far as reasonably practicable).

- 4.11 The student is provided with working keys to the accommodation, which will include a key to the student's room (if it has a lock) and a key to your house or flat. If a key to a bedroom is provided, the lock on the door concerned must be thumb release type i.e. capable of being opened easily and quickly within without the use of a key.

**5.0 Catering facilities**

- 5.1 The resident landlord must provide the student with adequate facilities for cooking, dry food storage, refrigeration and washing up. The agreement with the student should specify any restrictions on times when the kitchen will not be available and should make it clear exactly what kitchen facilities and equipment the student is entitled to use.
- 5.2 If accommodation is offered on a catered basis, the resident landlord must provide the student with good quality and nutritious meals. The resident landlord should allow the student access to the kitchen to make drinks and snacks. The agreement with the student should specify any restrictions on times when the kitchen will be unavailable and should make it clear exactly what kitchen facilities and equipment the student is entitled to use.

**6.0 Damage and deposits**

- 6.1 The resident landlord may charge the student a deposit and use it to pay for damage, taking into account fair wear and tear. The deposit charged should not exceed the equivalent of one month's rent.
- 6.2 The resident landlord must provide the student with a receipt to support all deposit deductions.

- 6.3 It is also recommended that the resident landlord ensures that their existing insurance policy covers them for loss and damage and that the insurer concerned is aware that students are in residence. Written receipts must also be issued where requested by the student for any monies demanded. Where transactions are undertaken in cash a written receipt will always be provided.

**7.0 End of agreement**

At the end of the agreement the student will be issued with clear guidelines regarding the standard of cleaning and other arrangements for bringing the agreement to an end so as to avoid misunderstandings at the end of the occupancy.

**8.0 Management of disputes**

Where disputes occur between the resident landlord and the student, reasonableness and promptness in dealing with the issues by both parties is the key to the amicable and effective resolution of problems. The resident landlord undertakes to maintain courteous professional relations with the student during any dispute.

**9.0 Complaints**

- 9.1 Where a complaint is made against the resident landlord or the student, this will be investigated by accommodation staff and wherever possible resolved to the satisfaction of both parties.
- 9.2 In the event that the resident landlord is deemed to be in breach of the code they will be removed from **www.sussexstudentpad.co.uk** either permanently or for a designated period of time.



## HOUSING SERVICES

Bramber House  
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Falmer, Brighton BN1 9QU  
and

91 Lewes Road  
Brighton BN2 3HZ

(01273) 678220

housing@sussex.ac.uk

[www.sussex.ac.uk/accommodation](http://www.sussex.ac.uk/accommodation)  
[www.facebook.com/sussexunihousing](https://www.facebook.com/sussexunihousing)

