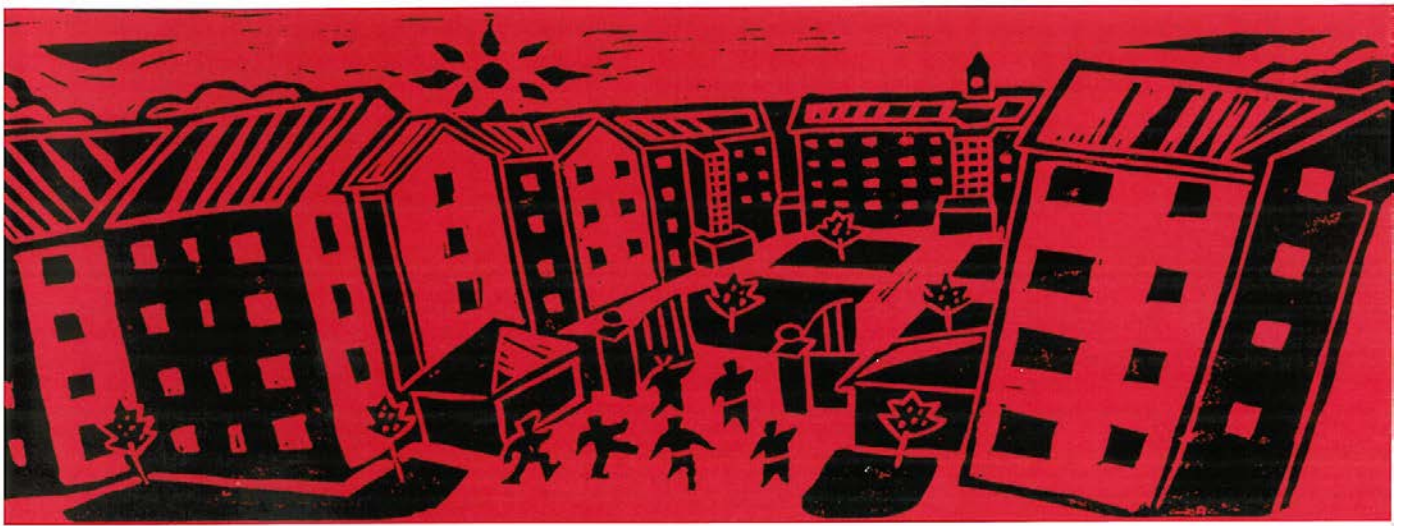


# **Renting Accommodation To Students**



**Student Accommodation Service**

**Registration Scheme for Private Landlords**



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## Introduction

Thank you for your interest in UCLan's Private Sector Registration Scheme.

The information regarding renting to students in this booklet is based upon the University's long experience in housing matters and landlord/student relationships. If you have a particular query we will try to assist but it is not the role of the University to provide legal advice and this is no substitute for you seeking your own independent legal advice.

Landlords must ensure their properties meet the standards set out in this guide if they wish to register with the University. In addition, landlords must agree to abide by the University's Core Requirements (Appendix 1, pages 41 – 44 of this guide).

The Student Accommodation Service is located in the Students' Union Building, Room 13, Fylde Road, Preston. Managed by Angela Frodsham, the Private Accommodation Team employs experienced staff whose role it is to assist students looking for and living in accommodation in the private rented sector. This includes providing general non-legal advice and information to landlords and prospective landlords. We are open Monday to Friday throughout the year. Our aim is to help all of our students to find suitable accommodation and to look after their housing needs throughout their time at University.

## Thinking of letting a house to students?

### What do students want?

Students generally seek good quality, affordable, furnished houses that they can share with others and which are close to the University campus. The property must be in a good state of repair and decoration, and be centrally heated. All rooms must have a fixed heating appliance and should ideally have double glazed windows. Additional facilities such as washing machines, microwaves, freezers, burglar alarms, and the means of connecting to the internet are now considered to be an essential feature in student housing.

Properties situated close to the University are always the most popular. If you are thinking of buying a property specifically for student letting, it is advisable to look within a one mile radius of the University campus – the closer the better. Please refer to Page 12 for information on Planning Permission.

### Standards & Regulations

All properties must be fit for human habitation and free from substantial disrepair. They must be structurally sound and free from dampness so that neither the personal comfort nor the health and safety of the occupier are prejudiced. This includes dampness caused by a missing or defective damp proof course, any form of disrepair or condensation.

The size and layout of the property will determine which standards will apply, but the following features are essential in properties that are to accommodate three or more students:

- A thirty minute protected escape route must be provided from all habitable rooms to a final exit door which has been fitted with a thumb turn lock.
- A staircase that descends into a hallway where all bedrooms and lounge are accessible from the hall, stairs and landing would be a suitable layout. If a staircase descends into a lounge or kitchen, structural works will be required and it is likely that the layout will have to be changed to create an enclosed staircase, leading directly to a final exit door which is fitted with a thumb turn lock.

- Bedroom sizes must be a minimum of 6.5 square metres if there is a communal lounge. Where there is no communal lounge bedrooms must measure at least 10 square metres.
- Space standards also apply to non-habitable rooms such as kitchens, according to the number of tenants occupying the property (please refer to the Summary of Standards and Amenity on p.14-18)

Any property that is rented to three or more students will be classed as an HMO and for University registration it must comply with the requirements set out in this guide.

Compliance with the appropriate Building Regulations must be achieved.

### **NB. Properties accommodating more than six students**

This section applies **only** to properties developed **after** August 1<sup>st</sup> 2006. Units of accommodation must contain no more than six tenants. If the property can accommodate more than six tenants, it must be split into self-contained sub units, with each unit accommodating no more than six tenants. If this is not feasible, the property can only be let to a maximum of six tenants. If in doubt, advice may be sought from Preston City Council's Housing Standards Department (Tel: 01772 906907). Landlords may also need to obtain building consent and planning permission.

**NB.** Properties may need to become HMO Licensed – Please refer to the Section on Licensing in this guide.

### **What furniture must I provide?**

A property must be fully furnished with suitable floor coverings and curtains/blinds throughout. Kitchens and bathrooms must have hard surface floor coverings which can easily be cleaned. Please note that the University will ask landlords to remove any polystyrene tiles from ceilings as these are a fire hazard. Polystyrene tiles give off poisonous fumes on combustion, so are considered by the University to be unacceptable in properties let to students.

As a minimum, rooms must be equipped as follows:

#### **Bedrooms:**

- A good quality single or double bed and mattress with mattress cover.
- Wardrobe
- Chest of drawers
- Study desk of a good size, with room for a computer equipment and work space.
- Study chair
- Bookshelves or bookcase
- A lock that operates by use of a thumb turn button from the inside.
- Net curtains or blinds in ground floor bedroom windows
- Wash basin – if there are 5 or more tenants \* See section Wash basins on p.5

**Kitchens:**

- Cooker(s) – see page 15 below for requirements based on the number of persons sharing.
- Refrigerator(s) – provision to be at least one shelf per person
- Freezer(s) – provision to be at least one shelf per person
- Kitchen sink (s) – see page 16.
- Adequate work surfaces – see page 15.
- Minimum of one storage cupboard per student (under sink cupboard excluded) i.e. 1 base unit 600mm per person.
- Microwave oven.

In a kitchen, there is no need to provide pots, pans, crockery, cutlery and utensils. Cleaning equipment such as a vacuum cleaner, sweeping brush, mop and bucket must be provided. Whilst it is not essential, washing and drying machines are becoming a commonplace provision, particularly if there is no launderette in the vicinity, and you should consider supplying a drying machine if there is no outside washing line.

**Sitting rooms:** - see page 17-18.

- Coffee table
- Minimum one easy chair per student (or equivalent number of settee seats)

**Bathrooms:** - see page 14.

- Toilet(s)
- Washbasin(s)
- Shower(s) and or bath(s) (most students prefer a shower if only one is provided )

**Wash basins**

Wash-hand basins should be provided where reasonably practicable in all bedrooms where there are five or more tenants. Ideally all bedrooms should contain a wash-hand basin. Preston City Council can use their discretion regarding the installation of these, but as a guide, would expect you to install them in bedrooms adjacent to kitchens and bathrooms, because these rooms are close to hot and cold water supply pipes and it would, therefore, be reasonably practicable to install them. Also, bedrooms which are remotely situated from the bathroom should contain a wash-hand basin.

N.B The provision of baths/showers, toilets, sinks, cookers, refrigerators and kitchen storage cupboards need to be in accordance with the standards of amenity for houses in multiple occupation – please refer to summary in this guide (p.14-18)

**When do students look for accommodation?**

Students can look for accommodation at any time of year. There are particular times of the year when there is a greater demand for accommodation. Students who are living in University owned or leased accommodation (approximately 2200) and students who are looking for new private accommodation will usually start looking between December and March for their next years' accommodation. New first year students who want private accommodation or who cannot be accommodated in University owned or leased accommodation will usually look in August/early September.

## Registration with the University

### What is the benefit of registering with the University?

The Student Accommodation Service staff have many years' experience in housing students. We can give general advice about renting to students, but we are not legal advisors. The University promotes Studentpad to students, who often prefer to rent accommodation that they know has been approved by the University.

### UCLan Studentpad Website

Our students are able to search for private accommodation through the UCLan Studentpad website.

An example of some of the information provided to the students is as follows:

- Name and telephone number of the landlord
- Street address of the property available (for security purposes the house number is not displayed)
- Rent per person per week and payment periods (e.g. monthly, per term or per semester)
- Summer retainer per person
- Damage deposit per person
- Length of contract
- Comments detailing how many rooms are available in the property
- Internal photographs of the property
- A brief description of the facilities provided and the location
- There is also a link which shows a street map of the property address.

Registered landlords are given their own passwords so that they can enter the site to change certain details. We find that nowadays there are only a small number of landlords who do not use the internet, however, when necessary we can make amendments for you.

## **I am not currently registered with the University. What is the procedure for registration?**

If you are interested in joining the University's scheme, the procedure is as follows:

- Ensure that you have read all the information in this Guide for Landlords, so that you are fully aware of the University's requirements.
- Once you are satisfied that your property complies with the requirements, complete the Visit Form and return to the Student Accommodation Service with a cheque for £25 (for one property, and an additional £15 for each additional property), or call us to make a card payment on 01772 892526. We will contact you to arrange an appointment to visit the property. This fee is non-refundable.
- When we visit the property we will inform you whether it is suitable for registration. If the property is suitable, we will advise you about how to register it with the University. If the property is not suitable, we will advise you in writing, giving you the reasons why. You will then have the opportunity to act upon this in order to make the property suitable. If the property is generally suitable, but there are some **minor** details which require attention, we may allow you to register on condition that you agree in writing to deal with these by a given date. If it is necessary to conduct a second visit, a charge will apply. The University's decision as to whether the property is suitable for registration shall be final.

**Properties may be registered at any time between December and the end of June, but re-registration always takes place the following December.**

*Please note:*

The University's Registration Scheme does not incorporate any form of management or letting agency service; it is purely an advertising service. If a landlord wishes to use an agent he/she may register on our scheme if he/she chooses an agent that is prepared to register all the properties they manage as student lets in Preston. This is to ensure health, safety and quality standards are maintained across the service and to prevent the inadvertent direction of our students to properties that may not have been inspected by University Staff. We cannot guarantee that you will let your properties.

## **What is the cost of registration?**

To register, the University charges a fee to landlords of £50 for the first property accommodating up to six students and £5 for each additional bed space, whether these are in the same property or several properties. The fee covers administration only and the University cannot guarantee the provision of tenants. We regret also, we cannot add properties to Studentpad unless this fee has been paid in full. The fee is payable initially on registration and each December thereafter. Once the fee has been paid it is not refundable for any reason. The University is not providing any form of letting agency service and it is entirely for each landlord to satisfy themselves as to the suitability of any students seeking accommodation.

**N.B.** Please note that if during a visit a property is found to give us cause for concern, we will inform Preston City Council or Lancashire Fire and Rescue Service, as appropriate, who may then carry out their own inspection of the property. We may re-visit your properties from time to time as part of a rolling inspection schedule or when we are requested to do so by students who are experiencing problems with the condition of the property. This will be done by arrangement with the students and we will write to you with our findings. If the problems continue, the students will be advised to contact Preston City Council, or seek legal advice, as appropriate and the University will consider whether to de-register the Landlord and/or the property.

We work very closely with Preston City Council and Lancashire Fire and Rescue Service and reserve the right to share information about properties before and after registration so that we can ensure the correct standards are applied to individual properties.

### **I am currently registered but have bought a new property. How do I get it registered?**

You should contact us and ask us to email/send you a Visit Request Form. When you receive it please complete the details and send it back with a cheque for the visit charge (or call to make a card payment on 01772 892526), which is £15 per property. We will then contact you to arrange a mutually convenient time to visit the property. If it is occupied with tenants you must give at least twenty four hours written notice prior to our visit. If you have not done this, we will not be able to carry out the visit and the payment will not be refunded.

### **About your Documentation**

The University reserves the right to supply copies of all documentation submitted to it by a landlord to any statutory authority, or interested third party in the event of a dispute or claim regarding the Landlord and/or the property.

If landlords require any documentation held on our files regarding their property, we will provide the information within 20 working days from receipt of the request. Only information relevant to the property will be given. Correspondence concerning any information relating to another person/tenant will not be given, due to the disclosure requirements of the Data Protection Act 1998.



## Landlords' Legal Responsibilities and Property Standards

The information contained in this document is provided by way of assistance only and is not intended to be a comprehensive summary of the current law.

It is the responsibility of the Landlord to satisfy him/herself as to the current legal requirements and standards and to ensure compliance with the same. Nothing in this Guide shall remove the need for the Landlord to seek independent legal advice and/or to satisfy him/herself that all registered properties are compliant and remain so during the period of registration.

### Gas

As a landlord, you are responsible for the safety of your tenants. The Gas Safety (Installation and Use) Regulations 1998 deal with landlords' duties to make sure gas appliances, fittings and flues provided for tenants are safe.

You are responsible for the maintenance and repair of flues, appliances and pipework which you own and have provided for your tenants use by a Gas Safe registered engineer. Although there is no prescribed timeframe for these duties, good practice would be the demonstration of regular, annual maintenance checks and subsequent repairs.

You are also responsible for ensuring an annual gas safety check is carried out within 12 months of the installation of a new appliance or flue which you provide and annually thereafter by a Gas Safe Registered engineer. You must keep a record of the safety check for 2 years and issue a copy to each existing tenant within 28 days of the check being completed and issue a copy to any new tenants before they move in.

If appliances are repaired or replaced during the tenancy, a supplementary certificate must be provided. Gas appliances must have clear instructions (and warnings as appropriate) to ensure safe use. It is advisable to fit a carbon monoxide detector close to gas appliances and boilers. Please note that gas appliances may still develop faults even if covered by a gas safety certificate.

If there is a gas meter/supply in the property but no gas appliances, you will still need a Gas Safety Certificate as there is a 'live' supply of gas in the pipes. Otherwise, if you want to avoid the cost of an annual gas safety certificate, the meter must be removed by a Gas Safe registered engineer.

Further information can be found at: <http://www.hse.gov.uk/gas/domestic/faqlandlord.htm>

### Electricity

With rented residential accommodation it is the Landlord's responsibility to ensure that the electrical installation and appliances provided by the landlord are safe when the tenancy begins and are in proper working order throughout the tenancy. At the start of the tenancy and throughout both must be free of risk of injury to tenants and residents. The local authority can take action to enforce electrical safety in residential accommodation under the Housing Health and Safety Rating System (HHSRS).

You must, therefore, ensure that the electrical wiring, installations and appliances that you have provided are safe and an Electrical Installation Condition Report must be obtained from an approved electrical contractor: e.g. NICEIC Group Ltd, NAPIT Certification Ltd, ECA.

The report will state when the installation must be checked again, this is usually every five years.

## Electrical Appliances

Please refer to: <http://www.hse.gov.uk/electricity/faq-portable-appliance-testing.htm>

Electrical appliances must comply with the Electrical Equipment (Safety) Regulations (1994). These Regulations apply to all electrical equipment new or second hand including domestic electrical appliances. The Regulations came into force on 1st January 1997.

When providing portable appliances for tenants, the landlord should check that every appliance has a CE mark. It is also recommended that you should only provide appliances with additional safety marks e.g. the British Standard Guidance mark or the BEAB approved mark.

It is strongly recommended that all electrical appliances over 12 months old should be PAT tested every year, preferably before the beginning of each new tenancy.

\* NB. Landlords must provide operating instructions for all gas and electrical appliances provided in a property, e.g. washing machines, central heating timers, cookers.

**Gas and Electricity Meters** – If these are situated in a bedroom, the landlord needs to be aware that Transco must be able to gain access at **any** time, and so must all tenants, in the case of an emergency, or if the meters are card operated. Landlords must discuss this with the tenant of the room before occupation and explain that a spare key will be provided in a break glass box for access in the case of emergency when the tenant is absent from the property. If the tenant does not agree to this arrangement, the landlord will either have to re-site the meters, not let the room as a bedroom, or find another tenant who is happy to agree.

## Furnishings

All upholstered furniture, including mattresses, three-piece suites, cushioned headboards, scatter cushions, seat pads and pillows, must conform to the Furniture and Furnishings (Fire Safety) Regulations (1988). Since 1988 all new furniture (except mattresses and bed bases) has had to carry a permanent label stating it complies with the fire resistance standards stated in the regulations. These labels are usually on the base or sewn under cushions. If you cannot be sure that furniture meets the regulations, the furniture must be replaced. It is illegal to provide non-compliant furniture and penalties can be very severe.

## Heating

It is your decision as landlord to decide whether to include gas and electricity as part of the rent. Students often prefer an inclusive rent, and you can introduce a fair usage clause into your tenancy agreement, stating that tenants will have to pay you if the bills exceed a specified amount. You must state what portion of the rent figure is in respect of these bills. You would have to show the tenants that the bills have exceeded the agreed amount.

Tenants must be able to regulate the temperature within their accommodation. Every bedroom, living room and bathroom must contain a fixed heating appliance capable of heating the room to 21° C when the external temperature is -1° C. There must be efficient heating provision for the whole property. Heating must be affordable. Gas fires in bedrooms are not permitted, nor are any bottled gas or paraffin heaters in any part of the property.

Landlords must ensure the property can be adequately heated. Grants for boiler replacements and central heating are available if a tenant is in receipt of certain benefits. Landlords can apply to Preston City Council for further information – Tel: 01772 906765 or 01772 906575

## Insulation

Landlords must ensure the property is well insulated in order to prevent heat loss. Landlords can apply to Preston City Council for an insulation grant, an EPC survey will be carried out which will establish the level of funding available - Tel: 01772 906355 or 01772 906575.

## Property Standards

### Non- HMOs

Where a property is let to a couple, two students or a family, while it will not be classed as an HMO, but Preston City Council's standards of amenity will still apply. (See <http://www.preston.gov.uk/yourservices/housing/advice-for-landlords/landlords-information-pack/> Part 3.6 Houses and Flats in Single Occupation).

Landlords should refer to Page 37 of the Lacors Guide, Housing – Fire Safety, for details of interlinked smoke detection and fire- fighting equipment, as the University will require the provision therein as a minimum requirement for registration purposes.

<http://www.rla.org.uk/docs/LACORSFSguideApril62009.PDF>

The landlord must also carry out a risk assessment to ensure provision is adequate.

### HMOs

Nearly every property let to students will be classed as a House in Multiple Occupation (HMO) and standards of amenity will apply to these properties.

Where a unit of accommodation is let to three or more students who are sharing communal areas such as a kitchen , the following will be required as a minimum: interlinked, mains wired smoke detectors in all habitable rooms; an interlinked, mains wired heat sensor, a fire blanket and a 2 kg dry powder extinguisher in the kitchen; interlinked, mains wired smoke detectors at the top and bottom of the staircase; locks, on final exit doors and bedroom doors, must be able to be opened from the inside of the room without the use of a key, and as a landlord, you must also carry out your own risk assessment to ensure the provision is adequate.

Where the whole of the ground floor of a one/two bedroom property is completely open plan or where the staircase descends into a room you are advised to contact Housing Standards at Preston City Council for further information and advice.

A summary of the standards of amenity can be found on pages 13 - 17. It is not a complete statement of all the Regulations and Standards. Further details and advice can be obtained from Strategic Housing Services at Preston City Council on 01772 906907

You can also read the relevant documents at: <http://www.preston.gov.uk/yourservices/housing/advice-for-landlords/landlords-information-pack/>

## Planning Permission/Building Control

If you plan to carry out any work on a property it is advisable to check with Preston City Council whether planning permission or building consent is needed.

Before you buy a property to let to students in Preston, if it is not already being rented to students, you must also check whether permission is required to change it into student accommodation.

A direction came into force on 28 January 2013 which will enable Preston City Council to control the number of properties which become Houses in Multiple Occupation (HMOs) by requiring the submission of a planning application. The areas covered by the direction include the following:

- Plungington
- Moor Park
- Deepdale
- Ashton, Tulketh
- Avenham, Broadgate
- Frenchwood and around County Hall

For further information, please go to:

<http://www.preston.gov.uk/yourservices/housing/houses-in-multiple-occupation--hmos--licences/consultation-houses-multiple-occupation-hmos/>

## Mortgage

You must check that your mortgage lender, if applicable, will allow you to let the property.

## Home Security

Landlords must consider the safety and security of students who are renting their properties.

To allow an easy escape in the event of an emergency, final exit doors and locks on bedroom doors must be capable of being released from the inside without the use of a key. An acceptable level of security can be achieved by a multipoint deadlocking facility with 3 or more bolts and a thumb turn release, or a BS3621 mortise deadlock with an EN1303 six pin cylinder and thumb turn release. The door frame must be a solid construction and any glazing must be toughened or laminated and a minimum of 6.4mm thick. Wide-angle door viewers and door chains on front doors are advisable. Any new doors must reach the security standard of PAS24.

It is becoming increasingly common for landlords to protect their property and the occupants with an intruder alarm. If this is provided, you must advise tenants on how to operate the alarm system correctly. Please ensure that any alarm is unable to sound for a prolonged period, e.g. no longer than 20 minutes.

Rear entrances and vulnerable areas such as rear yards and hallways should ideally be fitted with security lighting, preferably operated by means of a photoelectric cell (dusk to dawn), or by a PIR sensor.

If there are any hedges or shrubbery around the perimeter of the property, these must be kept trimmed to a low level, below the bottom of any windows.

Further advice on security measures can be obtained from a Crime Prevention Officer at Preston Police Station (01772 209793)

## HMO Licensing

Since April 6<sup>th</sup> 2006, under the Housing Act 2004 Part 2, certain rented properties have had to become licensed by Preston City Council. Properties that meet all the rules below MUST, by law, obtain a licence:

**Current Rules (as at October 2016 – these may be liable to change in the future. There are DCLG proposals to extend this requirement to other HMOs)**

**Rule One:** is that the property must have five or more occupants.

**Rule Two:** is that the occupants must not be a family household – five or more students are definitely NOT a family household.

**Rule Three:** is that the property must have three or more storeys. For the property to be classed as three storeys, each storey must be used by the tenant in some way. So, for instance, if you have a basement or cellar where the gas meter is kept but otherwise it is unused, this will not count as a third storey. If, however, your tenants have full access to the basement, e.g. if there are freezers or laundry facilities, or even storage in the basement, it could be classed as a third storey. If you have attic rooms this will be classed as a further storey, unless they are completely blocked off and inaccessible.

Some properties that do fall in the category above will NOT require a licence, namely, properties that are wholly self-contained. That is if one or two students (forming a single household) have exclusive use of their own kitchen and bathroom facilities that are not shared by another person or household. These properties may become subject to licensing at a later date.

Large halls of residence built before 1992 may need a licence, particularly if there are shared facilities – e.g. a shared gym, common room or laundry. Providers of large student halls of residence are expected to sign up to the ANUK/Unipol Code of Practice, and this may be an acceptable alternative to obtaining an HMO Licence, however, you should check with Preston City Council Housing Standards.

The Council must maintain a register of licensed HMOs for the public to view. The licence holder must be a 'fit and proper' person and there must be satisfactory management arrangements. If you operate without a licence you will be committing a criminal offence and could receive fines of up to £20,000. Also, without a licence, your tenants can legally claim back their rent payments through a Rent Re-payment Order and Housing Benefit can also be withheld. Tenants can then occupy the accommodation rent-free until a licence is obtained, and the landlord cannot legally evict the tenants.

**It is the responsibility of the landlord to contact Housing Standards at Preston City Council to apply for licensing. If you are in any doubt about whether your property requires a licence, please contact Housing Standards. Tel: 01772 906907**

## Summary of standards of amenity for Houses in Multiple Occupation and non-HMOs

For a full copy of the standards please contact Preston City Council's Housing Standards or go to:

<http://www.preston.gov.uk/yourservices/housing/advice-for-landlords/landlords-information-pack/>

<b>HMO Category</b>	<b>Houses occupied as flatlets, bedsitters and rooms which are fully self-catering with some degree of self- containment (i.e. BEDSITS)</b>	<b>Houses/flats occupied on a shared basis normally by students, fully self-catering possibly not needing planning permission and not self-contained. (i.e. SHARED HOUSES). Units of six persons max.</b>	<b>Non HMO - Properties let and occupied by one person/two people, a couple or a family i.e. as a single household. (i.e. FAMILY ACCOMMODATION)</b>
<p><b>Personal Washing Facilities and Toilets</b></p> <p>Not to be located in kitchens, and no toilet to open into kitchen.</p> <p>All to have constant supplies of hot and cold water.</p> <p>Externally located toilets are not acceptable.</p> <p>Walls, floors, ceilings to be easily cleaned. No carpets.</p>	<p>Where all or some units of accommodation do not contain bathing and toilet facilities for exclusive use of each individual letting:</p> <p>a) Where there are 4 or fewer occupiers sharing those facilities, there must be at least one bathroom with a fixed bath/shower and toilet (which may be situated in bathroom)</p> <p>b) Where there are 5 or more occupiers sharing those facilities there must be: (i) one separate toilet with wash hand basin for every 5 sharing occupiers and (ii) at least one bathroom (which may contain a toilet) with fixed bath/shower for every 5 sharing occupiers.</p> <p>Where 5 or more occupiers every bedroom MUST contain a wash hand basin.</p>	<p>1 – 4 persons: Wash hand basins (WHB) not required in bedrooms.</p> <p>At least 1 bathroom and 1 toilet – these may be in the same room.</p> <p>5 persons: 1 WHB required in each bedroom where practicable, plus 1 bathroom and 1 separate toilet with WHB.</p> <p>6 – 10 persons: 1 WHB required in each bedroom, plus 2 bathrooms AND 2 separate toilets with WHBs (but one toilet may be contained within one of the bathrooms)</p> <p>11 – 15 persons: 1 WHB required in every bedroom, plus 3 bathrooms AND 3 separate toilets and WHBs (but the WHBs can be contained within 2 of the bathrooms).</p>	<p><b>Wash hand basins (w.h.b.)</b></p> <p>1 w.h.b. located so that all occupiers can access them without passing through another bedroom.</p> <p><b>Baths/showers</b></p> <p>1 bath/shower located so that all occupiers can access them without passing through another bedroom.</p> <p><b>Toilet</b></p> <p>1 toilet located so that all occupiers can access it without passing through another bedroom.</p>
<p><b>Kitchens and power points</b></p> <p>Walls, floors and ceilings must be easily cleanable. No carpets.</p>	<p>Shared kitchens for single person occupancies no more than one floor distant. Maximum 6 persons per kitchen.</p> <p>1 power point for electrical cooker plus 2 power points plus 1 for each additional household sharing</p>	<p><b>As A</b></p> <p>Up to 5 persons - one cooking appliance, one food storage facility and one sink will be acceptable.</p>	<p>1 power point for electrical cooker plus 2 power points above work surface.</p>

<b>Refuse storage and disposal</b>	Sufficient refuse storage containers in a cleanable location with suitable access for collection.	<b>As A</b>	<b>As A</b>
<b>Cooking</b>	2 rings or hot plate with grill and oven for 1 person or 4 rings with grill and oven, not to be shared by more than 4 persons.	<p>2 rings or hot plate with grill and oven for 1 person.</p> <p>If 5 or less sharing a 4-ring cooker with grill &amp; oven. PLUS 1 microwave oven.</p> <p>If 6- sharing a 4-ring cooker with grill &amp; oven PLUS a convection microwave oven with grill, or 2 x 4-ring cookers</p> <p>If more than 6 sharing:</p> <p>2 rings or hot plate with grill and oven for each user or a 4-ring cooker with grill and oven for 3 persons sharing.</p>	Four rings or hot plates with grill and oven.
<b>Food storage/preparation</b>  Space below sink in a sink unit not acceptable as a food store. All work surfaces to be fixed, impervious and able to be cleaned properly	Each letting to have:  Refrigerator min of 0.13 cubic metres  Dry goods store min of 0.3 cubic metres  Can be located within a letting or partitioned storage for each household in a shared kitchen.  Worktop of 0.6 square metres minimum per letting.	5 or less persons sharing:  1 Refrigerator min of 0.13 cubic metres: 'In practical terms, the standard indicates that each HMO occupier to be provided with a dedicated shelf slot within a conventional fridge, of typical 550-600mm width. The space above the shelf needs to be of a usable height, typically 125-150mm'  1 Dry goods store min of 0.3 cubic metres  6 persons or more, each letting to have:  Refrigerator min of 0.13 cubic metres: 'In practical terms, the standard indicates that each HMO occupier to be provided with a dedicated shelf slot within a conventional fridge, of typical 550-600mm width. The space above the shelf needs to be of a usable height, typically 125-150mm'  Dry goods store min of 0.3 cubic metres  Located in the letting or lockable compartment in the shared kitchen  Worktop of 0.6 square metres minimum per letting.	Refrigerator min of 0.13 cubic metres with its own electrical socket adjacent to it.  Worktop of 0.6 square metres minimum

<b>Disposal of waste water</b>	Each letting to have separate sink with drainer or separate bowl inside each unit or, ratio of 1 sink:3 occupancies in shared kitchens.	<b>As A</b>  Where less than 5 persons, 1 sink sufficient in shared kitchen	A sink unit with a single bowl and drainer.
<b>Water Supply</b>  Hot water to be minimum 50°C	A supply of cold drinking water to the kitchen and each washing point	<b>As A</b>	<b>As A</b>
<b>Natural lighting</b>	All habitable rooms to have a glazed area of window 1/10th of the floor area of room. Ideally windows to be double glazed.	<b>As A</b>	<b>As A</b>



<b>HMO Category</b>	<b>Houses occupied as flatlets, bedsitters and rooms which are fully self-catering with some degree of self- containment (i.e. BEDSITS)</b>	<b>Houses occupied on a shared basis normally by students, fully self-catering possibly not needing planning permission and not self-contained. (i.e. SHARED HOUSES) Units of six persons max.</b>	<b>Non HMO - Properties let and occupied by one person, a couple or a family i.e. as a single household. (i.e. FAMILY ACCOMMODATION)</b>
<b>Space heating</b>	Fixed heating appliance in all habitable rooms of safe and efficient design with sufficient output to adequately heat the rooms to 21°C when external temp is -1°C.  Portable paraffin and LPG not acceptable. Solid fuel in exceptional circumstances.	As A	As A.
<b>Artificial lighting</b>	All parts to be provided with electrical lighting.	As A	As A
<b>Ventilation</b>  Where bottom opening windows fitted a high level wall vent should be provided to prevent condensation.	All habitable rooms to have a openable window 1/20 <sup>th</sup> of floor area of room and at least 1.75 metres above floor level.  Other rooms to have same as above or mechanical extract ventilation giving 3 air changes per hour. Ideally windows to be double glazed.	As A	As A
<b>Space standards</b>  In rooms with sloping ceiling, the floor area will only be measured to a point where the ceiling height exceeds 1.5 metres  Underground rooms used as habitable rooms must comply with Council's guidance notes 'Standards for Underground Rooms'.	<p style="text-align: center;"><b>One person Occupancy</b></p> <p>One roomed unit: with kitchen facilities              13 sq. mt.</p> <p style="padding-left: 150px;">with separate shared kitchen              10 sq. mt.</p> <p>2+ roomed units: each kitchen                              4.5 sq. mt.</p> <p style="padding-left: 60px;">each living/kitchen                              11 sq. mt.</p> <p style="padding-left: 60px;">each living room                                      9 sq. mt.</p> <p style="padding-left: 60px;">each bedroom    6.5 sq. mt.</p> <p style="text-align: center;"><b>Two person Occupancy</b></p> <p>One roomed unit: not normally suitable for 2 or more persons</p>	<p style="text-align: center;"><b>One person unit</b></p> <p>Each bedroom with separate shared living room 6.5 sq. mt.  (without separate living room 10 sq. mt.)</p> <p style="text-align: center;"><b>Two person units</b></p> <p>Each bedroom with separate shared living room 11 sq. mt.  (without separate living room 15 sq. mt.)</p> <p style="text-align: center;"><b>Common Living Rooms</b></p> <p>Kitchens:      1 - 5 persons              6 sq. mt.</p> <p style="padding-left: 100px;">6 - 10 persons              9 sq. mt.</p>	Based upon the number, size of rooms and the age of the occupiers. For further advice please contact the Strategic Housing Services at Preston City Council.

	<p>2+ roomed units: each kitchen 5 sq. mt.</p> <p>each living/kitchen 15 sq. mt.</p> <p>each living room 12 sq. mt.</p> <p>each living/bedroom 14 sq. mt.</p> <p>each bedroom 10 sq. mt.</p> <p><b>Three person Occupancy</b> - contact Strategic Housing Services Section at Preston City Council</p> <p><b>Shared kitchens</b> - 3 sq. mt. per person using</p>	<p>Dining kitchens: 1 - 5 persons 9 sq. mt.</p> <p>6 - 10 persons 15 sq. mt.</p> <p>Living rooms do not include kitchens or kitchens/dining rooms</p>	
<b>Means of escape from fire and other fire precautions</b>	<p>Means of Escape from Fire in Houses in Multiple Occupation will apply.</p> <p>(summary follows)</p>	<p>Means of Escape from Fire in Houses in Multiple Occupation will apply.</p> <p>( summary follows)</p>	<p>If the property has more than one self-contained flat - <b>Same As A</b></p>
<b>Gas Safety</b>	<p>All gas appliances and installations to comply with the Gas Safety (Installation and Use) Regulations 1994 (as amended)</p>	<b>As A</b>	<b>As A</b>
<b>Electrical Safety</b>	<p>All electrical appliances to comply with the Electrical Equipment (Safety) Regulation 1994.</p>	<b>As A</b>	<b>As A</b>
<b>Furniture and Furnishings</b>	<p>All upholstered furniture to comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988.</p>	<b>As A</b>	<b>As A</b>

These are guidance notes only and not a statement of law. If you are not sure about your legal position in any respect you should contact the Council.

## Fire Safety Risk Assessment

The Regulatory Reform (Fire Safety) Order 2005 places a responsibility on landlords (or manager of an HMO) to take reasonable steps to reduce the risk of fire and make sure people can escape safely if there is a fire.

Under the order you must:

- Carry out a fire risk assessment identifying any possible dangers and risks – sources of ignition, fuel and oxygen.
- Consider who may particularly be at risk – people in and around the property, and who may be especially at risk.
- Reduce or remove any risks from fire as far as is reasonably practicable and provide general fire precautions to deal with any possible risk left – you must evaluate the risks, reduce or remove hazards, protect people from fire.
- Make sure there is protection if flammable or explosive materials are used or stored.
- Make a plan for dealing with any emergency and keep a record of your findings – record any action you have taken, discuss and work with other responsible people, inform and instruct relevant people, and provide training.
- Review your findings regularly and make changes when necessary.

You must note that you have to consider everyone who may be in your property at any time – including visitors, contractors or members of the public.

You must provide residents with basic information on fire precautions.

Further information can be found in the Lacors Housing – Fire Safety Guidance at:

<http://www.rla.org.uk/docs/LACORSFSGuideApril62009.PDF>

## Means of Escape from Fire for HMOs

The latest guidance is given in the Lacors guide - Housing – Fire Safety, which gives national guidance on fire safety provision in housing:

<http://www.rla.org.uk/docs/LACORSFSGuideApril62009.PDF> ( or search Lacors Housing Fire Safety) You must read this guide, as it has been produced to help landlords ensure there is adequate fire safety in certain types of residential accommodation, and this includes accommodation that is rented to students.

Under the Regulatory Reform (Fire Safety) Order 2005, landlords are required to carry out a fire risk assessment on their properties. 'A Short Guide to making Your Premises Safe from Fire', published by HM Government, can be downloaded at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/14879/making-your-premises-safe-short-guide.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/14879/making-your-premises-safe-short-guide.pdf)

The legal onus is on you as a landlord to make your properties safe from fire. You should bear in mind that most students are young people who have been used to living in a family home. Independent living is often a new experience for students, and you must consider their lifestyles when assessing the risks. For University registration purposes, following consultation with Lancashire Fire and Rescue Service and Preston City Council, the **minimum** requirement for University registered shared houses (for three or more persons) is set out below. You must decide whether this provision is adequate in each of your properties, following your individual risk assessment for each property, and in accordance with the Lacors guidance.

## **Minimum requirements for registration**

**Please read the Lacors Guidance in conjunction with the requirements. If in doubt, seek advice.**

**For the purposes of registration, the majority of shared student houses in Preston are classed in the Lacors Guidance as Bedsit – type HMOs.**

**For houses of no more than two storeys, please read case study D7 in Lacors (Grade D LD2 system)**

**For houses of three or four storeys please read case study D8 in Lacors (Grade A LD2 system. Call points required)**

**For houses of five or six storeys please read case study D9 in Lacors (Grade A LD2 system plus secondary means of escape, refer to guidance for details)**

**Bedsits with cooking facilities in bedrooms require extra detection, with both heat and smoke detection, refer to Lacors.**

**NB There are further case studies for accommodation units of other sizes and layouts – refer to guidance.**

The requirements are designed principally to enable occupants to escape to a place of safety and secondly to enable them to control a minor fire before it spreads from its source.

The principal method to enable escape is by provision of a protected route, which would normally include a stairwell, landings and hall, together with any corridors or lobbies leading onto that stairwell or hallway.

## Doors

- (i) Doors onto the protected route must be half hour fire doors. Fire doors must be installed and maintained in accordance with BS 8214:1990
  
- (ii) Where these doors are in regular use by occupants, they will be fitted with an approved type of self-closer. (Perko and finger types are not acceptable) Three 100mm (4") butt hinges will be fitted to all doors in the normal size range and these shall be made of a material with a high melting point. Locks must be fitted to study bedrooms but must be able to be opened from within without the use of a key. This also applies to final exit doors (back and front). Intumescent strips will be fitted to all these doors' casings or to the doors themselves. Except for final exit doors and those doors of rooms which open onto a protected inner lobby, the intumescent strips will be fitted with an integral smoke seal. It must be noted that fire alarm provision needs to be correct before installing intumescent strips/smoke seals .
  
- (iii) Fire doors will be a good fit to frame with 2 - 4mm gaps. 8mm gap beneath the door is acceptable. There must be no gap between smoke seal and door or casing. The door must latch positively when closed.  
Gaps around door casings and voids adjacent to locks must be stopped with intumescent or other suitable approved non-combustible material.
  
- (iv) Where doors serve only rooms such as storerooms (not normally accessible to tenants) or store cupboards, boiler rooms, etc., a door closer may not be necessary. Fire doors which are routinely kept locked should be labelled 'Fire Door – Keep Locked' on the outside.

## Walls, Floors and Ceilings.

### Compartmentation -

The spread of fire and smoke must be restricted from one unit of accommodation to another.

- (i) Walls adjacent to the protected route will be half hour fire resisting. Floors and ceilings should be either concrete or, a floor/ceiling in which the floor is tongued and grooved, the joists are of adequate strength and the ceiling is 12.5mm plasterboard. Plasterboard joints should be supported by noggins, the boards fixed at 150mm centres along joists and noggins, and the joints scrimmed and skimmed. Where existing floorboards are not tongued and grooved and gaps exist, the floor must be covered by hardboard or thin plywood.

Where walls are timber studded, the minimum stud size will be 75 x 50mm and both faces will be in 12.5mm plasterboard finished as indicated above.

There is a range of additional ways to achieve half hour protection and Housing Standards Officers will be happy to discuss these with you.

- (ii) Party walls in loft or attic areas must be built up to the roofline to provide one-hour fire protection.
- (iii) To give half hour fire resistance, glazing on the protected route will be by the use of minimum 6mm wired glass in panes not exceeding 1.2m<sup>2</sup>. In fire doors, this glazing is only permitted over 1.1m from the floor. Below this height, glazing must be heat insulated. Guidance is available on acceptable beading.
- (iv) Any structural steel must be protected to provide appropriate fire protection.

### Other Issues on the Protected Route

(i) Bathrooms, w.cs and shower rooms opening onto the means of escape, which have natural light and ventilation extraction, will **not** need to meet the requirements for fire protection unless they contain an electric bar heater or a large linen storage cupboard, or other risk items.

(ii) Gas and electricity meters located on the protected route must be re-located or be fully protected by half-hour fire resistant construction; made lockable with keys issued to tenants or relevant persons and bearing the British Standard symbol "Fire Door Keep Locked".

(iii) Built in cupboards on the protected route must be provided with half hour fire protection or removed or permanently fixed shut by e.g. securing with substantial screws. If kept in use, they must be made lockable with keys issued to tenants or relevant persons and bearing the British Standard symbol "Fire Door Keep Locked".

(iv) Gas and electrical appliances, and unprotected cupboards, wardrobes, etc. and storage of any kind are not permitted on the protected route.

(v) Avoid trip hazards on escape routes e.g. computer cables

(vi) Escape stairs must be at least as wide as the doors leading onto them.

(vii) Any openings around pipes, services and ducts which pass through fire resisting construction must be fire stopped with materials of at least the same level of fire resistance as the structure itself. Cables must be enclosed with fire resistant casing. For properties serving a maximum of fifty people, horizontal escape routes must be minimum 800mm.

## Basements and Cellars

Please refer to the guidance within the LACORS document

NB – Due to the complexities of basements and cellars it may be necessary to seek advice from Housing Standards at Preston City Council or Technical Fire Safety Department of Lancashire Fire and Rescue Service.

## Emergency Lighting

Emergency lighting will usually be required, unless there is good natural lighting on the protected route, **and** the protected route is illuminated by an external source (e.g a street lamp) in the event of an electrical power failure within the property in the hours of darkness. The protected route from the exit doors of bedrooms to final exits must be covered by emergency lighting to comply with B.S.5266. In some instances, emergency lighting will also cover specific habitable rooms.

## Fire Alarm System

If you are in doubt about what system to provide you should seek advice from Preston City Council or Lancashire Fire and Rescue Service.

- (i) In large properties (e.g. halls of residence and large residences) it is normally necessary to provide separate alarm systems to protect on the one hand, the means of escape and on the other hand, the individual lettings (e.g. study bedrooms). This combination has been found to be most effective in achieving the balance between life safety and the need to avoid false alarms.
- (ii) In properties of ground and first floor levels with no floor exceeding 200m<sup>2</sup>, (i.e most shared houses) interconnected mains wired smoke alarms are acceptable. Detectors must meet B.S.5446. Typically alarms will be located in each hallway and landing and in each protected corridor and each bedroom and lounge. An interlinked heat detector must be located in each kitchen. The whole installation must meet B.S.5839: Part 6 and must achieve 75 dBA at the bed head and 65 dBA (or 5 dBA above ambient sound levels; whichever is the higher).
- (iii) Manufacturers place limitations on the numbers of their Part 6 smoke alarms which may be interconnected. The electrician must ensure compliance with manufacturer's guidance and compatibility of alarm fixtures where elements produced by more than one manufacturer are installed.

Guidance on suitable power supplies may be found in B.S.5839: Part 6. In all cases where card or coin operated electricity meters are fitted, the power to the fire alarm must be independent.

- (iv) When specifying smoke detectors, it is essential to choose a type of detector that will not be prone to false alarms. Failure to consider this issue may lead to tenants damaging or decommissioning fire alarm systems due to the frustration caused by frequent false alarms. In most cases, and certainly where cooking is undertaken in

close proximity to a smoke detector (e.g. bed-sit type accommodation) you are advised to specify optical (sometimes referred to as photoelectric) type smoke detectors. Most modern detectors have a 'hush' facility which allows the detector to be silenced for a pre-set time, typically ten minutes, whilst cooking takes place. Experience has shown that this deters the occupant from tampering with the device.

- (v) Further false alarm avoidance may be achieved by siting detectors remote from the potential cause of false alarms (e.g. by siting the detector on the opposite side of the room to cooking equipment). In all cases the detector must always be installed in accordance with the manufacturers fitting instructions.

## General

- (i) Where a building has an area of more than 200m<sup>2</sup> on any storey, two escape routes should be provided.
- (ii) A maintenance logbook must be kept by the person having control of the building and must contain details of maintenance, testing, fire incidents advice and training and this must be made available to Housing Standards Officers and fire officers on request.
- (iii) The internal arrangements of accommodation must be such that it is not necessary to pass through an area of higher risk when leaving. e.g. from a bedroom through a kitchen or lounge; or; a staircase leading down into a kitchen and/or a lounge.
- (iv) In addition to the above, the Council has a number of guidance notes covering particular aspects of these requirements. These are available on request from Housing Standards at Preston City Council. .
- (v) Fire-fighting equipment will be provided in the following locations:
  - Kitchens – a 1m<sup>2</sup> fire blanket, to comply with BS6575 and to be mounted approximately 1.5m high and a 2 kg dry powder extinguisher conveniently located away from and on the escape side of the cooker.
  - At the head of the stairs on each storey and close to the external exit door – a 6 litre multi-purpose extinguisher to comply with BS EN 3-7. Extinguishers must be tested and maintained on an annual basis in accordance with BS 5306-3 and with the manufacturer's instructions.

Note: The above extinguishers, while they will meet the requirements in most houses in multiple occupation situations, will not be appropriate in all. It is, therefore, important that landlords carry out their own fire risk assessment to ensure that extinguishers match anticipated need.



Note: This is a guidance note and not a statement of law. If you are unsure of your legal position, you may approach one of the Housing Standards Team, Strategic Housing Services of Preston City Council, Lancastrria House, 77/79 Lancaster Road, Preston, PR1 2RH, telephone (01772) 906907. [www.preston.gov.uk](http://www.preston.gov.uk)

You may also contact the Lancashire Fire and Rescue Service (01772) 862545

Email: [enquiries@lancsfireandrescue.org.uk](mailto:enquiries@lancsfireandrescue.org.uk) Alternatively, seek legal advice.

## Fire Safety in Private Halls of Residence

The following notes apply to any private landlord who wishes to register a hall of residence with the University:

- A Building Regulations Completion Certificate must be provided as proof that the hall has been built (in the case of new build), or modified (in the case of alterations), in accordance with the requirements of the most current Building Regulations. Failure to produce such certification would indicate that a particular building design and/or construction has failed to achieve one (or more) essential criteria which the Regulations require to safeguard the health and safety of persons in and around the building.
- Landlords must undertake to positively assist the Student Accommodation Service and members of UCLAN staff involved in the discipline of students in the investigation of students whose behaviour may be in breach of the Regulations for Students, particularly where student behaviour has prejudiced the safety of other students (for example, repeated wedging of fire doors, blocking means of escape, deliberately disabling smoke detectors, covering fire alarm sounders, discharging fire extinguishers etc).
- In certain circumstances it will be necessary to provide 24 hour on-site security. This will normally depend on the number of residents, but any hall with more than 100 residents is likely to be considered by the University large enough to warrant this. From the Fire Authority perspective, 24 hour on-site security significantly improves the standard of fire safety in that, in the event of an incident, staff are immediately present to ensure the following:
  - i. All students evacuate on actuation of the fire alarm.
  - ii. A back-up 999 call can be made confirming the details of the incident. In the event of a genuine fire this is vital to ensure the appropriate number of fire appliances are mobilised (only one appliance is mobilised to calls generated purely by automatic fire alarms).
  - iii. A competent person is available to meet the Fire Service on arrival and provide critical information (nature and location of fire, whether any persons are unaccounted for, best access points etc).
  - iv. The fire alarm is reset on completion of the incident.

- Smaller halls of residence may not be required to provide 24 hour on-site security, but there should still be rigorous systems in place (documented and available for audit) to show that the landlord has considered the issues and determined an achievable method to ensure the functional requirements of the above bullet points can be met.

## **Housing Health and Safety Rating System (HHSRS)**

As a landlord, you should be aware of The Housing Health and Safety Rating System, and read the Guidance for Landlords at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/9425/150940.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/9425/150940.pdf)

This is a system for assessing the health and safety risks in dwellings, and is a risk assessment process which covers 29 different hazards such as temperature – excess cold or excess heat, dampness, sanitation, drainage, domestic hygiene, gas, electricity, security and protection against accidents. The HHSRS is the principal tool used to assess fire safety standards. If your property is inspected by a Preston City Council Housing Standards Officer, it will be assessed using the HHSRS rating system. If there are any hazards which present a significant risk (i.e. above average) to human health or safety, enforcement action can be taken to make you reduce the risk.

If University staff have any concerns about a property during a visit, or if any students have concerns about the safety of their accommodation, Housing Standards may be asked to inspect it, and they will apply the HHSRS during their inspection.

## **The Management of Houses in Multiple Occupation Regulations 2006**

These regulations apply to both the managers and residents of HMOs and came into force in April 2006. They relate to the proper maintenance and general management of the property.

The “Manager” is the person managing the HMO, and under the Housing Act 2004, this person must by law supply his/her name and address and telephone number to all tenants in the property. These details must also be prominently displayed in the property.

The full statutory instrument can be found on the following web page:

[https://www.landlords.org.uk/sites/default/files/librarypdfs/1/HMO\\_Management/English\\_HMO\\_Management\\_Regulations.pdf](https://www.landlords.org.uk/sites/default/files/librarypdfs/1/HMO_Management/English_HMO_Management_Regulations.pdf)

## Summary of Manager's Duties

- **Safety Measures** – All means of escape from fire to be kept in good repair and unobstructed. Fire-fighting equipment and alarms to be properly maintained. Clear signage for means of escape. Protection against injury of tenants design faults, structure and number of occupiers in the HMO. Make roofs and balconies safe or prevent access altogether while they are unsafe. Any windows at or nearly at floor level to be safeguarded against falls.
- **Water Supply and Drainage** - All means of water supply and drainage (for example, supply pipes, taps, wcs, baths, waste pipes and drains) to be in a good state of repair, clean and in good order. Water fittings liable to frost damage to be protected. The manager must not unreasonably cut off the supply of water.
- **Gas and Electricity** – Ensure there is full certification – see sections on Gas and Electricity in this guide for requirements. The supply of gas or electricity to any resident shall not be unreasonably cut off.
- **Common Parts, Fixtures, Fittings and Appliances** - All parts of the house in common use and toilets, baths, sinks, washbasins, cookers, etc. are to be kept in a good state of repair, clean and in good order (including lighting on staircases and at entrances). Common parts of the house such as staircases, passageways, entrances (including entrance doors, porches and steps) are to be kept free from obstruction, and handrails and banisters are replaced or provided where necessary. Any stair coverings provided are safe and secure. Windows to be kept in good repair. All common parts to be fitted with light fittings (e.g. light bulbs) that are available at all times by tenants. Fixtures, fitting and appliances to be kept in safe and good working order (this does not include those that belong to the tenant). Yards and forecourts, gardens, boundary walls, fences and railings to be kept in good, clean and safe condition. All entrances, passageways, corridors, lobbies, porches, balconies, halls and steps (whether in use or not) to be kept clean and free from litter.
- **Living Accommodation** - To be clean and habitable at the beginning of a tenant's occupation (this includes all furniture belonging to the landlord). The structure of any letting, the windows and the installations in the accommodation for the supply of gas, water and electricity and for space heating and heating water and for sanitation are to be kept in good repair and proper working order.
- **Waste Disposal** – Manager must ensure sufficient bins available for the number of tenants in the HMO and provide suitable storage space for these. Arrange for disposal of refuse as may be necessary.

## Summary of Duties of the Residents

Residents are required to take reasonable care not to hinder or frustrate the work of the Manager. Residents must:

- allow the Manager at all reasonable times to enter rooms (provided at least 24 hours' notice has been given except in the case of an emergency) for any purposes connected with carrying out their duties;
- give the Manager when requested, any information they reasonably require for the purpose of their duties;
- comply with arrangements made by the Manager regarding means escape from fire, other fire precautions.
- take reasonable care not to damage anything that the Manager is obliged to keep in repair.
- store and dispose of litter and refuse in accordance with arrangements made by the manager.

**General** – The manager is not required to authorise anything to be done or take any action on any matter that is the responsibility of the local authority or any other person other than bring the matter promptly to the attention of the authority or person involved. This also applies to matters concerning the water supply or the supply of gas and electricity.

**Penalties and enforcement** – A manager or resident who fails to comply with the Regulations, commits an offence under section 234(3) of the Housing Act 2004, which is punishable on summary conviction with a fine not exceeding level 5 on the standard scale (currently £5,000).

## Refuse and Recycling

It is important that you instruct students living in your property on how to dispose of waste correctly, including recycling arrangements and collection dates. International students in particular may not be familiar with how to use the recycling bins correctly or with the general waste collection arrangements.

The Student Accommodation Service occasionally receives complaints from the general public about waste piling up in and around properties that are occupied by students, and under the Management Regulations the landlord has a duty to manage this matter properly. If the Council impose any fines regarding poor management of refuse, these will be placed on the manager of the HMO and not the tenants.

The Council will only provide one grey refuse bin, per council tax property, to HMOs, and so if this is inadequate (bearing in mind recycling bins are provided free) you should provide additional bin space by purchasing a commercial waste contract. Please contact 01772 906905 for more information.

## Tenancy Agreements

Landlords use *Assured Shorthold Tenancies* when letting a property to students. Assured Shortholds can either be for a fixed term or open ended. The University's Accommodation Contract is currently for 42 weeks. This period includes the Christmas and Easter vacations. (Registered landlords are informed of term dates by newsletter) Failure to provide a written statement of the main terms of the contract now constitutes a criminal offence under the Housing Act 1996. University registered landlords must provide written agreements.

Guidance and advice about Assured shorthold tenancy agreements can be found here:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/465605/151002\\_Model\\_Tenancy\\_Agreement\\_pdf.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/465605/151002_Model_Tenancy_Agreement_pdf.pdf)

- You **must** provide every tenant with a copy of the document called 'How to Rent', which can be found on the gov.uk website or at this link:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/496709/How to Rent Jan 16.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/496709/How_to_Rent_Jan_16.pdf)

Please note the following points which apply to student tenancies, however, these are by no means exhaustive and it is the landlord's responsibility to ensure compliance with the law.

- Both tenant and landlord are legally bound to the terms of such an agreement unless the terms are legally invalid or unreasonable. Therefore, be completely clear about your obligations before drawing up a contract. If you are unsure about your legal obligations or require assistance to draw up a suitable tenancy agreement you should seek legal advice.
- Joint Tenancies where students are "jointly and severally" responsible for the rent for the whole property are not acceptable to the University (unless you are renting to a couple or a family) Each student must be given an individual tenancy agreement. The agreement must clearly state which specific room you are allowing each student to occupy, (e.g. Bedroom 2), with all students having use of the common parts (e.g. bathroom, kitchen, lounge).
- The tenants are entitled to the "quiet enjoyment" of the property. This means that as a landlord you are required to give the tenant at least 24 hours' notice in writing and arrange a mutually convenient time to visit the property. By law this is part of the contract that is made between tenant and landlord whether it is stated or not and whatever sort of contract has or has not been signed.
- Keep a signed copy of the agreement and issue one copy to each of your tenants.
- If you agree to let a room to a tenant without meeting them eg. to an international student who has not yet arrived in Preston, although the Distance Selling Regulations 2000 no longer apply, the onus is on you to make this contractually clear to the tenant. You should ask the tenant to sign to accept that once they agree to take the accommodation by signing a contract, they will be bound without having seen it. This cannot remove all

liability as if your advert or photos are not an accurate portrayal of the accommodation, you could still be guilty of an offence and the contract is open to being voided.

- Student contracts are normally for a fixed term of around 42 weeks, however, please be prepared to be flexible, as some students have longer courses than others. As students tend not to occupy properties long - term, we recommend that you avoid using clauses that ask students to have the chimneys swept, clear the gutters and maintain the garden, for example. Clauses like this are more appropriate for properties that are let on a long-term basis. You should cover the cost of this kind of task within the rent and get a specialist to do it at an appropriate time and by arrangement with the student tenants, giving due notice.
- *Please note*, tenancy agreements are strictly between the landlord and the student. The University cannot be held responsible for any arrears or damage caused by the student(s).

## Right to Rent Checks

From 1 February 2016, all private landlords in England will have to make right to rent checks. This means checking that tenants have the right to be in the UK. There are some exceptions, including student halls of residence, but if you rent houses or other types of accommodation, you must understand your legal obligations. You cannot discriminate, so you must check ALL prospective tenants. A landlord can receive a civil penalty of up to £3,000 for each adult living in their property who isn't a relevant national or has no right to rent.

A summary can be found here:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/370559/guidance\\_0\\_summary\\_checklist.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/370559/guidance_0_summary_checklist.pdf)

Further information can be found here:

<https://www.gov.uk/check-tenant-right-to-rent-documents>

and here:

<https://www.gov.uk/government/news/right-to-rent-checks-what-they-mean-for-you>

It is the landlord's responsibility to ensure compliance with the law.

## Rents, Retainers, Inventories, Deposits and Utilities

### Rents

You will have to decide the rent level that you think is appropriate but the Student Accommodation Service can advise you if you wish. Rents in Preston for a room in a shared house are typically between £55 and £75 per week depending upon the overall quality and facilities. Electricity and Gas are normally the responsibility of the students. With regard to water rates, it is for the landlord to decide whether or not to include these in the rent. Our advice is to include un-metered water in the rent, but if a house has a water meter, the tenants should open an account themselves. It is becoming more popular with students, however, to have rents that include all utility bills.

Landlords of larger properties are advised to have an inclusive rent i.e. including gas and electricity. N.B. The Council's standards specify that heating and hot water must be available 24 hours a day.

In our experience we have found that communal areas in larger properties suffer from less wear and tear damage where there is a regular cleaner. You may therefore want to include a weekly cleaning charge into the rent and add a clause to the tenancy agreement that the property will be cleaned at stated times/dates, and that cleaners will enter the property in order to do this.

### Retainers

A retainer is a sum paid by the tenant to the landlord to hold a property prior to occupation or re-occupation. Normally, in the case of returning students (i.e. not first year students), this is paid over the summer vacation. In return for the payment of a retainer the Landlord will ensure that the property is available for occupation and in a clean and habitable condition on the date the tenancy commences. The storage of the tenant's personal belongings during the retainer period is by agreement with the landlord, but you should point out to the students that any belongings are left at their own risk as they are not likely to be insured while the property is empty during the summer.

Providing that the Landlord is able to offer the accommodation for occupation on the date the tenancy is due to commence, the retainer payment is non-returnable, even if the student decides not to, or is unable to, take up the tenancy. The level of the retainer is at the landlords' discretion but rates are normally about one quarter of the rent or £150 for the whole period (10/12 weeks). The Student Accommodation Service advises that retainers are set as low as possible. Students may simply postpone house searches until August if retainer levels are considered to be too high. This could have an effect on Council Tax, because if no retainer has been paid for the summer vacation period, you will have to pay.

If any students wish to stay in the property during the summer period, and if you are happy to allow this, you must inform the student(s) beforehand about whether the full weekly rent is payable or whether you are willing to offer a reduced rate for this period. Any agreement must be in writing.

## Damage Deposits and Tenancy Deposit Schemes

Under the Housing Act 2004, the government is introducing Tenancy Deposit Schemes to protect deposits paid by tenants. This came into force on April 6<sup>th</sup> 2007. **All** deposits paid in relation to any Assured Shorthold Tenancy Agreement made on or after this date **must** be safeguarded by a scheme that is approved by the government.

Details can be found on the following website:

<https://www.gov.uk/tenancy-deposit-protection>

A damage deposit is a sum paid by a tenant to a landlord to offset costs which may arise during the period of the tenancy which are over and above reasonable wear and tear. Deductions may be made from damage deposits for damage and additional cleaning required after the tenants have vacated, and for any unpaid rent. They may not be used to offset unpaid utility bills which are a direct matter between the tenants and the suppliers. You must clearly establish with your tenants at the outset what you will and will not make deductions for. A comprehensive inventory must be signed by both parties when the tenancy is signed to avoid later disputes over deductions. Sample inventory forms are available from Student Accommodation Services. All deductions must be clearly itemized and, where applicable, receipts provided. On the tenant's vacation of the premises it is recommended that a joint inspection is carried out. Deposits must be returned within 10 days of agreeing with the tenant how much will be returned. For full details about how the deposit schemes work, please refer to the website above.

The tenancy deposit scheme does not apply to lodgings accommodation (where someone is renting a room in your own home).

## Inventories

It is essential for the landlord to provide a detailed inventory for each tenant at the beginning of the tenancy. This must be agreed and signed by both parties. Sample inventory forms are available free of charge from Student Accommodation Services to all registered landlords (to be sent by email).

By signing an inventory, both tenant and landlord are in agreement about the condition of all the decoration, fixtures and fittings within a property. If an inventory is not provided, landlords will have difficulty in claiming for damages through the tenancy deposit dispute service at the end of the tenancy. You should take photographs of all rooms before the tenants occupy the property, and take further photographs of damage caused, because these will help in any claim through the dispute service.

You should try and include on the inventory the make and model of items (furniture, white goods etc) and keep purchase receipts. If you do not, any money that is awarded to you is likely to be a compromised value, rather than the actual value, of the goods that have been damaged. You should include keys provided to the student as inventory items.

If you are claiming for damages in excess of the value of the deposit, you will not be able to do this through the dispute service, who will only deal with the actual amount of the deposit. Landlords should seek legal advice if they wish to consider pursuing the tenants for the balance.



## Utilities

In smaller properties, landlords often prefer to charge a rent that excludes gas and electricity, and have the students open their own accounts. This means that the students themselves need to regulate how much gas and electricity they use and pay accordingly. On occasion, when student tenants have not settled their final accounts upon vacation of the property, the landlord has had the problem of dealing with the utility companies. We advise landlords to use a **Utilities Form**, available from the Accommodation Office on request (by email), where students give details of their home addresses and authorize the landlord to forward their personal details to the utility companies should they leave without paying the bills.

## Television Licences

Students should be advised to check the TV Licensing website at <http://www.tvlicensing.co.uk/> for the latest information on requirements, as these do change from time to time. If you as the landlord provide a television for the tenants to use, it is your responsibility to make sure the address has a valid television licence. The tenancy agreement must state who is responsible for purchasing the licence(s). Ultimately, if your property is unlicensed, both you and your tenants are responsible and either one of you could face prosecution and a fine of up to £1,000.

## Energy Performance Certificates (EPCs)

An Energy Performance Certificate provides a rating for the energy performance of a home from A to G, where A is very efficient and G is very inefficient. The EPC shows two things about the property: - the energy efficiency rating (based on how much the property would cost to run), and the environmental impact rating (based on how much carbon dioxide is released into the environment from the property). The rating is based on factors such as age, layout, construction, heating, lighting and insulation. A recommendation report forms part of the certificate, suggesting how the property could be run more efficiently.

On October 1<sup>st</sup> 2008, it became a legal requirement for landlords to provide Energy Performance Certificates for properties when a new tenancy commences. However, this is only applicable if a property is self-contained. A certificate is **not** required when a tenant rents a room and shares facilities and each tenant has an individual tenancy agreement with the landlord. Nearly all properties that are registered with UCLan are let on this basis, so it is unlikely you will need to obtain a certificate **unless** you rent a property to a family or two individuals using a single tenancy agreement, or if you decide to sell the property.

If you do require an EPC you need to employ an accredited Domestic Energy Assessor. Details of accredited DEAs can be found at [www.epcregister.com](http://www.epcregister.com)

## Council Tax

### Term-time

If the whole property is let to full-time students, the property will be exempt from Council Tax for the academic year i.e. from September to May. Landlords must inform Preston City Council's Council Tax Department as soon as there is a change in tenancy. They will not accept retrospective tenancy agreements so you should deal with this matter immediately. For example, if a new tenancy commences on September 1st, you should send the information to the Council within four weeks of this date. If any of the occupants are not full-time students, the property will be liable for Council Tax. Where Council Tax does become liable, the landlord will be responsible for paying this (unless the property is not an HMO, and then the tenant is liable). Instances where Council Tax will become liable include where students fail to provide the University with their term time address, when a student ceases to be a student and still lives in the property, or when a student changes from being a full-time student to part-time. The only way to recover Council Tax in a multiply occupied house is through rent. Therefore, the rent set at the commencement of the tenancy needs to reflect this risk.

### Summer Vacation

During the summer vacation, a 100% charge will be payable unless:

- The property is unoccupied and unfurnished; or
- Retainer payments have been made by students to cover the summer vacation period. (Proof of payment and a copy of the tenancy agreement will be required). Retainer payment forms that are suitable for submitting to the Council are available from the Student Accommodation Service on request.

For example, if your property is occupied by final year students whose courses finish in May and you are unable to secure students to take-up occupation before the summer vacation, 90% of the Council Tax will be liable for the summer vacation if the property is taken by students in September.

The University now provides Preston City Council with lists of all full time students, so students do not normally need to provide landlords with exemption certificates. The Council will cross check the details with information they have requested from the landlord. Copies of receipts for summer retainers paid must also be supplied to gain exemption for the summer period.

If the tenant is a student from elsewhere, he/she will have to obtain an exemption certificate from his/her own University or college.

Please note that if a student has not updated the University with his/her term-time address, the Council may write to you stating that Council Tax is due. If this happens, you should ask the student(s) concerned to obtain an exemption certificate from the 'L' in the University Library. Take a copy of the certificate for your records and forward it to the Council Tax office to gain exemption.

## **Income Tax**

The Student Accommodation Service recommends that landlords and prospective landlords should always contact Her Majesty's Revenue and Customs (HMRC) or a qualified accountant in order to obtain specialist information and advice.

If you rent a property to students, any money you earn from this is classed as 'unearned income' and will be liable for income tax.

Please note that under the provisions of section 18A Taxes Management Act 1970, H.M Inspector of Taxes may make formal requests to educational institutions to provide information on private properties registered with them for letting to students together with addresses of their owners.

## **Insurance**

The owner of the property is responsible for insuring the building, fixture, fittings and any other furniture and contents provided. Insurance companies need to be made aware that the property is going to be let to students and also that it may not be occupied during vacation times.

The student tenants are responsible for insuring their own personal belongings, and you should make this clear to them before the tenancy commences.

## **Accommodation for Students with Families**

We often need to help students with families to find accommodation. These are sometimes single parents and other times couples with children. Accommodation that is rented entirely to members of one family is not classed as an HMO, so if you have a property which is non-compliant with the HMO standards and it would be difficult to make it so (eg. where the staircase descends into a kitchen or lounge), you may wish to consider renting to these families. We would still be able to register your property and advertise it as being suitable for families or couples only. Please see section on non-HMOs on page 11.

## **Lodgings Accommodation**

There is always a small but steady demand for lodgings accommodation, which is where a student lives with a homeowner. Lodgings are normally offered on a self-catering basis, but a few homeowners include the provision of breakfast and evening meal. Students require a single study bedroom of their own, but they share the communal areas of the house with the homeowner. Lodgings accommodation is often popular with overseas students as they feel they can improve their English by living in a 'family' environment.

Please note that to be classed as lodgings accommodation, the student must be classed as part of your own household and needs to share the communal areas of the house and share some meals. In some circumstances you may turn your home into an HMO (eg. if you have separate facilities, or if you take in two or more students on a self-catering basis), and you would have to make it comply with the appropriate standard. If in doubt, please ask us or a Housing Standards Officer for advice.

If you are interested in finding out more about lodgings accommodation for students, please contact us and we will send you some specific information.

## **Accommodation for University Staff**

The Student Accommodation Service has some demand from members of staff for good quality accommodation that is close to the University, but occasionally they prefer a more rural location. We do not inspect or register properties that are offered for staff, but we will be pleased to keep property details on file and pass them on to any member of staff making enquiries.

The type of accommodation requested by staff varies, depending on whether they require short or long term accommodation, and whether they are single or have a family. It is unlikely that accommodation for staff would be considered to be a house in multiple occupation, so if you have a property which is non-compliant with the HMO standards and it would be difficult to make it so (eg. where the staircase descends into a kitchen or lounge), you may wish to consider this as an alternative to letting to students. However, the demand for staff accommodation is unpredictable and we cannot guarantee that we could find you a tenant. If you would like to know more about letting to staff, or have a property you would like to offer, please contact us.

## **Access for More**

The University is committed to providing the widest possible access to people who would like to study here and to remove any barriers to those with disabilities.

For those who need accommodation, we have a number of rooms in our own halls of residence that have been adapted for students with disabilities. However, not all students want to live in halls, especially when they have lived there for their first year and made friends with other students who wish to live off campus in a house for their second year.

We would like our students to have a wider choice of accommodation to choose from and ask you to bear this in mind when renovating your property.

Under the Disability Discrimination Act 1995, as amended by the DDA 2005, from 4<sup>th</sup> December 2006 you must allow reasonable adjustments to overcome barriers to access. For example, if a student requires a ramp to enter through the front door in a wheelchair, or needs special washing facilities you cannot refuse if the adjustments to your property are seen to be reasonable.

Examples include the following:

- a tenancy agreement in Braille, large print or Easy Read
- a ramp for a wheelchair user
- any special furnishings such as a stool in the kitchen to support the tenant when preparing food, or a raised seat for your toilet
- accessible taps for the kitchen or bathroom
- accessible door handles
- signs (such as fire notices) in large print or Braille
- a doorbell or entry phone system
- painting doors and window frames a darker colour so they can be seen more easily
- equipment to help the tenant access any other facilities available to other tenants, such as a ramp to get into the garden or a wider space in the car park.

## Frequently Asked Questions

**My tenant left without my knowledge and owes me rent. I am not sure where he/she has moved to. Can the University help me?**

The University is bound by the Data Protection Act 1998, and so we cannot divulge any information whatsoever about any student. It is very important, therefore that you ensure you have proof of students' home addresses before contracts are signed, because this is likely to be the only way you can hope to correspond with them.

You must take formal legal action to recover unpaid rent and the Courts will require an address in order to serve notices. The University cannot take any action on your behalf.

If you take students who live outside the UK, you will not be able to recover unpaid rent through the courts. For these students, you should consider granting tenancy agreements where the rent for the whole period is payable at the start of the tenancy, or ask for a UK based guarantor.

**I like to keep an eye on my property but my tenants seem to get annoyed when I turn up. Surely it's my house and I can go and check everything's in order whenever I like?**

No. You can only go by giving them at least 24 hours' notice in writing and arranging a mutually agreeable time. Whilst you are the owner of the property, it is the tenant's home and they are entitled to quiet enjoyment of the property. Unless an emergency repair needs to be carried out e.g. burst pipe or gas leak, entering the property without prior notice is harassment and it is a criminal offence.

When you want to check that everything is in order, which you are entitled to do at reasonable intervals, or carry out any routine repairs, you must give the tenants at least 24 hours' notice in writing.

**The house I have been letting to students has a staircase which descends into the kitchen (or lounge). I am aware that this does not comply with Preston City Council's standards for Houses in Multiple Occupation. I am not prepared to change the internal layout, because it would be either very costly or physically unfeasible. Can I continue to let to students?**

Any landlord who lets a property as a House in Multiple Occupation (HMO) needs to be aware that he is responsible for the safety of the tenants. The University requires landlords to be compliant with the Council's HMO standards. Therefore, unless the layout of the property can be altered to meet the current HMO standards, it can only be registered to let to either a family or a couple, who would be considered one household.

**What would happen if I sold the property?**

If a property is sold, any existing tenants and any signed contracts will be protected and must continue under the new owner until the contract ends. A new landlord cannot alter the terms of the contract without the consent of the tenants.

The property will be de-registered when the property is sold and it would be up to the new landlord to decide if he wishes to apply for registration.

**Do I need to register a property if it is already let to students for the following year?**

Even if you are going to retain students, we require you to register the property every year, for as long as you continue to rent to students. If you do not register then you will be removed from our records. If you ever wanted to re-register your property we would treat you as if you had never been registered and you would have to pay a visit charge for us to come and inspect the property, in addition to the registration fee.

**I have several houses that I let to students. Do I need to register all of them?**

Yes, we would expect you to register them all. It is not acceptable to us for landlords to register one property and then direct students to other properties they own. We inspect all properties to ensure they are suitable for letting to students, and landlords must sign to confirm that their property complies with all requirements when they register. We will de-register any landlord who behaves in this inappropriate way.

## Removal of a Landlord from the Registration Scheme

The University reserves the right to remove a landlord and/or a property from the registration scheme at any time. The following factors may result in removal:

Any breach in the University's Core Requirements

Supplying fraudulent or deceptive safety certificates

Failure to comply with the HMO regulations, as laid out in the Housing Act 2004

Persistent substantiated complaints by tenants which are not resolved by a landlord

**If a landlord is removed from the scheme, no refund of registration fee will be given and students will be informed of the reasons for removal**

## Acknowledgements

The Student Accommodation Service has sought advice from Housing Advisory Services and Housing Standards Strategic Housing Services at Preston City Council, Preston Police and Lancashire Fire and Rescue Service regarding the contents of this booklet and wishes to thank them for their co-operation.

## Disclaimer

Every effort has been made to ensure the accuracy of the information given in this guide, but the University cannot accept responsibility for any errors or omissions.

The booklet is not a complete statement of the law. Housing legislation is continually reviewed and it is possible that changes may occur between the date of publication and the date you read this guide. Its contents are without prejudice to legal rights. If you are in doubt about your legal rights or obligations you should seek legal advice.

Student Accommodation will not accept liability for any loss, damage or inconvenience arising as a consequence of any use of Uclan Studentpad or information in this guide, nor are we responsible for claims brought by third parties arising from the use of this service or guide.

Registration with the University does not remove the legal responsibilities of landlords, nor does it prevent enforcement action by Preston City Council if a property does not comply with their standards.

## Useful Contact Numbers

Student Accommodation Service	(01772) 892529
Angela Frodsham, Accommodation Services Manager	(01772) 892521
Carol Higginson, Accommodation Officer	(01772) 892517
Preston City Council	(01772) 906900
Housing Advisory Service	(01772) 906412/4
Housing Standards	(01772) 90690
Recycling and Waste Management	(01772) 906905
Commercial Waste Contracts	(01772) 906905
Environmental Health	(01772) 906907
Health and Safety Regulation	(01772) 906907
Trading Standards	03454 040506
Council Tax	(01772) 906902
Fire Safety Advice	0800 1691125
Citizens Advice Bureau	(01772) 822416
Crime Prevention Officer	(01772) 209793
Preston Police	(01772) 209738



## APPENDIX 1      **The University's Core Requirements**

### **Equal Opportunities**

Landlords will ensure that, in the provision of letting accommodation, no person or group of persons applying will be treated less favourably than any other person or group of persons because of their race, colour, ethnic or national origin, gender, disability, appearance, marital status, age, sexual orientation, religion or social status.

#### **Landlords will ensure prior to letting that:**

There is adequate insurance cover for the property, and the insurance company must be informed that the property is let to students.

If the property is mortgaged, the mortgage company must be informed that the property is to be let to students.

The landlord must have completed any outstanding building works prior to the commencement of the tenancy to bring the property into compliance with all statutory and common law requirements.

The landlord will provide tenants with written confirmation that any outstanding works will be completed prior to the start of the tenancy.

The property (including the furniture, furnishings, fixtures, fittings and appliances) is clean, hygienic and in safe working condition throughout in readiness for the commencement of the tenancy.

The property shall meet with the appropriate Building Regulations and Planning Regulations.

From February 2016 Right to Rent checks are carried out on all prospective tenants.

### **Marketing**

Landlords will not market their accommodation to students for the following academic year prior to the date of the UCLan Students' Union Housing Fair. This is normally held in late November/early December. The University and the Students' Union believe that marketing earlier than this is not in the best interests of students. Registered landlords will be notified of the date of the Housing Fair each year and will be given the opportunity to attend.

All property details including photographs must be accurate and not misleading.

Students will **not** be directed to other non-registered properties or landlords.

Prospective tenants must be given an opportunity to view the intended property. Prospective tenants must not be shown a 'show property' and be expected to sign a contract on the basis of the show property being a fair representation of the intended let property.

The landlord will register **all** properties s/he owns or manages that are rented to UCLan students, even if they are fully booked/occupied at the time of registration.

The rights of the current tenants must be respected during viewings, and current tenants have the right to receive 24 hours written notice of the landlord's intention to conduct viewings of the property at reasonable times of day.

## **Studentpad and Consumer Law**

The landlord must regularly check that the information relating to any advertised properties is being displayed correctly, and make necessary amendments as appropriate.

If any student in a registered property advises the landlord that they would like to be released from their contract, the landlord must try to assist the student by advertising the room on Studentpad.

The landlord must ensure that all current gas and electrical safety certificates are uploaded onto Studentpad.

All displayed photographs must be an accurate representation of the accommodation and property descriptions must not be misleading in any way. You, the landlord must comply with consumer legislation and also ensure there is no contravention of the Consumer Rights Act 2015

## **Tenancy agreements and payments**

All prospective student tenants must be provided with a copy of the tenancy agreement under which the property is offered and all details of any fees payable in addition to the rent, and if applicable, any arrangements regarding the guarantors agreement. Student tenants may wish to seek independent legal advice regarding the terms and must be given the opportunity to do this prior to signing any agreement.

No deposits or rents are demanded prior to the signing of any agreement, retainers being the only exception, for which a written or electronic receipt must be given at the time of payment. The terms of the retainer must be in writing and signed by each party.

Prospective student tenants must be issued with a clear written statement of the rent due, including dates, amounts and method of payment. As most students do not nowadays have cheque books, alternative methods of payment should be offered e.g. direct debit or standing order.

A copy of the signed contract and a detailed inventory are to be supplied to each tenant before the agreed date of commencement of the contract. Written receipts (written or electronic) must be issued for any payments relating to the tenancy at the time of payment.

Each student must be given a single assured shorthold tenancy agreement, written in clear English and containing no terms which are in conflict with English Law. The only exception being where a property is let exclusively to a family or a couple where a joint tenancy agreement will suffice.

Every tenant must be given a copy of the Department for Communities and Local Government document entitled 'How to Rent: the checklist for renting in England'

## **Utilities and other charges**

Prospective student tenants must be issued with a clear written statement indicating responsibility for the payment of water, gas, electricity, council tax (where due) and any other service charges that might be applicable.

Where a gas mains or electric fuse box is located in a bedroom, with the tenant's agreement, a spare key is to be provided in a break glass box within the property so that all tenants and emergency services have access.

Where the gas and/or electrical supply is on a card meter, these will be made accessible to all tenants.

## Deposits

Any deposit taken on an assured shorthold tenancy will be protected in a Government approved tenancy deposit protection scheme.

Within 30 days of taking the deposit the tenant will be provided with details of how the deposit is being protected, including contact details of the deposit scheme selected, landlord or agent's contact details, how to apply for the release of the deposit, information explaining the purpose of the deposit and what to do if there is a dispute about the deposit.

Deposits must be returned to the tenants within the timescale required by the chosen scheme.

## Identity of landlord

The name, address and telephone number of the owner and managing agent is stated on the agreement and displayed in a suitable position in the property. A post office box number does not constitute an address.

## Landlords will ensure during the tenancy that:

### Ensuring possession

All statutory notices seeking possession are served on incumbent tenants in order to mitigate any delay or hardship that may be caused to the owner or new tenants where the outgoing tenants refuse to give up possession at the contracted time.

### Conduct

Business is pursued by him/her in a professional, courteous and diligent manner at all times.

Contact numbers and clear procedures are given to all tenants for reporting repairs.

If at any time the landlord or managing agent is going away or is not contactable, alternative arrangements are made for tenants to report repairs or any urgent problems that may arise.

## Repairs and maintenance

There is full compliance with the Management of Houses in Multiple Occupation:  
[http://www.legislation.gov.uk/ukxi/2006/372/pdfs/ukxi\\_20060372\\_en.pdf](http://www.legislation.gov.uk/ukxi/2006/372/pdfs/ukxi_20060372_en.pdf)

Clear written operating instructions must be provided for all the gas and electrical appliances such as washing machines and central heating timers etc.

Repairs must be completed in accordance with the following timetable:

**Priority One - Emergency Repairs:** Any repairs required in order to avoid a danger to health, risk to the safety of residents or serious damage to buildings. WITHIN 24 HOURS of report.

**Priority Two - Urgent Repairs:** Repairs to defects which materially affect the comfort or convenience of residents. WITHIN 5 WORKING DAYS of report.

**Priority Three - Non Urgent Repairs:** Reactive repairs which do not fall into the above categories. WITHIN 28 DAYS of report.

Planned or cyclical maintenance and servicing must be out with due regard to the convenience of tenants, and with prior notification in writing. Any contractors or trades persons must be instructed to behave in a professional and courteous manner towards the tenants at all times, and must leave the property in a good, clean and tidy condition on completion of any works.

Where a dispute occurs as to when a repair has been reported then the date on which the defect was reported to the owner in writing where appropriate shall be the accepted date.

Refuse and recyclable materials are disposed of correctly in accordance with Preston City Council's policy and recycling calendar and students must be given clear instructions regarding these arrangements.

### **Landlords will ensure at the end of the tenancy that:**

Landlords arrange a meeting with their tenants prior to the end of the tenancy where they can discuss arrangements for vacating the property.

The landlord can then inspect the property and provide the tenants with details of any damage or missing items thus allowing tenants' time to rectify the problem prior to the end of the tenancy.

When the tenants have vacated the property the landlord shall conduct an inspection comparing the condition of the property to the inventory taken at the start of the tenancy and keep a record of any discrepancies and damage. Where possible this should be carried out in the presence of the tenants.

The return of deposits must be administered in accordance with the chosen Tenancy Deposit Scheme.

## **Complaints and disputes**

### **Management of disputes**

Where a complaint or a dispute arises between student tenants and/or their neighbours, the landlord must attempt to resolve this immediately in order to avoid any escalation of the situation.

The landlord must provide a written response to correspondence from tenants or their chosen representative within two weeks.

The landlord must ensure that all settlements and agreements reached are honoured within three weeks of such settlement being agreed.

Maintaining courteous, professional relations with tenants during any dispute is essential.

### **Complaints**

Within four weeks of receipt of any written complaint from a tenant or their representative, the landlord is to rectify any breach or, in the alternative, enter into correspondence with the tenant or their representative where such an allegation is contested.

**Nothing in the University's Core Requirements shall prejudice any rights to seek legal redress or enforcement by either the tenant or the landlord.**

**Updated October 2016**