



For Landlords

Ten Tips For Landlords To Avoid Tenant Disputes And Comply With The Law

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10 Ways to Avoid a Nightmare Tenant as a Landlord

From late payments, disputes over repairs, missing a deadline to renew a certificate and more, there are many problems which keeps a Landlord up at night.

Landlords simply want a happy tenant who pays their rent consistently and looks after the property - sounds simple, right? So it is best to avoid any dispute because they can be stressful and expensive (take it from the Solicitor who you may employ one day).

It's best to deal with any of the tenant's grievance head on OR avoid them in the first place. Below is a checklist, with ten tips to avoid tenant disputes and comply with the law:

(1) Pre-tenancy

Landlord should conduct thorough tenant referencing procedures, making sure that you obtain references from the tenant's previous landlord(s). This includes obtaining a copy of passport, right to remain in England and Wales, and bank details.

(2) Understand who your tenants are

The number and type of tenants that live in your property will affect how much wear and tear there is. For example, families and students may cause more than a professional couple.

(3) Ensure your Tenancy Agreements are correct

Far too often Landlords download free Tenancy Agreement from the internet which are outdated. It's best to use Tenancy Agreements prepared by a Solicitor, Estate Agent or professional property body. Double check dates and rental amounts.

(4) Obtain all the necessary Certificates before the tenant moves into the property

Landlords should be able to provide the tenant with: Gas Safety Certificate, Energy Performance Certificate and Electricity Certificate (where necessary) to prove that the property and its contents is safe. Landlords are required to provide the tenant with a 'How To Rent Guide in England' before the tenant lives in the property.

(5) Employ an Inventory Clerk or Estate Agent to carry out a detailed inventory

The main causes of landlord / tenant disputes in rented accommodation are damage and cleaning, therefore without a thorough inventory in place (at check-in *and* check-out) landlords have much less chance of winning a dispute if they have no detailed evidence of the original condition of the property. We you take, or hire some to take, multiple photographs of the property when the Tenancy Agreement starts and ends.

(6) Protect The Deposit

If you take a deposit from a tenant, you must register it with one of the three government-backed Tenancy Deposit Schemes; i) Deposit Protection Service (DPS) ii) MyDeposits iii) Tenancy Deposit Scheme (TDS).

Landlords are legally obliged to register any deposit paid by the tenant, within 30 days, of receiving the money. Failure to register the deposit as above will lead to severe financial penalties and may stop you from evicting the tenant at a later date.

(7) Maintenance

Ensure that your property is in good repair and fit for rental. Encourage tenants to report any problems with the property as soon as they occur, thus avoiding more costly problems in the future.

(8) Carry out a mid-term inspection

The average tenancy lasts between 6 to 12 months - a lot can happen in 6 to 12 months. Inspecting your property mid-term and dealing with issues swiftly can save both you and your tenant time and money.

(9) Sufficient Notice to inspect the property

Remember to give your tenant at least 24 hours' notice, or the notice period stated in the Tenancy Agreement, if you plan on making an inspection. If the tenant is unavailable then don't turn up unannounced this causes conflict. Try to re-arrange the inspection for another time and date.

(10) Serving Notice to End the Tenancy Agreement

It's always best to speak to the tenant, or meet them face to face, and let them know you want to end the Tenancy Agreement for the property. It's not helpful to send a notice to end the tenancy agreement 'out of the blue' - clear communication is always the best strategy to avoid a conflict.

Entering into a well drafted Tenancy Agreement provides certainty that your valuable asset is protected when rented to a tenant. Seeking independent legal advice is highly advisable when drafting a Tenancy Agreement or a Commercial Lease.

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