

HOME CERT

Tenants guide



Private Sector Housing Service

Herefordshire's landlord, property and tenant accreditation scheme.



Working in partnership for the people of Herefordshire

Introduction

Private tenants who look after their rented accommodation responsibly, honour the tenancy agreement with their landlord and show respect to their neighbours, deserve to be acknowledged with a special status - accreditation does just that. Private renting is becoming increasingly popular and landlords look to rent to responsible tenants. Accredited tenants and those who are happy to sign up to an accredited tenant scheme will have a competitive edge when seeking new accommodation. Accredited tenant status can be used as a good character reference when seeking new opportunities in life.

Overview

Herefordshire Council supports a responsible private residential rented sector through the operation of the Home Cert Landlord, Property and Tenants Accreditation Scheme.

The accreditation process acknowledges and encourages responsible private landlords and tenants. Herefordshire Council encourages all new tenants and landlords to participate in the scheme. Landlords who voluntarily join the scheme agree to provide quality accommodation services for which they are awarded accreditation status by Herefordshire Council.

Aim of the scheme

The Home Cert Scheme acknowledges and encourages responsible tenants by providing an Accredited Tenants Certificate to tenants who comply with the requirements of the Tenant's Code in addition to their normal contractual tenancy agreement.

The Tenant's Code contains reasonable common sense requirements obligating tenants to show respect for their accommodation, their neighbours and their contract with their landlord.

Benefits of the scheme

The Accredited Tenant's Certificate can be used as a valuable bona fide reference when a tenant is seeking to move to new accommodation within the private rented sector. Where a number of prospective tenants are interested in renting accommodation, landlords will have a preference for an accredited tenant.

Applying for accreditation

The Accredited Tenant Scheme is operated by landlords who are members of the Home Cert Landlord, Property and Tenants Accreditation Scheme. The Scheme is endorsed and funded by Herefordshire Council.

The Accredited Tenant Scheme is voluntary for tenants. All accredited landlords must offer participation in the Accredited Tenant Scheme to all prospective tenants. The requirements of the Accredited Tenant Scheme are contained in the Tenants Code.

Tenants who wish to take advantage of the scheme, together with their landlord, sign two copies of the scheme, one copy is kept by the landlord and the other by the tenant. A managing agent can sign on behalf of an accredited landlord.

The Scheme will apply to individual occupiers in the case of a joint tenancy. At the end of the tenancy, provided that the Tenants Code has been complied with, the landlord recommends the tenant to Herefordshire Council who issues the Certificate of Accreditation to the tenant. Herefordshire Council will keep a record of certificates issued.

The Home Cert Scheme standards for landlords

It is a requirement of the scheme that the physical condition of dwellings, the level of provision of basic amenities and management practices, are fair and reasonable, and not liable to be prejudicial to the health, safety and welfare of tenants or the surrounding neighbourhood. The following outlines the landlord and property accreditation standard.

Landlord requirements

To meet the scheme standards, landlords must;

- provide current gas, electrical safety, and fire alarm certificates,
- sign up to Herefordshire Council's Code of Good Management Practice,
- confirm that they have no unspent convictions for relevant offences,
- offer the Accredited Tenant Scheme to their tenants.

Property requirements

To meet the scheme standards, landlords must ensure that their property;

- as far as practicable meets the government's Decent Homes Standard,
- is free of major health and safety hazards,
- conforms to Fire Safety Standards,
- if applicable, is licensed under the Housing Act 2004 as a HMO
- meets Herefordshire Councils amenity standard,
- meet basic security and energy efficiency standards

Landlords code of good management practice

Conduct

The landlord agrees to conduct business with regard to the property and the tenancy in a courteous, reasonable and equitable manner and to promptly answer any queries and issues raised by the tenant. The landlord will be committed to partnership working with Herefordshire Council and other organisations in the promotion and development of the Home Cert Accreditation Scheme.

Tenancy Agreement

The landlord agrees to provide a proper written tenancy agreement detailing the name and current business address of the landlord/agent together with the address and telephone numbers of any managing

The Home Cert Scheme tenants code of conduct

(a) General Conduct

The tenant will ensure that:-

- They have read and understand the tenancy agreement
- They abide by all the terms and conditions in the tenancy agreement
- They conduct their relationships with their landlord, his agent and contractors and fellow-tenants courteously throughout the tenancy
- They behave in a 'tenant like manner' by carrying out day to day maintenance and not causing damage to the property
- They respond to the landlord in a timely manner

(b) Commencement of Tenancy

The tenant will ensure that:-

- Any references that might be required by the landlord/agent are, to the best of their belief, authentic
- They contact all relevant utility companies to register supplies in their name
- They register with the local authority's council Tax Department or, where appropriate, provide exemption certificates
- They carry out an inspection of the dwelling with reference to the inventory and inform the landlord in writing of any damage, defects or inaccuracies. Copies should be signed by all parties.

(c) During the Tenancy

The tenant will ensure that:-

- They behave in a reasonable manner and not cause a nuisance to their neighbours.
- They do not create excessive noise, which causes a nuisance to neighbours, having regard to the time and location of sensitive areas within neighbouring premises.
- They allow the landlord to discharge their duty.

(d) Looking after their letting

The tenant will ensure that:-

- On receipt of reasonable notice, normally 24 hours minimum, they provide the landlord/agent or any person acting on their behalf access to the dwelling in order to carry out an inspection or make repairs
- They maintain the dwelling in a clean and tidy condition, especially the kitchen and bathroom
- They replace spent light bulbs.
- They keep external drainage gullies free from debris
- They promptly inform the landlord of defects

(e) Visual Appearance

The tenant will ensure that: They keep gardens/yards free from refuse and in a tidy condition.

(f) Health & Safety

The tenant will ensure that:-

All gas and electrical appliances are used only in a manner for which they were designed.

(g) Fire Safety

The tenant will ensure that:-

- They follow instructions for fire safety
- Fire doors are kept closed and not wedged open
- They do not obstruct any stairways, landings and passageways which provide a route of escape in case of fire
- They do not interfere with or remove any appliances or equipment provided for fire safety
- They take all necessary precautions with cooking equipment and naked flames e.g. candles, T-lights, gas hobs and not to leave them unattended
- Not to use or bring onto the premises any portable gas or paraffin heaters

(h) Alarms

The tenant will ensure that if a burglar alarm is provided, key holder details are registered with the local authority

(i) Security

The tenant will ensure that they keep the dwelling secure using all the facilities provided

(j) Refuse

The tenant will ensure that they store refuse in a proper hygienic way, put out for collection on the day and in the manner required by the waste collection service.

(k) At the end of the tenancy

The tenant will ensure that:-

- They give the required notice as required by the tenancy agreement.
- They return all keys on termination of the tenancy
- They settle all outstanding accounts on termination of the tenancy.
- They leave the dwelling in a reasonably clean condition on vacation of the dwelling and remove their belongings
- They leave the dwelling in no worse a condition having regard to fair wear and tear as at the commencement of the tenancy.
- They will be present at the check-out inspection unless otherwise agreed.
- They will make suitable arrangements for the forwarding of mail

(l) Tenancy Disputes

The tenant agrees to deal with disputes promptly and reasonably and recognise the authority of the Home Cert Accreditation Scheme Review Panel.

agent or person/s acting on behalf of the landlord. Prospective tenants are issued with a clear statement of the rent due to be paid, including the dates, amounts and method of payments during the contract. The agreement will clearly indicate notice terms for both the landlord and tenant for vacating the property.

Inventories

The landlord agrees to ensure that an inventory is signed by both parties at the beginning of the tenancy (or as soon as practicable afterwards) and to give the tenant the opportunity both to carry out a joint inventory inspection at the outset and to discuss the inventory at the end of the tenancy.

Information to Tenants

The landlord agrees to make tenants aware and offer them the opportunity of joining the Accredited Tenants Scheme.

Residents will be provided with a point of contact in case of emergency, and clear guidance on fire safety will be provided at the commencement of their tenancy.

Tenants will be instructed on the use and location of utilities such as boilers, fire alarms, electrical isolation board, water stop taps etc.

The landlord agrees to inform the tenant who is responsible for the payment of all utility charges and Council Tax and that this responsibility is accurately stated in the terms of the letting agreement. Where any service charges are levied by the landlord, these services and charges, and the method of arriving at them, will be specified and detailed in the letting contract.

Deposits

The landlord agrees to hold deposits in accordance with an authorised Tenancy Deposit Scheme and to withhold any deposit only for the purpose for which it was levied, to return deposits as soon as possible after the end of a tenancy (in any event within 4 weeks) and to provide written details and receipts for any deductions which may be made. Full details can be found at:

www.direct.gov.uk/en/tenancydeposit/index.htm

Repairs and maintenance

The landlord agrees to carry out repairs within a time period appropriate to the severity of the problem, keeping as far as is practicable to the guide timescales as follows;

■ Emergency repairs: 24 hours

(Affecting health or safety eg major electrical fault, blocked WC)

■ Urgent repairs: 5 working days

(Affecting material comfort eg hot water, heating or fridge failure, serious roof leak).

■ Other non-urgent repairs: 20 working days

The landlord agrees to uphold as far as practicable all undertakings given on work to be completed prior to the tenant moving in, to consult the tenant when planning other major maintenance work during the tenancy and to give reasonable notice (except in emergencies) and details of any work, servicing or testing to be carried out. The landlord agrees to set up effective monitoring arrangements to check the condition of the building and installations. Landlords will not take retaliatory action (such as eviction) on tenants making reasonable requests for repairs and maintenance to the property.

Landlord's access to property and other statutory requirements

The landlord agrees to comply with all their statutory obligations under legislation and associated regulations, Codes of Practice and British Standards including the Furniture and Furnishings (Fire Safety) Regulations 1988, current Gas Safety (Installation and Use) Regulations, and the legal requirement to gain access to the property (for inspection, repairs, monitoring or other reasons) only by prior arrangement with the tenant and having given 24 hours notice (except in emergencies).

Herefordshire Council Private Sector Housing

84 Whitecross Road

Hereford

HR4 0DH

Tel: 01432 260746

Email: psh@herefordshire.gov.uk

Neighbours

The landlord agrees to take reasonable steps to minimise any nuisance, alarm, harassment or distress that may be caused to neighbours by the way the property is used. The landlord agrees to keep the external appearance of the property in a reasonable condition and to make adequate arrangements for the storage and disposal of refuse. The landlord agrees to offer occupiers of the immediately neighbouring properties a contact telephone number, address or e-mail address to report any problems

If you require further details on the Home Cert Scheme standards for landlords please contact Private Sector Housing or refer to the home cert landlords guide.

What if things go wrong?

Where landlords are of the opinion that the Tenant's Code has not been complied with, thus making the tenant ineligible for recommendation as an Accredited Tenant, they shall, on request, provide the tenant with written details of their non-compliance.

Referrals of disputes to Herefordshire Council for resolution must be made in writing and without delay. In cases where a dispute cannot be resolved informally, the Home Cert Accreditation Scheme Review Panel will arbitrate and their decision will be final.

We encouraged tenants to discuss problems with their landlord informally. An Accredited Landlord will have signed up to the scheme standards that include code of conduct above. If you continue to have problems with your landlord you can contact the Private Sector Housing team for advice and assistance.

Contact us

For further informal advice on the scheme or to refer a dispute for arbitration please contact us.

Herefordshire landlord's focus group working in partnership with:



If you would like help to understand this document, or would like it in another format or language, please call 01432 260746 or email psh@herefordshire.gov.uk