

## Information pack for Landlords



### ***Our Story...***

***Stuart Smith [Derby] Limited*** can trace its roots to the 1950's; the company is proud to have celebrated over 65 years of residential property management in Derby and the surrounding areas. We have continually developed since our inception emphasising our proven track record as the longest established and most experienced independent Managing Agents.

*We are highly specialised in both Block/Estate Management and the letting of individual residential properties. We take a proactive interest in the properties we manage to ensure the value of properties is not only maintained but enhanced wherever possible.*

*We are registered with the Guild of Lettings and Management and our staff are highly trained in Lettings, Block Management, marketing and customer service. Our team hold professional qualifications such as Level 4 Professional Diplomas and CIM Marketing.*

*Our aim is to sustain the very highest standards of professionalism – we are proud to conduct our business fairly, efficiently and with absolute integrity.*

*The Company would not have celebrated its 60<sup>th</sup> Anniversary without the ongoing commitment of a skilled, long serving team and a network of quality local contractors who have provided unfailing service over the years.*

*We look forward to hopefully working with you in the management of your property.*



## **Levels of service offered-**



We have outlined below the two basic elements of our services:- Find Tenant only & Fully Managed. However, we are able to adapt our services to meet our client's individual needs.

We can also offer excellent bespoke packages to appeal to first time, long standing or investment Landlords; these are tailored to suit your individual property portfolio. Please do not hesitate to contact us to discuss your requirements.

### **Find Tenant Only**

Our finders' service includes:-

A full personal marketing appraisal, which includes professional advice on rental values and target markets.

- ◆ Ensuring all legislation is complied with including Energy Performance and Gas Safety certificates
- ◆ Effective marketing including preparation of property detailed for uploading to all property websites including rightmove.co.uk / primelocation.co.uk / findaproperty.com
- ◆ Provision of eye catching "To Let" board
- ◆ Accompanied viewings and face to face interview of prospective tenants
- ◆ Full reference and credit check of all applicants and selection of Tenants
- ◆ Preparation of legal documentation including an Assured Shorthold Tenancy Agreement including insertion of special clauses & a comprehensive inventory with digital photographs to give our client peace of mind and full protection.
- ◆ A full handover of the property to the Tenant at commencement of Tenancy to include; obtaining relevant signatures, collection of first month's rent and deposit.

***Our finder's fee is a onetime payment of an Initial let fee-***

***6 Month Tenancy Agreement- Equivalent to 3 weeks' rent plus VAT and subject to a minimum charge of £400.00 + VAT (£480.00 inclusive of VAT)***

***12 Month Tenancy Agreement- Equivalent to 4 weeks' rent plus VAT and subject to a minimum charge of £500.00 + VAT (£600.00 inclusive of VAT)***

***Payable in advance or deducted from first month's rental payment***

## Fully Managed Package



This is the most popular option for our Landlords and we are able to offer all the services in our Let Only package plus;

- ◆ Registration of the Tenant's deposit using the Deposit Protection Service and issuing the prescribed information to Tenants in order to comply with The Housing Act 2004
- ◆ Monthly rental collection by Standing Order
- ◆ Rent forwarded to Landlords monthly or quarterly by BACS or cheque depending on the preference of the Landlord. If payments are made monthly this can be transferred mid month or month end.
- ◆ Periodic inspections of the property tailored to the Landlords preference
- ◆ Co-ordination of repair or maintenance including arranging for tradesmen to attend and obtaining estimates, supervising works and settling accounts from rents received.
- ◆ Making payments on behalf of the Landlord from rents received for insurance premiums etc...
- ◆ Managing the Tenancy on a day to day issues and full liaison with the Tenants to ensure the Tenancy runs smoothly and there is a mutually beneficial working relationship between all parties
- ◆ Carrying out a full property inspection and inventory check at the end of the Tenancy and dealing with matters relating to all dilapidations or wear and tear prior to the release of the deposit

***To take advantage of our fully managed service our initial invoice to rent your property would be in the sum of £234.00 (inclusive of VAT).***

***Our monthly management charge would be 9% plus VAT of the monthly rent collected (i.e. £450 monthly rental equated to £40.50 plus VAT totaling £48.60 inclusive of VAT)***

***This is automatically deducted before funds are forwarded to Landlords***

***We work on a "no let no fee" basis and there are no upfront fees***

## Health and Safety



The responsibility of the following requirements falls to the Landlord. If a fully managed service has been collected this also becomes our responsibility. It is part of our job to ensure compliance.

A Landlord has a basic Duty of Care to his/her Tenant who must be able to have quiet enjoyment of the property and live in a safe and secure environment.

## Gas Safety



All Landlords must comply with The Gas Safety (installation & use) Regulations 1994 (1996) (1998) and provide a gas safety certificate at handover and annually.

The regulations state that Landlords must have all gas appliances at their properties checked annually by a registered engineer approved by The Health and Safety Executive (GAS SAFE) to ensure that all appliances are maintained in a safe condition so as to prevent the risk of injury to any person.

It is required by law that a valid and in date Gas Safety Certificate is provided to the Tenant at commencement of Tenancy and that the Landlord/Agent must keep a record of the safety check for two years and issue a copy to each existing Tenant within 28 days of the subsequent check being completed.

If a fault is found, it must be remedied, or if the appliance is unsafe it must be disconnected by the registered installer. The Tenant of the property must be informed in writing; if the installer indicates there is a fault with an appliance, they must inform the Landlord or Agent immediately so remedial action can be taken.

***Our minimum charge for the provision of a Gas Safety Certificate is £84.00 (inclusive of VAT). The price is dependent on the number of Gas appliances in the property.***

## Electrical Safety



There is not currently any regulations in place that make it mandatory for Landlords to carry out annual electrical safety checks in rental properties; however it is considered good practice to do so.

Under the Electrical Equipment (Safety) Regulations 1994 & The Plugs & Sockets etc (SAFETY) Regulations 1994, both of which come under the Consumer Protection Act 1987, there is an obligation for the Landlord to ensure that all electrical equipment is safe.

If a Landlord completes remedial works or has additional sockets or light fittings etc onto existing electrical installation, a minor works certificate must be provided as proof the works have been carried out.

A Landlord can also carry out a Portable Appliance Testing (PAT). The purpose of the PAT is to ensure that all portable electrical items such as microwaves and lamps, provided with the property are safe.

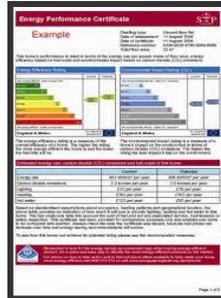
## Fire and Furnishing Safety



The Furniture & Furnishings (Fire) (Safety) Regulations 1988 (amended 1989 & 1993) state that specified items supplied in the course of letting property must meet minimum fire resistant standards. The Regulations apply to all upholstered furniture, beds, headboards and mattresses, cushions and pillows.

Items which comply will have a suitable label attached. Non compliant items must be removed before a Tenancy commences.

# Energy Performance Certificates



Before a Landlord/Agent can commence marketing the property and Energy Performance Certificate must be obtained.

An Energy Performance Certificate came into force on 1<sup>st</sup> October 2008 and they are the only documents still required by law from the Home Information Packs. An EPC is required when a building is constructed, rented or sold.

A copy of the EPC must be made available to the prospective Tenants at the very earliest opportunity.

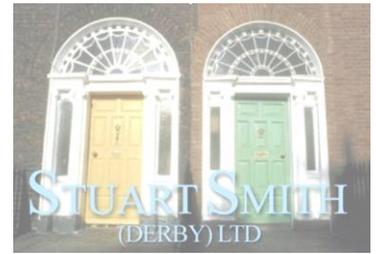
- ◆ When someone requests information about the property
- ◆ When someone makes arrangements to view the property
- ◆ When someone makes an offer to rent the property

An EPC is valid for 10 years. It can be used time and time again during this period. A Landlord has no obligation to carry out any of the recommended works; it is for information only. You do not have to have a new EPC even if you do have works carried out to the property.

An EPC is not required for the renewal of a Tenancy with the same Tenant. However, if there is a change in Tenants when the Tenancy is renewed e.g. because one tenant moves out and another moves in, a copy of the EPC should be provided to the new Tenant before they sign up.

***We can arrange for an Energy Performance Certificate to be carried out at a cost of £102.00 (inclusive of VAT) by our approved contactor and a copy will be supplied to you once completed.***

## Legionnaires Risk Assessment



The Health & Safety Executive (HSE) has introduced a new Approved Code of Practice (ACOP L8: Legionnaire's Disease and the Control of Legionella Bacteria in Water Systems - Fourth Edition), which imposes a legal duty on all landlords and property agents to undertake a Legionella Risk Assessment and to implement ongoing safety measures to help prevent tenants from contracting legionnaires' disease.

A Risk Assessment will identify any risk areas in the property and recommend appropriate remedial action. It must be renewed periodically and the findings of the Assessment and any control measures recorded and retained for a period of 5 years.

It is a criminal offence not to undertake an Assessment and prosecution can result in an unlimited fine (in excess of £20,000.00 per breach) and up to 2 years imprisonment.

***The law requires the Risk Assessment to be performed by a 'competent person', and we have therefore entered into an agreement with Gas Elec who already conduct gas safety inspections on our behalf.***

***Risk Assessment cost is £60.00 (inclusive of VAT) if conducted with a gas safety inspection, or, on a standalone tariff of £90.00 (inclusive of VAT). Please note however that Gas Elec advise if there are additional bathrooms/en-suite or a utility room, there would be an additional charge of £18.00 (inclusive of VAT) for each outlet.***

## **The Smoke and Carbon Monoxide Alarm (England) Regulations 2015**



The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 have been approved by Parliament and came into force on 1 October 2015. Private sector landlords are required to have at least one smoke alarm installed on every storey of their properties and a carbon monoxide alarm in any room containing a solid fuel burning appliance (e.g. a coal fire, wood burning stove). After that, the landlord must make sure the alarms are in working order at the start of each new tenancy.

***We can arrange Smoke alarms to comply with regulations [single standalone alarm recommended by the RLA – 10 year long life non-tamperproof] at a cost of £79.20 (inclusive of VAT) per alarm.***

***Carbon monoxide alarms to comply with regulations [single standalone – 10 year long life non-tamperproof] at a cost of £54.00 (inclusive of VAT) per alarm.***

## **Registration and Releasing of Deposit**

An important piece of legislation which Landlord/Agent must comply with at commencement of Tenancy is the registration of deposit.

Since 6<sup>th</sup> April 2007 all deposits must have been safeguarding by one of three government schemes. The Government has awarded contracts to the following three companies' to run its tenancy deposit schemes and if any other scheme is used, deposits are not protected by law.

- ◆ Deposit Protection Service – Custodial
- ◆ My Deposits – Insurance based
- ◆ Tenancy Dispute Service – Insurance based

**Stuart Smith (Derby) Limited** register all the deposits taken at commencement of tenancy with The Deposit Protection Service.

The Landlord/Agent must also supply written information to the Tenant within 30 days to include; the name and contact details of the authorised scheme where the deposit has been registered and outline the procedures of the scheme regarding repayment of the deposit at the expiry of the Tenancy and what will happen should a dispute occur.



**We register our deposits on the same day that the Tenancy commences.**

It is imperative that if a Landlord/Agent received a deposit, the provision of The Housing Act 2004 is complied with.

A Landlord/Agent that does not comply with the regulations will be penalized and The Court System will not make any exceptions. The most prominent penalty is a substantial fine of up to three times the amount of the original deposit.

At the end of the Tenancy the Landlord and Tenant must agree as to whether any deductions are necessary and apply for the release of the Deposit. A Tenant should have the agreed sum returned from the scheme within 10 days.

It is usual practice that the Landlord/Agent carries out a check out inspection of the property once the Tenant has vacated.

Under a fully managed service, **Stuart Smith [Derby] Ltd** will complete a final check out inspection, using the original inventory and photographs taken at commencement the Tenancy, and arrange tenancy release.

## **Your Property**

We find that a good relationship with Tenants is the key to ensuring a smooth and lasting Tenancy. As property Managers naturally this comes with the job but it is important to ensure that the Tenants are comfortable in their new home and fully satisfied with our services.

A well presented and maintained property in a good decorative order will encourage this whilst also achieving a high rental figure.

We have outlined below some advice on preparing your property ready for letting which has been learnt from vast previous experience and good old fashioned common sense!

## **General Condition**

The property should be in a thoroughly clean condition at commencement of Tenancy. Once a Tenant vacates it is their responsibility to leave the property in the same condition.

The exterior and interior must be in good condition and all walls, carpets and flooring should be free from damage and in good condition. See below for the life expectancy of items from new:



<b>Emulsion Painted Walls</b>	<b>Non Smokers</b>	<b>Smokers</b>
Family Occupancy	3 Years	2 Years
Sole / dual Occupancy	5 Years	2-3 Years
<b>Wallpaper / covering</b>	<b>Standard Quality</b>	<b>Smokers</b>
Family Occupancy	3-5 Years	3 Years
Sole/dual Occupancy	5 Years	3 Years
	<b>Standard Quality</b>	<b>Superior Quality</b>
<b>Carpets</b>	2-3 Years	4-5 Years
<b>Furniture</b>	3-4 Years	5-6 Years
<b>Small Electrical</b>	1-2 Years	3-4 Years
<b>Central heating boiler</b>	10 – 20 years	

All the electrical, gas, plumbing, waste, central heating and hot water systems should be in good working order and be in a safe and sound condition. Where possible the Tenants should be provided with instruction/operating manuals for heating/alarms/appliances.

## Furniture

All properties can be let fully furnished, part furnished or unfurnished.

It is common for Tenants to expect appliances to the kitchen such as a cooker, washing machine and fridge freezer. However, please remember that should a Landlord provide such items or indeed any furniture they must maintain, repair and if necessary replace these items under fair wear and tear.

All items of furniture must adhere to strict regulation as detailed in our Health and Safety factsheet.

# **LANDLORD PROPERTY PREPARATION CHECKLIST**



## **Exterior**

- All windows are intact and in safe working order
- All doors are intact and in safe working order
- All locks work properly and have keys available
- There are no loose, broken or missing roof tiles
- The fascias and guttering are in a good clean condition
- All fences are in a safe and good condition
- All gardens are well maintained and free from rubbish
- All exterior décor is in a good condition

## **Interior**

- All carpets are fitted correctly and in good condition
- All décor is to a good standard
- All stairs and hand rails are securely fitted
- All kitchen appliances are safe and in a good clean
- All seals around baths, sinks and showers in good order
- All furniture meets the required standard and is free from damage.