

Right to rent

This leaflet looks at the requirement for private landlords and their agents to check the immigration status of new occupiers of their premises, and to only rent to people who have a 'right to rent'.

From 1 February 2016, your landlord (or a letting agent) must carry out checks on your identity and immigration status to make sure you have a 'right to rent' before they can let you move in to private rented housing. A landlord can be fined for not making checks.

No right to rent checks have to be carried out on you if your renting agreement began before 1 February 2016 (or 1 December 2014 if you live in Birmingham, Dudley, Sandwell, Walsall or Wolverhampton). However, if your landlord ever changes your agreement to let new people move in with you, a check will be made from that point.

People who live with you

Your landlord will check that any adult who wants to live with you also has a right to rent. The following don't have to be checked:

- children under the age of 18
- a guest whose home is somewhere else or who doesn't pay you rent. Contributions towards food or bills don't usually count as rent.

Lodgers and subtenants

If you take in a lodger, or rent out your home or part of your home, you are responsible for checking your lodger's or sub-tenant's immigration status, unless your own landlord has confirmed in writing that they will do the checks.

Unlimited right to rent

You have a right to rent with no restrictions if you are a:

- British citizen
- citizen of an European Economic Area country or Switzerland
- citizen of another country, with no time limit on your permission to live in the UK.

Time-limited right to rent

If you have the right to live in the UK for a limited period (eg if you are here on a work or study visa) then you have a 'time-limited' right to rent until your permission to live here ends. The right to rent check must be made no later than 28 days before you move in.

Your landlord must make a follow-up check at a later date to make sure you still have the right to rent.

The follow-up check must happen no sooner than 12 months after you move in, as long as the rental agreement you have with your landlord doesn't change.

Proving your right to rent

Your landlord will ask to see your passport or another official document that proves your identity and immigration status. Some documents are not sufficient evidence by themselves and must be provided with a second form of evidence.

The full list of acceptable documents can be found in the government's *Right to rent documents check: a user's guide*. You can find it on the **Gov.uk** website.

Check this guide carefully. Avoid using companies that offer to provide you a 'right to rent certificate' – this is not acceptable evidence.

If your right to rent ends

If your landlord's checks show your right to rent has ended, they must report this to the Home Office.

If your landlord wants you to leave, they must give you proper notice and follow the correct legal process for eviction. Unless you live with your landlord, they must get a possession order from the court and must use court-approved bailiffs to evict you.

Storing your documents

Your landlord must take copies of your original documents and keep them safely for 12 months after your rental agreement ends.

Discrimination against occupiers

Landlords should not discriminate against you on the basis of things like your race or religion. Get advice if you think a landlord is discriminating against you. If you are on a low income you might qualify for help with legal costs to fight discrimination.

Further advice

You can get further advice from Shelter's free* housing advice helpline (0808 800 4444), a local Shelter advice service or local Citizens Advice, or by visiting shelter.org.uk/advice or adviceguide.org.uk

*Calls are free from UK landlines and main mobile networks.



Note
Information contained in this leaflet is correct at the time of publication. Please check details before use.