



JAMES·DEAN
THE ESTATE AGENTS

Landlord Information Pack

What You Need To Know



THE PRIVATE RENTED SECTOR

Renting your property can be a nice little earner, however it can also prove a minefield if you don't know the ins and outs. This is where we come in. We have a fantastic lettings department with experienced members of staff who will help you find the right contract holder, offer the best advice and guidance and most importantly look after you and your property.

NON MANAGED PROPERTIES: FINDING A CONTRACT HOLDER ONLY

This service includes...

1. Providing you with a rental valuation and advising on legislation that affects Landlords.
2. Finding a suitable contract holder for your property based on our experience and references.
3. Draw up an occupation contract and arrange it's signing.
4. Draw up an inventory and schedule of condition. This is mandatory and must be given to the contract holder to check and comment on within 14 days of the occupation date. If they do not respond within the time frame, it is taken that they agree with the document.
5. Collect the first month's rent and deposit.
6. Hold the deposit in our clients account so it's safe & serve the tenant the prescribed information.
7. Provide the contract holder with all required paperwork when they move in.
8. Arrange the transfer of electricity, gas, council tax and water rates to the tenant at the start of the contract.
9. Provide you with a statement and payment for the first month's rent less our letting fee.

Our charge for this service is £600 + VAT (£720 inc VAT)

ADDITIONAL FEES

- Serving notices- £50 + (£60 inc VAT) VAT per notice
- Inspections £50 + VAT (£60 inc VAT) per inspection
- End of tenancy checkout £150 + VAT (£180 inc VAT)
- Dealing with tenancy deposit disputes £150 + VAT (£180 inc VAT)
- Dealing with insurance claims £50 + VAT (per hour)

MANAGED PROPERTIES

This service includes the same as above plus...

1. Carrying out inspections every 6 months to ensure there are no maintenance issues and that health and safety regs are met.
2. We are the contract holder's first port of call and deal with any day to day or emergency issues that may arise. We have an array of trusted contractors that we use and will arrange for necessary work to be completed liaising between yourself, contractors and contract holders.
3. We collect the rent on your behalf and deal with any late rental payments. We then transfer the rent to your bank, less our management fee, whilst at the same time sending you a landlord statement.
4. We will organise for gas landlord safety certificates to be carried out annually as well as electrical certificates when they are due which is normally every 3-5 years.
5. We will provide you with guidance on legislation.
6. We will serve any notices which are required on your behalf E.g. rental increase or a no fault eviction notices.
7. We will help you with any insurance claims which may arise.
8. And at the end of the contract we will carry out a checkout inspection and resolve any potential disputes. We will also transfer the utilities back into your name.

Our charge for this service is £500 + VAT (£600 inc VAT) to find a contract holder and then a monthly charge of 10% of the rent + VAT.

THE NITTY GRITTY

Little things you need to know:

1. If you have a mortgage you will need the permission of your building society/bank and need to inform your insurance company.
2. Insurance- make sure you get adequate landlords insurance for the property. Contract holders should then get contents insurance.

CLIENT MONEY

All client and contract holder monies including rents and deposits are held in the James Dean client accounts at; Barclays Bank PLC, 9 The Bulwark, Brecon LD3 7AF.

We have adequate insurance in place and a copy of our client money handling procedure is available upon request.

NON UK RESIDENT LANDLORDS

Letting agents of non-resident landlords must deduct tax from the landlords UK rental income and pay the tax to the Inland Revenue.

However, letting agents do not have to deduct tax if the Inland Revenue have told them in writing that the Landlord is approved to receive their rental income with no tax deducted. We will therefore require clients living abroad to make this application otherwise our management fee will be higher than quoted to cover our extra work.

RENT SMART WALES

Under Part 1 of The Housing (Wales) Act 2014 landlords and agents operating within the private rented sector must register with Rent Smart Wales and those who are involved within management activities must obtain a license.

To acquire a license, landlords and agents must undertake and pass a training course in order to be deemed 'fit and proper'. The registration and licensing are mandatory and subject to a fee. Penalties will be enforced for those not complying. Registration and licenses will be valid for five years, after which they must be renewed and further training undertaken.

We have a licence so if we manage the property, you only need to register. Please note a contract cannot commence until you have registered.

Further information can be found on www.rentsmartwales.gov.wales

REFERENCES

Under the Renting Homes (Fees Etc.) (Wales) Act 2019, some contract holder fees are prohibited. E.g. credit checks, admin and checkout fees. We use a third party company to produce credit checks on our behalf and we write out to the relevant referees.

TENANCY DEPOSIT SCHEME (TDS)

All deposits must be protected in a government authorised scheme.

This is to ensure fairness at the end of a contract and help deal with any disputes between contract holders and landlords/ agents. We are registered with the Tenancy Deposit Scheme and hold all deposits in our James Dean client's deposit bank account. On checkout, if there are any deposit discrepancies which cannot be resolved between the parties, the TDS will become involved as an objective third party and they will decide who should get what based upon the evidence submitted.

ENERGY PERFORMANCE CERTIFICATES (EPCs)

Energy Performance Certificates (EPCs) are a legal requirement for any UK building - commercial or residential - which is sold, rented or constructed (there are some exceptions). They last 10 years and it is the owner's responsibility to ensure that it is produced.

All properties rented in the private sector must have a minimum rating of E otherwise a tenant cannot move in. If the property's rating is below an E you will have to make energy improvements or apply for an exemption if appropriate. There is a plan to increase this rating to a C rating but it is not yet known when this will come into force.

We have qualified energy assessors within the firm and so can produce one for you at a cost of £75.00 plus VAT (£90.00 inc VAT). Please note that the EPC must be lodged after the inspection visit. If the EPC does not meet the required minimum rating of E, the EPC cannot be postponed to wait for improvements to be made.

If a second EPC is required the cost is £45 + VAT (£54 inc VAT)

If you would like us to arrange and oversee works to improve the energy rating of the property including applying for an exemption, the cost will be £250 + VAT (£300 inc VAT).

THE RENTING HOMES (WALES) ACT 2016

From 1st December 2022, this new law changes the private rented sector in Wales. Here are some of the main changes:

- Tenancy Agreements will be called Occupation Contracts and will have standard terms. Contracts will be for a minimum of 12 months (6 months + 6 month no fault eviction notice).
- New procedures for abandonment making it easier to regain properties which have been deserted by contract holders.
- Changing joint contract holders: contract holders will be able to move out or added to the contract without ending the contract for the person remaining at the property.
- Section 21 notices are now called 'no fault evictions' notices and are for a notice period of 6 months instead of 2 months. You will not be able to give notice until 6 months after the contract starts. You will also not be able to serve notice unless you have complied with certain obligations, including registration, licensing, deposit protection rules, health & safety provisions and that all prescribed information has been served.
- Consent: changes to how contract holder requests are dealt with and the process.

"PASSIONATE ABOUT PROPERTY AND PEOPLE"

HEALTH & SAFETY

FIT FOR HUMAN HABITATION

Under the Renting Homes (Wales) Act 2016, all properties must be fit for human habitation (FFHH).

This will include:

- **Electrical testing:** A EICR is a electrical safety certificate which must be obtained before a contract holder moves in. It must be undertaken by a qualified electrician. This will need to be done every 3-5 years depending on recommendations.
- **Smoke alarms:** There must be mains connected, inter-linked, working smoke alarms and carbon monoxide detectors fitted. You must have a smoke alarm on each storey and CO2 alarms where there is a gas/oil/solid fuel appliance.
- Keeping the structure and exterior of the property in repair and keeping installations for the supply of water, gas, electricity, sanitation, space heating, and hot water in repair and proper working order.
- Please note: You cannot serve a no fault eviction notice on a contract holder if you have not complied with all the regulations or if a contract holder has complained or requested a repair- commonly known as a retaliatory eviction.

FIRE & SOFT FURNISHINGS

It is an offence to supply soft furnishings, which do not meet official fire resistance standards and carry permanent labels to that effect.

This includes anything which is upholstered or has a filling e.g. mattresses, pillows, padded headboards, cushions, sofas, armchairs etc. Carpets, curtains and duvets are excluded. The only exception is that the regulations do not apply to antiques or any other furnishings manufactured before 1950. Bear in mind that upholstered antiques restored since 1950 might contain this material.

GAS FITTINGS & APPLIANCES

All gas appliances, installation pipework and flues need to be maintained in a safe condition and checked for safety annually. These checks must be carried out by a 'Gas Safe' registered company or individual and a copy of the Landlords Gas Safety Certificate given to the agents and contract holders within twenty-eight days of the check.

If any defects are found they must be rectified or the appliance disconnected. The check is necessary even if there is a service contract in place.



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