

Landlord Checklist



Before Letting a Property

Appointing an Agent (If applicable)	Compliance check ✓
Ensure agent is licenced under Rent Smart Wales (Part 1 Housing (Wales) Act 2014)	
Prior to instructing an agent, ensure that you are provided with the following: <ul style="list-style-type: none">• Fees and expenses• The terms of business (between landlord and agent)• The duration of the agreement• The extent of the agent's financial authority to authorise repairs etc. (Section 50 of the Consumer Rights Act 2015)• Time to read and understand the terms before agreeing to them. (Consumer Contracts Regs. 2013)	
Marketing and advertising	Compliance check ✓
Any statements made about a property (including spoken, pictures etc.) must be correct and not misleading.	
For all properties which require an Energy Performance Certificate (EPC), any advertisement or information about the property must include the Energy Performance Indicator.	
The EPC must be available should the tenant wish to view it.	
Disclose all fees to the tenant so that all costs are clear and understood (inclusive of VAT).	
Questions from potential tenants to be clearly and truthfully answered.	
When arranging viewings, the existing tenant must be given at least 24 hours' notice of a viewing appointment, unless otherwise agreed/arranged.	

Setting Up a Tenancy

Reference Checks – Requirements	Compliance check ✓
Consent must be sought by prospective tenant before undertaking reference/credit checks (Data Protection Act 1998)	
Equality Act 2010: Prospective tenants must not be treated less favourable than others because of their age, disability, gender, gender identity, race, nationality, religion, sexual orientation or whether they have children or are pregnant.	
Agreeing the tenancy – Requirements	Compliance check ✓
<p>Before the tenant has committed to pay any expense, the tenant must be provided with clear information on:</p> <ul style="list-style-type: none"> • Terms of the Tenancy • Length of the tenancy (if a fixed period) • Costs for which the tenant will be responsible • Amount of any security deposit, if applicable. • The amount of any holding deposit (reason and terms and conditions) • Sum payable on signing the tenancy agreement • Guarantor requirement (if applicable) • Methods of payment • The procedure to follow when the tenant arranges to sign the tenancy agreement 	
Potential tenant must be given sufficient opportunity to read a draft/sample tenancy agreement prior to signing their tenancy agreement.	
Tenancy Agreement- Requirements	Compliance check ✓
<p>A written tenancy agreement must include:</p> <ul style="list-style-type: none"> • The rent amount and key terms • Frequency of payment • Period of the tenancy • How any rent increases will be imposed (notice etc.) 	
Supplementary documentation - Requirements	Compliance check ✓
<p>To be provided to the tenant, in writing before occupation:</p> <ul style="list-style-type: none"> • Landlords Gas Safety (dated within the last 12 months). • Energy Performance Certificate (EPC) (dated within the last 10 years). • Any other documentation required. 	
Deposits- Requirements	Compliance check ✓
Any security deposit to be protected in a Government-authorized scheme within 30 days of receiving it.	

During the Tenancy	Compliance check ✓
Update Welsh Supplier (Welsh Water, in most cases) within 21 days of the start of the new tenancy. Information can be submitted at: www.landlordtap.com	
Collecting Rent – Requirements	Compliance check ✓
Rent to be collected through legal means and with regards to the clauses of the tenancy agreement.	
The name of business address must be included on any written rent demand.	
If the rent is paid weekly, a rent book must be provided.	
Contact details – Requirements	Compliance check ✓
Provide the tenant with the landlord's name and address with 21 days of being requested.	
Access to the property – Requirements	Compliance check ✓
Tenants to be given 24 hours' notice in writing requesting access to the property	
Tenants have a right to peaceful enjoyment.	
Forced entry must only be considered in an emergency or if there is reason to believe the property has been abandoned by the tenant.	
Property Conditions	Compliance check ✓
Property to be kept in safe condition. Any local authority demands (HHSRS) must be acted upon.	
Heating Installations (gas, water and electricity) must be kept in working order.	
Electrical wiring and electrical appliances provided to be kept in safe, working condition.	
Furniture and furnishings must comply with the minimum fire resistance standards.	
Gas appliances and flues must be checked by a registered Gas Safe engineer (at least every 12 months). Copy of Gas Safety Record to be issued to tenant within 28 days.	
Reasonable care taken to maintain and repair paths, driveways, gutters etc.	
Any Health and Safety information regarding a property should be passed onto any contractor e.g. asbestos.	
Carbon monoxide alarm must be fitted if a new solid fuel burning appliance is installed.	
All requirements regarding HMO's must be adhered to.	

Ending a Tenancy	Compliance check ✓
The procedures for ending an assured or assured shorthold tenancy are to be followed. A tenant must not be evicted without a possession order and by following the process.	
Deductions from tenancy deposit only to be made if actual losses have been suffered which can be evidenced – receipts etc. Losses from fair wear and tear must not be deducted from the deposit.	
If a deposit deduction is to be made, details setting out the reasons must be provided to the former tenant if requested.	
Tenancy Deposit legislation and the requirements of the relevant deposit protection scheme should be followed.	
Once the amount of the deposit balance to be refunded has been agreed by both parties (or by order of the court), it should be refunded within a reasonable time.	

All landlords and agents who hold a licence under the Rent Smart Wales scheme are required to follow the **Code of Practice for Landlords and Agents** document (Condition 4 of possessing a Licence)

This checklist is formulated to enable landlords and agents to self-audit their awareness and compliance to their responsibilities which are based on the Requirements included in the Code of Practice for Landlords and Agents document (Welsh Government).

Please note, the **Code of Practice** details the **Best Practice** procedures as well as the Requirements which are **not** included in this checklist.

The **Code of Practice** can be found online at www.rentsmart.gov.wales/en/resource-library/#1

PLEASE NOTE: Non - compliance to the requirements could result in Landlord's Rent Smart Wales licence being removed.