

## Agent Licence Conditions

# Business Safeguards

The “Business Safeguard” condition is a requirement that **ALL** Agents licensed with Rent Smart Wales will need to meet to adhere to their licence conditions. This condition requires the agent to obtain:

- **Client Money Protection (where client money is handled),**
- **Professional Indemnity Insurance (£100,000 or £500,000), and**
- **Membership of a Government Approved Redress Scheme.**

However, there are some exemptions to this requirement which can be requested. Please contact Rent Smart Wales if you think you are entitled to an exemption. Please be aware that exemptions and requirements may have changed since your last licence application.

The business safeguard exemptions are listed below and will only be granted after Rent Smart Wales have undertaken a risk assessment and deem the risk to the client landlord(s) and tenants to be low.

Rent Smart Wales reserve the right to refuse or amend an exemption of the business safeguard licence condition at any time before, during or on renewal of the licence term.

Agent circumstance	Requirement
Individual Agent managing property for family members only (family as defined under Section 258, Housing Act 2004) <b>where the total number of properties is less than 5 and the total number of tenancies per property is less than 5.</b>	Agent required to confirm family relationship to <b>all</b> client landlords.
Agent managing property for one unrelated <b>landlord arrangement</b> in respect of 2 or less properties  <i>A ‘landlord arrangement’ can mean either an individual registration or one joint registration</i>	Agent and <b>all</b> client Landlords ( <i>named in the registration</i> ) required to sign a declaration to confirm that the Agent will not take on any additional properties and that the Landlord consents to waiving the safeguard condition.
Agent not currently letting and managing any properties in Wales for a landlord (start-up business).	Agent to sign a declaration to confirm that no properties are currently managed for others. Safeguards will be required within 6 weeks of letting and management activities commencing, and it is a requirement to notify Rent Smart Wales immediately.

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Agent only undertakes 'letting' activities (as specified by Section 9 & 10 of The Housing (Wales) Act 2014

Agent to sign a 'Let only' declaration to confirm that no 'Management' activities are undertaken

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Agent does not handle ANY client monies  
*Client money includes any money received, or held, for or from a client which is not immediately payable to the Agent. Examples of client money can include rent, deposits, additional fees, service charges etc*

Agent to sign a 'No Client Money' declaration to confirm they do not handle client money

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Any exemption will be reviewed upon any change of circumstances, which may result in the requirement to obtain the business safeguards being re-instated.

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**It is an offence to provide information to Rent Smart Wales (the Single Licensing Authority) that is false or misleading and which you know is false or misleading or *you are* reckless as to whether it is false or misleading.**

**Your licence is at risk if you do not adhere to your licence conditions.**

**Agent Licensing:** Agent Business Safeguards