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Tenant Checklist

This checklist provides useful tips for tenants on what to look out for and what questions to ask before signing up for a rental property.

Since the 1st December 2022, your tenancy agreement is known as an Occupation Contract and you are referred to as a Contract-holder.

Finding a Private Landlord or Agent

When looking for a landlord, make sure they are registered with Rent Smart Wales. Ask for their registration number or by checking the [public register](#).

Landlord Name: _____

Is the landlord registered? Yes No

If your landlord is responsible for letting and management activities at the property and they do not use an agent, do they have a licence with Rent Smart Wales? Check, using the [public register](#).

Is the landlord licensed? Yes No

Letting and management agencies also have to be licensed with Rent Smart Wales. Use the [public register](#) to check if they are licensed.

Agent Name: _____

Is the Agent Licensed? Yes No

Commercial agents must have client money protection, professional indemnity insurance and membership to a redress scheme to maintain an agent licence with Rent Smart Wales. Ask your agent if they hold these safeguards and ask who they are with.

Client Money Provider: _____

Professional Indemnity Insurance: _____

Redress Provider: _____

Does the landlord/agent provide a telephone number and other correspondence details to allow you to contact them easily? Ask them who you should contact about repairs and if they have an emergency contact number.

Person to contact: _____

Contact number: _____

WHAT TO CONSIDER

Is the property advert clear? Yes No

Is the address given? Yes No **Address:** _____

Does the advert state the rent amount? Yes No **Amount:** _____

Does the advert state a security deposit is required? Yes No **Amount:** _____

Does the advert state whether a holding deposit is required? Yes No

Amount: _____

Do you know what other fees and financial commitments are involved?

Notes:

Are bills included? Yes No

If you get Housing Benefit/Universal Credit, remember to check the contribution amount that you will get with your local authority.

What is your Council Tax band? **Council Tax Band:** _____

Have you been given a draft of the occupation contract, to allow you to review its terms before making any decisions?

Do not be afraid to negotiate your final rent agreement or terms of the occupation contract if you are unhappy with something before you agree.

Remember any fundamental terms or supplementary terms from the legislation that are changed or omitted must be agreed by you; it is not the landlord's or agent's decision only.

See the model contract here: <https://www.gov.wales/renting-homes-model-written-statements>

Have you seen a Gas Safety Record in date within the last 12 months? Yes No

Have you received an Electrical Safety Certificate (EICR) dated within the last 5 years?

Yes No

Have you seen an Energy Performance Certificate? Yes No

Rating: A B C D E F G

Have you been given any information about whether a guarantor is needed?

A guarantor is a third party, such as a parent or close relative, who agrees to pay your rent and/or other expenses if you do not pay it.

Have you given your consent for any credit or reference checks to be undertaken?

Yes No

INSIDE THE PROPERTY

All properties must be in good repair, safe and “Fit for Human Habitation”. Careful inspection can highlight issues early and help you to make sure they are resolved before you move in. Some helpful hints are listed below. If you have any concerns before you move in or after taking occupation, you should tell your letting and management agent or your landlord as soon as possible. Always make sure you put this in writing. If matters are not resolved, contact your local authority for advice and guidance.

Does the house look cared for? Yes No

Is there a musty smell, smell of damp or signs of mould? Yes No

Are there any signs of pests and/or vermin? Yes No

If occupying a furnished property, check that the furniture is in reasonable condition and that items such as sofas, armchairs and mattresses have a fire safety label attached to them. Do not forget that you are paying to use the furniture as part of your rent. If your property is furnished, is the furniture in good condition? Yes No

Check for central heating. Are there radiators in every room? Yes No

Are all windows secure? Do all the handles work and do all the windows lock? Yes No

Is there double glazing throughout? Are there any draughts? Yes No

Are all your doors secure, and are all the locks intact? Yes No

Is your garden enclosed? Yes No

Check all gates are secure. If there are any gates, check where they open onto e.g., public footpaths.

Do you have all the keys to doors and windows that you need? Yes No

Are there working smoke alarms on each floor of the property? Yes No

It is a legal requirement to have at least one mains powered alarm on each floor of the property, which are interlinked together. Without these, the property is not ‘fit’ under the Fitness for Human Habitation standard.

Is there a working carbon monoxide alarm near the boiler / gas or open fire / heaters / stoves fuelled by solid fuel, oil or gas? Yes No

It is a legal requirement to have a carbon monoxide detector in these places. If they are not in place, the property is not ‘fit’ under the Fitness for Human Habitation standard.

Is there a safe escape route in case of a fire such as a clear landing or hallway from a bedroom, kitchen or living room to the outdoors? Yes No

Is there a current Gas Safety Record? Yes No

These are a requirement by law and should be conducted on an annual basis

Is there an electrical safety report known as an Electrical Installation Condition Report available dated within the last 5 years? Yes No

It is a legal requirement to have a valid EICR dated within the last 5 years. Without one, the property is not ‘fit’ under the Fitness for Human Habitation Standard.

Ask to see the Energy Performance Certificate (EPC) as this will tell you how energy efficient the house will be. It may be a legal requirement that your private landlord has a valid EPC, and the ‘rating’ has to be an E or higher.

Rating: A B C D E F G

THE OCCUPATION CONTRACT

Your Occupation Contract will either be a fixed term standard contract or a periodic standard contract. A fixed term standard contract requires both the contract-holder and the landlord to commit to a minimum term, often the first six months of occupation.

After the end of this initial fixed term, if the contract-holder remains in occupation (without a new contract), a periodic standard contract is automatically created, and this will continue until either the contract-holder or the landlord brings it to an end. Alternatively, the contract-holder and the landlord may agree a new fixed term and the contract-holder will be given a further standard fixed term contract or agree to a new periodic (rolling month to month) contract.

The standard occupation contract must be made in writing and will contain contract terms that fall into four categories known as “Fundamental terms”, “Supplementary terms”, terms relating to “Key Matters” and “Additional terms”. Make sure you are given time to consider these terms.

Note: A landlord has to provide a written statement of the occupation contract to the contract-holder within 14 days of the occupation date.

Private landlords and agents must also provide information in writing about all fees they charge before, during and at the end of a contract.

If you were not given any information prior, does the contract state whether a guarantor is required? Yes No

Does the contract state whether a Holding Deposit to secure the property is required?
Yes No

Holding Deposit Amount: _____

Does the contract state whether a security deposit is required? Yes No

If so, it should be held in a Government approved scheme. You should receive information that is required by the law about where your deposit is being held within 30 days after handing over the deposit.

Security Deposit Amount: _____

Check if you have to pay in advance. This can sometimes be quite substantial.

Rent in advance: _____

How long is the occupation contract for? **Months:** _____

If you are a student or part of a house share, are you able to live in the property over the summer period? Yes No

Are there charges for this? Yes No

You should only be required to pay rent over summer periods if you have access to the property during the period.

Make sure you understand what is expected of you during your occupation of the property – does everything look fair? Yes No

Check if any bills are included in the rent. Make sure this is written into the standard occupation contract and that it is clear which bills are included (gas, electricity, water, council tax). Please note you should call your energy provider with the meter readings on your move in date.

Meter Reading (gas): _____ **Meter Reading (electric):** _____

What happens if you need to cancel the occupation contract?

Notes:

Does your agent/private landlord have an out of hours service for times where you lose your keys, or if there is a major issue with the property? Yes No

Notes:

Check if you are allowed pets or allowed to smoke in the property or if there is residential car parking available.

FROM THE OCCUPATION DATE

You must be given the occupation contract no later than 14 days from your occupation date.

Make sure it is signed as this is now a legal document.

Make sure you read your responsibilities listed in the contract and discuss anything you do not understand – it is important that you take time to read its content.

You must also receive a notice which states your landlord's name and the address for you to send documentation to about the contract.

The information you must receive within 14 days of your occupation date is contained in the Welsh Government Form RHW2: <https://www.gov.wales/notice-landlords-address-form-rhw2>

You should be provided with an inventory within 14 days of the occupation date; this requirement can only be removed or changed if agreed by you and the landlord and detailed in your contract. You should check the inventory carefully and go back to the landlord/agent if there is anything you don't agree with. This will make things easier to get your deposit back at the end of the contract.

You must be provided with an Electrical Installation Condition Report dated within the last 5 years within 14 days of occupying the property.

Create a notice board/make a note of the contact details for your agency and/or landlord.

Check that you are given at least 24 hours' notice from a landlord (this should be in writing), an agent or anyone acting on their behalf to enter your property, even if it is to carry out repairs or maintenance.

The only time where notice does not need to be given is in the event of an emergency i.e., fire, flood etc.

