

HARTLEYS



Chartered Valuation Surveyors & Estate Agents



Residential Lettings Guide

Hartleys. The Agent people recommend.



"... I prefer & enjoy the seemingly personal touch of the very friendly & helpful Hartleys' staff who always have time to listen & talk to me... something I sadly missed with alternative estate agents. They are very thorough & professional and yet provide a happy and informal approach I welcome"

Mr I West

About Hartleys...

Hartleys is an independent practice of Chartered Surveyors and Estate Agents established in 1995 by Managing Director and Chartered Surveyor Gary J. Hartley.

With the flagship property showroom situated centrally in the market town of Loughborough, serving the property market across Leicestershire, Nottinghamshire & Derbyshire, with other village branches helping their individual local communities. The company has become a multi disciplined practice covering Residential Sales and Lettings, Land & New Homes, Mortgage Advice and Professional Surveying. Hartleys is well known for embracing change.

With our forward-thinking and innovative attitude we pride ourselves on offering a professional and efficient service on a more friendly level.

We look forward to being of service to you!



Gary Hartley MRICS.FNAEA
Managing Director

Contents



Welcome to our lettings guide . . .4

Is letting right for you?

Buy to let5

Finding the right property

Where to start6

Furnished or unfurnished?

Furnished lettings

Presentation

Decoration

Gardens

Attracting tenants8

Effective marketing

Internet marketing

Capturing the company movers

Selecting the right tenant9

References and financial checks

Setting up the tenancy10

Tenancy agreement

Inventory/schedule of condition

The Deposit Protection Service

Building Society requirements

Rental payments and deposit

Council tax and utility bills

Landlord's obligations

Tenants obligations

Buildings and contents insurance

Leasehold properties

Service level options12

Letting Only Service

Full Management service13

Property Management14

Property maintenance

Accounting

Interim inspections

Extending or terminating the tenancy

Safety regulations15

Gas safety

Furniture and furnishings

Safety regulations cont16

Electrical equipment

Smoke detectors

Energy Performance Certificates

Commitment to excellence17

Ombudsman for Estate Agents

Taxation of rental income18

UK resident landlords

Non-UK resident landlords

Hartleys Lettings promise19



"I just wanted to say a big thank you to you and the team for finding our tenants so quickly. They seem lovely having spoken to them a couple of times now".

Ms Spencer

Welcome to our residential lettings guide

HARTLEYS



Chartered Valuation Surveyors & Estate Agents

Letting a property is serious business, whether you are an experienced investor or a private individual letting your home for the first time. History suggests that over a period of time residential property is one of the safest and best performing investments, not only providing an excellent income but also, for many, a significant capital gain in the process.

Business growth in Loughborough and the surrounding areas along with changing lifestyles has resulted in a dramatic increase in demand for rental properties. We have kept pace with this growth by investing in technology and staff and by developing excellent relationships with companies and organisations located in the area, who have continual accommodation requirements for their employees.

Letting your property demands careful planning and you need a professional agent who will look after your interests and, at the same time, make being a landlord as stress-free as possible. At Hartleys, we use our knowledge and expertise to ensure that our service meets your needs and gives you peace of mind. We are committed to providing a service that is second to none. Your property is a major investment and it is important that you are aware of your responsibilities as a landlord, as well as knowing the best way to optimise your investment.

This guide is designed to give you help and advice in this area and explain the services we can offer you and their importance to you.

May we take this opportunity of thanking you for your enquiry and we hope that this guide will give you an insight into the professional services offered by Hartleys.





Buy to Let: one of the safest investments

Residential property has proved to be an excellent investment. The value of residential property has, on average, doubled every ten years over the last fifty years.

The abolition of rent controls, the landlord's rights to regain possession, the availability of tailored 'buy to let' mortgages at competitive rates, increased demand from a more mobile workforce and changing lifestyles have all contributed to a significant increase in the residential lettings market.

Property should always be viewed as a medium or long-term investment. There are short-term rises and falls in property values but over the long term, property does well as an investment. To ensure your property investment is as good as it can be, it is important to buy the right kind of property.

Finding the Right Property

Hartleys are able to provide all the expertise you need to ensure that you choose the right type of property to suit your budget and personal circumstances. We will advise you on location, demand and rental values to enable you to achieve the most from your investment, as well as explaining all the legal, financial and tax issues wherever possible.

In general terms, the smaller the property, the greater the return in rent on your investment. One two and three bedroom houses or apartments are ideal. Modern property is preferable from a maintenance point of view but a carefully renovated older property is fine.

Good residential localities attract better tenants and demand is usually stronger for town centre rather than country property.





Where to start

"Thank you for all your help in negotiating with our tenants, we were both very impressed by your patience and professionalism and we think you all do your jobs extremely well. Keep up the good work".

Mr & Mrs Brocklehurst

The first stage towards letting your property is to meet with us for a 'Lettings Appraisal'. We provide this service free and with no obligation.

Every property is different so in assessing rental value, we take account of accommodation, condition, location and current demand. Most importantly, we have the knowledge of other properties currently being offered for rent and historic information on rents achieved. During the valuation appointment we will advise you about any action you can take to maximise the rental income and its desirability to potential tenants.

Furnished or Unfurnished?

One of the first decisions to be made is whether to let your property furnished or unfurnished.

The advantages of letting unfurnished are:

- Usually there is greater demand.
- Lower turnover of tenants.
- Less wear and tear on your furnishings.
- Lower maintenance and repair costs.

Unfurnished Lettings

Unfurnished lettings generally include the following:

- Carpets or laminate flooring.
- Curtains.
- Light fittings.
- Kitchen appliances (known as white goods) should be in good working order with instructions and preferably insured for breakdown.
- Smaller wall mounted items such as mirrors in the bathroom and cloakroom, toilet roll holders and towel rails.





Furnished Lettings

You may choose to let your property furnished. If so, you need to be aware of the following:

- All soft furnishings i.e. beds, upholstered chairs and sofas must comply with the furniture and furnishings (fire) (safety) Regulations Act 1988. Any furniture manufactured before 1988 will generally not comply.
- All bed linen, towels and ornaments should ideally be removed.
- If an electrical appliance such as a television, toaster, or washing machine breaks down, it is your responsibility to repair or replace it.

Presentation

First impressions count! If your property is presented well, it will not only achieve a higher rent but will also attract a better tenant. It is important to ensure that the property is clean, that redecoration is carried out, carpets professionally cleaned when necessary, windows cleaned inside and out and the garden well tended. Hartleys can advise you on the level and type of furnishings, fittings, and appliances required and where redecoration or other improvements are required.

Decoration

When redecorating, choose neutral colours. Emulsion paint the walls rather than wallpaper as it is a lot cheaper, quicker and easier to redecorate when necessary. Carpets and curtains should ideally be neutral or muted colours and be able to withstand wear and tear.

Gardens

Routine garden maintenance is normally made the tenants' responsibility and most tenants are happy to maintain a small or medium sized garden. However, if your property has a large garden, we recommend that you employ a gardener to look after it during the tenancy with the cost of this being reflected in the rent.

Attracting tenants

At Hartleys we fully understand that excellent presentation and maximum exposure of our clients' properties play key roles in securing suitable tenants.

"Hartleys letting team provide an excellent, efficient, professional and friendly service and I would not hesitate in recommending them to others."

Mr Santoro



Effective Marketing

As soon as Hartleys receive your instructions to proceed, our team will commence the process of finding a suitable tenant. Prospective tenants who are registered on our extensive database will be contacted by phone, email or post. A description, photographs and location map of the property will be distributed and added to our property list. It will also be added to our window displays. A selection of properties are displayed in the local press every week to ensure continued enquiries. Hartleys advertise proactively and will continue to do so until a suitable tenant has been secured.

Hartleys invest heavily in press and internet advertising in order to generate constant enquiries from potential tenants. Our high profile, strong reputation and innovative marketing means we are hard for tenants to ignore! All this works towards getting your property let as quickly as possible.

Internet Marketing

The internet has become an essential tool in the marketing of rental properties. Over 70% of people moving home use the internet to search for a property. Available 24 hours a day, prospective tenants can view homes currently available from wherever they are in the world. Our property details are updated daily, thereby accelerating the lettings process.

Our internet advertising generates hundreds of enquiries daily from individuals, companies and relocation agents. Hartleys receives many thousands of visitors to our website each month at www.hartleys-ea.co.uk. Your property will also be featured on www.rightmove.co.uk.

Capturing the Company Movers

Statistics show that one in every five house-moves in the UK are as a result of job relocation. Hartleys have built an excellent relationship with many substantial local companies. These high profile companies continuously use Hartleys for our exacting standards and the extensive range of quality accommodation available, which saves both the employer and employee valuable

time in their home search. Tenants on a company move are quite simply some of the best around. They are highly motivated professional people usually with the resources and backing of the company at their disposal.



Selecting the right tenants

There is always an element of risk with letting, but an experienced agent will know when to refuse an applicant.

The most appropriate type of tenant will also depend on the type of property and your own specific circumstances. Hartleys will discuss your particular requirements in detail and will find the most suitable tenant for you. Different landlords make different stipulations regarding what they will and will not accept. Typical exclusions include pets and smokers, but remember the stricter you are, the more difficult it becomes to find a tenant.

References and Financial Checks

When a tenant has been found we carry out strict referencing procedures, using a specialist independent referencing company who demand the highest standards in the industry. This essential and detailed process gives us an understanding of their personal and financial circumstances in addition to previous agent/landlord/accountant references. Specialist personnel are on hand to deal with applications from foreign nationals, overseas applications, limited companies and other firms ensuring nothing is left to chance!



Setting up the tenancy

It is essential to have a comprehensive tenancy agreement and detailed inventory/schedule of condition prior to each tenancy and we will arrange this on your behalf where required.



Hartleys use a comprehensive and approved Tenancy Agreement which has been carefully designed to protect your rights to possession, to help control the tenant's activities, ensure that you have redress if your property is not looked after carefully and comply with standard Building Society requirements.

Tenancy agreements are normally for an initial term of six months or one year and usually thereafter continue on a month-to-month basis. However, shorter or longer term tenancies can be negotiated.

The Housing Act 1988 (as amended by the Housing Act 1996) specifies the types of tenancy and whilst there are several types, it is almost certain that the tenancy of your property will be an 'Assured Shorthold Tenancy'.

Inventory/Schedule of Condition

It is essential to have an independent inventory schedule of condition prior to each tenancy and we will arrange this as part of our Full Management Service and by request on our Letting Only Service.

At the end of a tenancy the property is inspected against the inventory and any damage or deterioration to its condition is noted. The tenant is responsible for the cost of rectifying any damage, above what is considered to be fair wear and tear, caused by them at the property and this cost is deducted from the tenant's deposit.

The Deposit Protection Service (DPS)



As part of the Housing Act 2004 the Government has introduced tenancy deposit protection for all assured shorthold tenancies in England and Wales where a deposit is taken. From April 6th 2007, all deposits paid under an AST have had to be protected within 14 calendar days of receipt. We are members of the The Deposit Protection Service. The DPS is the only Government-authorised custodial scheme that is free to use and all funds are ring fenced in accordance with client money regulations. At the end of the Tenancy, the Landlord and Tenant should attempt to agree the basis for repayment of the Deposit. An independent and free Alternative Dispute Resolution (ADR) service is available to resolve any disputes quickly and without the need for court action. An adjudicator will be appointed by the DPS who is independent, impartial and a qualified expert, the adjudicator will make a decision on the deposit return should the landlord and tenant be unable to reach an agreement.

"Thank you for all you hard work in making our move go so smoothly."

Mr Clayton



Building Society Requirements

If you have taken out a mortgage on the property you are letting, you will need to obtain the consent of your Building Society.

It is very unusual for them to refuse permission but most will charge a small administration fee for giving consent. In turn, they will require information on the type of tenancy agreement you intend to use, how long the tenancy is for and they will require certain notices to be served on the tenant. They must have reassurance that a professional agent is being used.

Rental Payments and Deposit

When the tenant signs the agreement, we take payment for the first months' rent and the deposit. The level of deposit varies but it is usually the equivalent of 1.5 months rent. We always ensure that funds are cleared before the tenant is allowed to move in. At the same time we process a standing order in respect of future rental payments.

Council Tax and Utility bills

In addition to the rent, tenants pay for water charges, council tax, gas, electricity and telephone bills.

Landlord's Obligations

These are clearly determined in Section 11 of the Landlord And Tenant Act 1985. You will be responsible for maintaining the structure and exterior of your property, heating and plumbing installations and dealing with other routine repairs. If your property is leasehold, you will be responsible for paying the service charge and ground rent.

Tenant's Obligations

The tenant has a duty to take proper care of your property and use it in a responsible way, pay the rent and keep to the terms of the tenancy agreement. If the tenants cause damage to the property, they are responsible for the cost of repair providing it is not deemed to be fair wear and tear.

Buildings and Contents Insurance

All landlords should ensure that they have adequate buildings and contents insurance cover in place. Tenants are responsible for insuring their own contents and personal belongings.

* Please note that standard homeowner insurance policies will not suffice once a tenant is in residence as you are no longer the owner-occupier. It is also important to check on cover periods when the property is empty. We recommend that you check your policy thoroughly. We can supply you with names of specialist insurers if required.

Leasehold Properties

If your property is leasehold, your lease will specify whether or not it is necessary to obtain permission to sub-let from the freehold company or managing agent. It is essential to clarify the situation before marketing your property as some leases place restrictions on the type of sub-letting that will be approved.

Service level options

"Thank you for all your help and assistance with the house and your professionalism in dealing with my requests promptly."

Mrs Pound

Hartleys offer two levels of service to accommodate the differing needs of clients - either a Letting Only Service or a Full Management Service.

Letting Only Service

This service is available for practised landlords who wish to remain heavily involved in legal details and the day-to-day activities, such as rent collection, arrears and general maintenance. This service is only recommended for landlords who have the necessary knowledge of the Housing Act, the Gas, Electrical and Fire Regulations and who have the necessary experience to effectively manage their property.

The Letting only Service includes:

- Advising the likely rental income.
- Advertising and generally marketing the Property.
- Conducting viewings with prospective tenants.
- Applying for appropriate references including credit search, employers reference and previous landlord (where applicable).
- Negotiate the terms of the tenancy between landlord and tenant, ensuring an appropriate tenancy agreement is prepared and signed by, or on behalf of, the landlord and tenant.
- Collect the first month's rent and security deposit (the deposit must be held within an approved scheme).

Additional services available on request - costings detailed in the agency agreement

- Preparation of an inventory and schedule of conditions prior to the commencement of the tenancy.
- Registering the deposit with the Deposit Protection Service
- A full property inspection and inventory check at the end of the tenancy and dealing with matters relating to unfair wear and tear before arranging for the release of the tenant's deposit.
- Rent guarantee (subject to referencing and terms and conditions. Details of costings available on request).



Full Management Service

We offer a comprehensive management service aimed at landlords who prefer not to have the inconvenience of dealing with day to day issues. This service is strongly recommended for overseas landlords, clients that are new to lettings or landlords who are too busy to deal with the day to day management.

The Standard Management Service includes:

- Advising as to the likely rental income.
- Arranging an Energy Performance Certificate (where required)
- Advertising and generally marketing the Property until a suitable tenant is found.
- Conducting viewings with prospective tenants.
- Applying for appropriate references including credit search, employer's reference and previous landlord (where applicable).
- Negotiate the terms of the tenancy between landlord and tenant, ensuring an appropriate tenancy agreement is prepared and signed by or on behalf of the landlord and tenant.
- Prepare an inventory and schedule of conditions prior to the commencement of the tenancy.
- Taking a deposit from the tenant to be held by the deposit protection service until the end of the tenancy when the property and contents will be checked for damage, above what is considered to be fair wear and tear.
- Collect the monthly instalments of rent and forward net rents to landlord's bank accounts or forward a cheque less any fees or expenses due or incurred for the period.
- Chasing late or non payments of rent.
- Prepare and submit monthly statements.
- Arranging with service companies (principally local council, electricity gas & water) for meter readings and advising them of the transfer of service contracts to the tenant at the beginning of each tenancy.
- Arrange for a gas safety certificate to be carried out annually during the tenancy.
- Carrying out interim visits to check on the general condition of the property.
- Co-ordination of repair or maintenance including arranging for tradesmen to attend the property and obtaining estimates where necessary, supervising works and settling accounts from rents received.
- Renewing the Agreement where necessary at the end of the Term.
- Making payments on behalf of the Landlord from rents received for costs in managing the property.
- Carrying out a full property inspection and inventory check at the end of the tenancy and dealing with matters relating to unfair wear and tear before arranging for the release of the tenant's deposit.



Property Management

Property Maintenance

Our property managers deal with any maintenance issues on our fully managed properties, oversee any essential repairs and arrange payment to contractors.

Our prime concern is to ensure that the property is maintained, on your behalf, in the same condition as that in which it was first let, allowing for fair wear and tear. When appropriate, we will advise you of any improvements that may be needed.

Unless you have preferred contractors, Hartleys will use one of a group of contractors who have proved their reliability and good workmanship.

Accounting

Hartleys have a dedicated accounts department to ensure that rent is paid on the due date and passed on to you as quickly as possible. They prepare statements of rental income and expenditure every month to ensure that you have full information for yourself and for your tax return.

The tenant pays rent into the Hartleys client account and this is then transferred into your account each month.

Interim Inspections

We carry out routine visits to the property during the term of the tenancy on our fully managed properties.

Extending or Terminating the Tenancy

Many tenants extend their tenancy and in some cases for several years.

If no notice is served on the tenant, the tenancy automatically continues on a statutory periodic basis.

The landlord can terminate the tenancy at the end of the initial tenancy period or at any time thereafter by giving the tenant a minimum of two months notice on the rental due date. The tenant can either leave on the last day of the initial tenancy period, or can give one month's notice at any time thereafter.



Safety regulations

The following information is intended only as a guide for landlords and should in no way constitute a detailed interpretation of the complete Regulations.



Whilst the regulations might appear onerous, they are designed to ensure the safety of the property and tenants. Landlords should note that the maximum penalty for non-compliance with these Regulations is a fine of £5,000 or 6 months imprisonment.

Gas Safety (Installation and Use) Regulations 1998

These cover all gas appliances, flues, meters and associated pipe work and require landlords to arrange an inspection carried out by a 'GasSafe' registered plumber to check all gas installations. Once the plumber is satisfied that the installations fulfill all requirements, a Gas Safety Certificate will be issued, a copy of which must be held by the agent and given to the tenant before they move in. This certificate must be renewed once a year.

Hartleys normally arrange the first inspection and, where full management service is required, subsequent inspections thereafter.

It is worth arranging the inspection before a tenant is found, to avoid delaying the start of the tenancy. Breach of this regulation can result in heavy fines or even imprisonment so tenants are not allowed to occupy a property without a certificate.

Landlords are also responsible for ensuring that either the operating instructions are shown on the appliance or that an instruction booklet is supplied.

Furniture and Furnishings (Fire) (Safety) Regulations 1988 (Amended 1989 and 1993)

This act covers all upholstery and upholstered furniture supplied by the landlord in a rented property, including beds, footstools, pillows, headboards, mattresses, cushions, sofa beds, futons etc. New compliant furniture will always carry the correct label indicating that it is legal.



Safety regulations cont.

The Electrical Equipment (Safety Regulations) 1994

These regulations apply to all persons who let accommodation containing electrical equipment. The electrical installation at a property and any electrical appliance should be safe, regularly checked, with work only carried out by a qualified electrical engineer.

The landlord is also responsible for ensuring that either the operating instructions are shown on the appliance or that an instruction booklet is supplied.

Hartleys hold full details about all Regulations and landlords are advised to seek further guidance from us. Failure to comply with these Regulations may constitute a criminal offence under the Consumer Protection Act 1987.

Smoke Detectors

All new homes (built after June 1992) must be fitted with mains operated smoke detectors. There are no specific regulations governing older buildings. However Hartleys strongly recommend that at least one smoke alarm is fitted to each floor of your property.

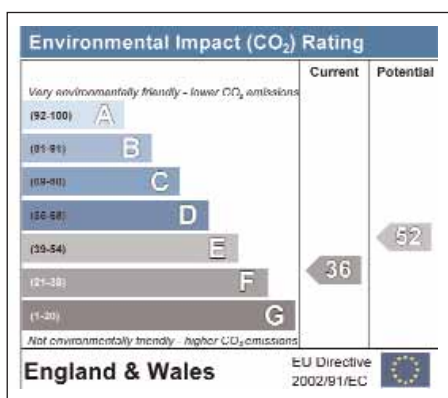
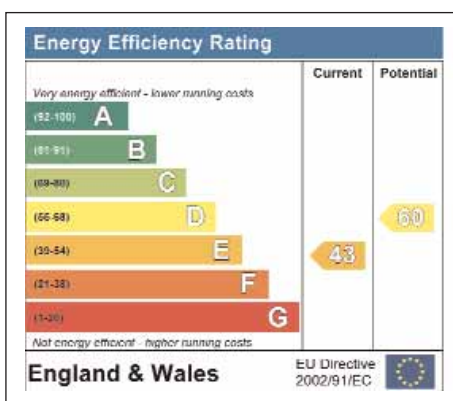
Energy Performance Certificates

Energy Performance Certificates (EPC) have been introduced to help improve the energy efficiency of buildings. The EPC is required by law when a building is constructed, sold or put up for rent and gives home owners, tenants and buyers information on the energy efficiency of their property.

Part of the EPC is a recommendation report which will list the potential rating that your home could achieve, if you made changes. The report lists improvements that you could carry out and how this would change the energy and carbon emission rating of the property.

You do not have to act on the recommendations contained in the recommendation report.

Landlords will need to provide an EPC which will be valid for ten years, to prospective tenants, the first time you let or re-let your property.



Taxation of rental income

Overseas landlords are responsible for obtaining their own exemption certificate and the appropriate forms should be submitted as early as possible as they take several weeks to process.



UK Resident Landlords

If you are a landlord resident in the UK, your net income from your investment property is subject to income tax. The level of tax depends on your other income. If you are already a higher rate taxpayer, tax will be payable at the higher rate.

The normal method of reporting your taxable assets to the Inland Revenue is a Self-Assessment Tax Return form. We strongly advise that you take independent advice from a tax specialist.

The following deductions can be made from your rental income to arrive at the net income, which is subject to tax:

- Interest on mortgage.
- Property repairs.
- Letting and management charges.
- Buildings insurance.
- Ground rent.
- Service charges.

Non-UK Resident Landlords

The Non-Resident Landlord (NRL) scheme is for taxing the UK rental income of persons whose "usual place of abode" is outside the UK. If you are treated as a non-resident landlord you still have to pay UK income tax on rental income from your UK property.

Unless the landlord can provide Hartleys with a current Inland Revenue exemption certificate, the law obliges us to deduct basic rate tax from rents received and for us to account to Inland Revenue on a quarterly basis. Any Landlord named on the tenancy agreement, when living overseas, requires a separate exemption certificate.

Details on taxation are correct at the time of printing. Further information for non-resident landlords and exemption application forms are available at Hartleys offices and The Inland Revenue Centre for Non-Residents, NRLS Processing, Fitz Roy House, PO Box 46, Nottingham NG2 1BD. www.hmrc.gov.uk/cnr.

Tel: 0151 472 6208.



Committment to excellence

Undoubtedly Hartleys biggest asset is its staff. The team are committed, professional and enthusiastic, and they all have comprehensive local knowledge and lettings experience.

Regular ARLA training is carried out to ensure that the appropriate staff are up to date with the various legislation that governs residential lettings.

Hartleys are members of the National Approved Letting Scheme (NALS) and The Royal Institution of Chartered Surveyors.

NALS members are governed by a set of minimum service standards. Therefore, landlords who use us can be assured that they are receiving the best and most up to date advice on all lettings matters.

In order to comply with the Royal Institution of Chartered Surveyors, a code of conduct exists..

This includes:

- Examination of paperwork and documentation, including terms of business and tenancy agreements.
- Ensuring an entirely separate client account is held for all clients' monies.
- Ensuring professional indemnity insurance is adequate and in place.



Ombudsman for Estate Agents

We are a member-letting agent of the OEA. The scheme is to provide a free, fair and independent service for dealing with unresolved disputes between member agents and tenants or landlords of residential property in the UK.

The Ombudsman is totally independent of the OEA member agents and reports directly to the OEA council, which has a majority of non-industry members.

Our promise to you...

- ✓ Value for money fee structure, whether Letting Only or Full Management - whichever suits your lifestyle and needs best.
- ✓ We will treat your property as if it was our own – we care about it as much as you do.
- ✓ We believe in building long term, strong, personal relationships with our Clients, many of whom have been with us for over 15 years.
- ✓ We gain more new landlords and tenants through recommendation due to our longstanding reputation.
- ✓ We will always be proactive on your behalf, to embrace, or interpret new legislation or initiatives, so you're kept one step ahead of the game.
- ✓ We only employ the best, with a core of long serving career oriented and professional staff, who are here to help you at all times.
- ✓ We are members of NALS, a leading body for Lettings agents.
- ✓ We will provide you with highly accurate valuations, combining our years of knowledge, experience and developing market trends.
- ✓ Our teams are supported by state-of-the-art technology, enabling them to give you instant answers to any queries.
- ✓ We only accept quality tenants due to our thorough reference checks, to provide you with peace of mind.
- ✓ We provide a dedicated property management team, who have built strong relationships with referenced local tradesmen, improving response times when you need them.

**And we're here when you need us,
6 days a week**

**Our reputation and experience speaks
for itself - you can trust Hartleys for
complete peace of mind.**



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