

PRIVATE TENANT

STUDENT SPECIAL



in conjunction with national union of students

Finding a place to live

If you aren't lucky enough to be in a halls of residence, and Mum and Dad don't have the cash to buy you and your mates a house to share, or you simply prefer the big bad world out there, then you need to find somewhere to live.

First off – word of mouth. Talk to your friends and fellow students, they may be looking for a flat sharer and check your union information boards. Loot is the big one for finding somewhere to rent, but accommodation goes quickly so you may have to persevere. However, you should never allow desperation to cloud your judgement and there are a lot of considerations you need to take into account before handing over your deposit and signing on the dotted line.

You can also try letting agencies, but use an accredited one.

Which letting agent should I go for?

Students beware: there's no official registration or regulation of estate agents: anyone can set themselves up as one, and you need no special training or qualifications.

Choose an agent affiliated with the Ombudsman

However, there is a voluntary ombudsman scheme. Agents in the scheme have undertaken to abide by a code of practice and also to be judged by an independent third party if a complaint is made, so if things go wrong, you do have somewhere to

take your complaint. Visit the Ombudsman for Estate Agents web site to search for members of the scheme in your area: <http://www.oea.co.uk/>

Choose an agent affiliated with one of the three accreditation bodies

When going to an estate agent, you can also ask them if they are accredited. Accredited letting agents have to comply to a set of voluntary standards. Accredited letting agent usually display a sticker in their shop-window of the body they belong to (see below for images of the stickers). The three main accreditation bodies are:

The National Approved Letting Scheme (NALS)



To search for a NALS letting agent, go to: <http://www.nalscheme.co.uk/frameset.htm>

The Association of Residential Letting Agents (ARLA)



To search for an ARLA letting agent, go to: <http://www.arla.co.uk/search/search.asp>

The National Association of Estate Agents (NAEA)



To search for a NAEA letting agent, go to: <http://www.naea.co.uk/agents/default.asp>

Ask the letting agent to show you their accreditation scheme membership card or certificate – if in doubt check on the websites above as appropriate.

If you are worried about your deposit ask your letting agent whether they belong to The Dispute Resolution Service, which offers you extra guarantees in terms of the security of your deposit.

The house hunting checklist



External features

A visual inspection of the exterior of the property is always useful. Look for the following:

- Slipped or broken tiles
- Rotten timberwork (especially the window frames and doors)
- Broken guttering
- Crumbling or cracked wall
- Adequate storage space for rubbish

Whether the property has a yard or garden – if so, ask who will be responsible for its maintenance

Internal features

There are a number of questions that you need to ask either yourself or the landlord/agent when visiting a property. These include:

- How many rooms are there in the property?
- How many of these are communal rooms?
- Are there enough facilities being provided for the number of people who will be sharing the house?

- Is the furniture in a good state of repair?
- How is the property heated?
- Do the fridge, cooker etc. work properly?
- Is there plenty of hot water?
- Is the house free of damp and/or mould?

Safety & security features

In addition to checking for yourself that the contents that are provided are sufficient and in working order, it is vital that you ask questions to the landlord/agent about the safety and security of the property. You should back-up your questions by looking carefully for certain features yourself, and if in doubt, talk to your students' union. The following questions are essential:

- Does the landlord possess a current gas safety certificate?
- Can the landlord prove that a CORGI registered engineer carried out the inspection?
- Have you checked to see that all gas appliances within the property have been included, and passed as being safe, on the gas safety certificate?
- Did the inspection take place within the last twelve months?
- Is there any fire detection equipment (eg smoke alarms) and does it work?
- If there was a fire, would you be able to escape using the main exits?

- Has the electrical wiring been checked within the last five years?
- Are all plug sockets free from cracks or other damage?
- Are there sufficient plug sockets in each room?
- Does all furniture comply with the relevant regulations?
- Are there locks on the windows?
- Have the previous tenants all returned their keys?

Location of the property

As well as looking at the property itself, NUS recommends that you also consider where the property is situated and ask yourselves the following questions:

- Is the area convenient for your studies?
- How close are you to public transport?
- Are local shops and facilities adequate?
- Would you feel safe walking in the area at night?

Congratulations! You've just found a place. Freedom at last!

But beware, reality will soon kick in It is important you know that problems WILL occur. Soon enough, your flatmate drinks your beer and never replaces it, his girlfriend keeps staying over and spends hours in the bathroom, and insist on watching DVDs of Sex and the City all night long in your sitting room!

Generally, current tenancy laws fail to deal with shared housing arrangements, which is all the more reason you should put effort into making things work – a couple of pitfalls to look out for:

Bills

A major point of conflict in a share house is often about paying bills (electricity, water, gas, council tax, TV licensing). It is vital to decide when you move in who is to be responsible for paying bills and how the bills are to be divided.

It is usually easier to choose a property where the rent is all inclusive (the landlord makes you pay a set amount whatever the level of your utility bills are).

What do I do if a flatmate won't pay a bill, or disappear without a trace?

If you have a joint tenancy agreement, the landlord wants a fixed rent for the whole house irrespective of how many students are living there. This means that if a student drops out of his/her course and goes home, the remaining students in the house will have to cover the rent of the student who has left. In this situation the remaining students would have to take legal action against the student who has left to try to recover their money if the student refused to continue to pay rent after he/she had vacated the property.

How to control your energy bills:

- Ask your landlord if your rent includes gas and electricity. If you do have to pay separately for energy, find out if you're allowed to choose suppliers.
- When you move in, contact the supplier so an account can be set up in your name.
- Give the supplier a reading from your meter at this time too. Otherwise you could end up paying for past usage.
- If you are not sure which company supplies your gas and/or electricity, contact energywatch on 08459 060708.
- Submit regular meter readings so you pay for what you use. Pay less, and you could end up with a huge catch up bill; pay more and you are losing valuable interest on cash that is yours.
- Check out which supplier is cheapest. You can save up to £100 just by changing energy companies. Go to energywatch.org.uk and click on 'Saving Money' for more details.
- If an energy sales rep calls to offer a cheap deal, make sure all comparisons are on a like-for-like basis. Do not sign anything unless you are sure you want to switch.



- When you move out, give your supplier a final meter reading so that an accurate final bill can be issued

How to protect your deposit

Almost all tenants will have to pay a deposit or bond to your landlord which he will retain until you leave the property. It is normally equal to one month's rent but can be more, especially in London.

When you move out, it should be returned to you in full provided that you have not caused damage to the property or fittings for which the landlord may deduct replacement/repair costs. The deposit may also be retained to cover unpaid rent or bills, or cleaning cost specified in the contract.

Most landlords will return your deposit to you in full, but some landlords will try and retain your deposit illegally after you leave. A dispute may arise about the condition of the property and whether the landlord has a right to retain any or all of the money for repairs.

There are some precautions you can take to avoid losing your deposit, and which will help you if a dispute arises:

- £ ALWAYS get a written receipt for the money paid, and keep it safe (this should also have your landlord's full name and address on it).
- £ Take pictures, when you move in, and when you move out. Put the date on if your camera allows you to do so. Pictures are VERY useful in court and most landlords will be helpless if you can prove you left the property spotless. If you don't have a camera, take pictures on your mobile phone, or buy a disposable camera, it is worth the expense!
- £ Agree an inventory with your landlord before you move in so that he cannot claim for damage done before you moved in, draw his attention to any outstanding repairs or damage by previous tenants.

£ If your landlord will not provide an inventory, make your own list of fixtures and fittings and their condition with a witness when you move in and out (photographs are very also useful in the event of a dispute).

£ If you have a difficult landlord and you suspect he may try to keep your deposit illegally, you may choose to withhold your last month's rent to cover any potential loss, provided you have not caused any damage to the property (this is not a legal right, but you may consider it a practical necessity. Do not withhold rent of an amount over the amount paid in deposit). PLEASE NOTE: If you try to offset your deposit by cancelling a rent cheque once you have already given it to your landlord you can be sued for the amount of the dishonoured cheque without the landlord needing to prove the case for damage or loss to his property etc. You will still be entitled to claim back your deposit but may not be able to use this as a counter claim.

£ During your tenancy notify your landlord (preferably in writing) of any repairs that are necessary immediately as you may be held responsible for deterioration caused by unreported problems e.g. leaks or damp.

Can my landlord take money from the deposit for cleaning or decorating the flat?

Most tenancy agreements have a clause in them which refers to cleaning of the property including curtains, carpets, bedding etc. If so then it is best to find out what this entails, but is an extra cost which you are expected to bear.

If your landlord expects professional cleaning of the property at the end of the tenancy it may be cheaper for you to arrange this than allow the landlord to pay for it as he can then deduct this sum from your deposit and it can be difficult to dispute this particularly if the landlord has receipts.

If carpets etc have any marks at the start of the tenancy ensure that

this is noted on your inventory. Decorating costs after you move out should not be deducted from your deposit UNLESS you have damaged the property beyond what is considered "normal wear and tear" e.g. if you have put up pictures or shelves which have left holes in the wall your landlord could charge you for redecoration.

What if my deposit is not returned after I leave?

If you move out and your landlord does not return your deposit you may need to take legal action in the County Court, usually the "Small Claims" procedure is appropriate.

Small claims in the County Court

This procedure applies to sums up to a maximum of £3,000.

To decide whether to start this action, you must be confident that you have a case and that your landlord can afford to pay. Sometimes a letter explaining that you are preparing to take action will be enough to prompt the return of your money.

Write to your landlord formally setting out your claim and giving a deadline of e.g. one week after which you will proceed with court action if the money is not returned.

If you decide to go ahead with County Court action, you will need advice and information, book an appointment to see a Housing Adviser at the Students' Union Advice and Counselling Centre or contact Camden's Housing Advice Service on 020 7974 5801. A solicitor is generally not needed and the Court administration costs involved are usually very small. However, if the Court deems the case too complicated for the County Court or you landlord counter-claims a greater sum of money, there is a slight risk that the case could be transferred to open court where costs may be considerable if you lose the case

Health and safety

Your home should meet certain basic standards, e.g., an adequate supply of hot and cold running water, a means of heating, adequate

waste disposal, to be free of serious damp and disrepair and the structure should be sound (i.e., the ceiling should not be falling or about to fall on your head).

If you think your home does not meet basic standards then you can get in touch with Camden's Environment Department on 020 7974 2090 if your landlord or your university refuses to carry out the necessary works. If a house, flat or university hall of residence is judged by the council to be unfit, it can order the landlord or the university to make it fit within a reasonable time and, if they do not, it can do the necessary works itself.

Gas Safety

Carbon monoxide kills. Faulty gas appliances can release carbon monoxide into your home. Unfortunately it is invisible and does not smell, but if you feel unusually tired, nauseous, or have unexplained headaches in your home, it will be worth getting your gas appliances checked. It is illegal for a landlord to let a property with gas appliances that haven't been Corgi registered checked in the last year, if in any doubt call Camden's Environment Department Customer Services on 020 7974 2090, or the Corgi Helpline on 01256 372 200.

If you do smell gas in your home, immediately call the gas emergency 24-hour free phone helpline on 0800 111 999 and follow this safety advice:

- Don't smoke or strike matches;
- Don't turn electrical switches on or off;
- Do put out naked flames;
- Do open doors and windows;
- Do keep people away from the area affected;
- Do turn off the meter at the control valve.

Students can contact energywatch on 08459 060708 or at www.energywatch.org.uk for more information and advice

Pests and infestations

Who would have thought you would have shared your nice, plush student pad with little furry animals (or charming insects)?

The first thing tenants should do is make sure they remove all food, water, and possible shelter (for example, stacks of newspapers under a sink should be thrown away) that might attract pests. Not only will this help to prevent a pest problem in the first place, it is also crucial to controlling an existing infestation and maintaining a pest-free environment – in fact your landlord will insist on it

If the problem can't be fixed this way, talk to your landlord or university about it. Local councils will deal with rats and mice by baiting and trapping and may require repairs and other works to be done to prevent their re-entry to the house and to deny them shelter and food. Call Camden's Pest Control on 020 7974 5976.

Licensing of Houses in Multiple Occupation

Halls of residences are exempt from these new measures but if you live in private rented property which has three floors or more and more than five separate people or 'households' and is not purpose built, i.e., is a converted house or bedsits, then your landlord may need to have a license on the property which must meet certain standards. If your landlord should have a license but does not they are breaking the law and may have to repay you rent. They would also not be granted a possession order to get you out of the property even if they have served proper notice to quit and would be open to a £20,000 fine. If you think you live in an HMO you



can contact the Licensing Team on 020 7974 1268.

Repairs

Under your tenancy agreement, the landlord (or your university) is almost certainly obliged to keep in repair:

- the structure and exterior of your house, including its drains and gutters, and;
- the installations inside for the supply of water, gas, electricity and for sanitation. The landlord will also be obliged to keep in proper working order the installations for room heating and water heating.

The landlord has a right of entry, after reasonable notice (generally 24 hours, except in an emergency), in order to meet this obligation. If they fail to meet their obligation, having had the problem brought to their attention, and having been given a sufficient time to deal with it, you may be able to take them to court under the Small Claims Procedure, or get the repair done yourself, possibly deducting the cost from the rent (you should take advice on this before taking this form of action). Contact the Tenancy Relations Officer on 020 7974 5801, or your local Students' Union for further advice.

Fresher Fayres will be taking place in the Borough throughout September – Camden's Community Safety & Drugs team will be present to provide advice to students. We will be attending these events with our partners from the Metropolitan Police to ensure that students are informed about the risk to their property and how to keep it safe. See below for dates.

Date and Venue

28 September 2006 (All day)
UCL – Gower St

29 September 2006 (All day)
UCL – Gower St

You can also contact your local Safer Neighbourhoods Team or Crime Prevention Officer for further information about crime prevention. Contact details can be found at www.camdensafe.org



Mice, rats, cockroaches, little unwanted animals ...

Back garden furore

Residents in West Hampstead are preparing to fight against proposed plans to build sheds and garages in back gardens in the area. Camden council has received objections to Ardwick Road and Hillfield Street. Complaints were also received over a proposal to replace a garage with a two storey house in Ardwick Street. In neighbouring Highgate, a planning application to build a bungalow in her back garden has been met with fierce opposition from local residents, who argue that the property will ruin the character of the area and ruin views.

Camden shows poor record for green spaces

Green spaces charity Campaign to Protect Rural England (CPRE) have released figures showing Camden council to be one of the worst records for building on green spaces. According to their figures, between 2001 and 2004 eight percent of new homes were built on Greenfield or otherwise undeveloped land. The council came in joint second to last place with Lambeth of the London inner city boroughs, with only Newham scoring worse. The council disputed the charity's figures, and claim that their own figures indicate that one hundred percent of new homes were built on brownfield or previously developed land.

Charity to match homeless to empty homes

Homelessness charity Broadway, with the Empty Homes Agency and financed by the London Housing Federation, is planning to launch a scheme which will try to match up 4,000 empty properties across London with residents of Broadway and other hostels. Broadway will approach owners of empty homes to advise them of refurbishment grants available from local authorities and then lease the updated and improved properties to offer housing to ex-hostel residents with complex needs. The scheme will operate London-wide once the pilot scheme the charity has been running with Hammersmith and Fulham Council is finished. By the end of the

pilot it is expected that they will have leased out more than 130 properties to ex-homeless people.

Conmen target local areas

Elderly residents in Camden are being warned by police to be on guard following a series of burglaries by men posing as workmen. In one incident, a man claimed that mains pipes had been crushed in a traffic accident and he wanted to check the flat's water supply to gain access to the flat, where he stole £300. In another incident a man claimed to work for the council and needed to check the water supply. Both have been described as well built white males in their thirties.

Parents push up prices

Parents are increasingly buying homes for their children to live in whilst they are at university and then selling it for a profit at the end of the course or keeping it as an investment. A survey of the UK's 2.6million second homes shows that 83,000 were bought by parents for their children whilst at university. This is resulting in many first-time buyers being unable to afford property in university towns and cities. Peter Bolton King of the National Association of Estate Agents commented 'parents buying property for their children is helping to drive the market, but there's a downside to it. In certain locations it's pushing prices up faster than they would otherwise go, making it even more difficult for first-time buyers who are often looking for exactly the same properties.'



Introducing Sharmin Islam, CFPT's new Administrator. Sharmin is a former ULC graduate who started with us in August'

Did you know?

CFPT has a wide range of information leaflets on all issues relevant to private tenants and private leaseholders.

If you would like any of the following free information leaflets, please contact our offices (details on back pg) and we will send you the information free of charge:

- Assured and Assured Shorthold Tenancies
- Regulated Tenancies
- Repairs – a guide for landlords and tenants
- Unfair tenancy terms – don't get caught out
- Notice that you must leave – a brief guide for landlords and tenants
- Bothered by Noise – There's no need to suffer
- My Landlord Wants Me Out – protection against harassment and illegal eviction
- Right of first refusal – for long leaseholders and other tenants in privately owned flats
- Residential Long leaseholders – A guide to your rights and responsibilities
- Home repair assistance
- A Practical Guide For Protecting & Maintaining Your Home (Age Concern)
- Dealing With Your Debts (Rent)
- DIY Home Energy Check
- Have a warmer, healthier home – grants from the Government's Home Energy Efficiency Scheme

And many more from making a small claim to County Court Fees.

Or why not visit our resource library.

Contact us today for details.

Staying safe on campus and in digs

Moving away from home to start a degree is an exciting time for all students. However, if you are living in a student residence, it is important to consider your personal safety and the safety of your fellow students, both on campus and in the wider community.

Protecting your property

Student residences are often targeted by thieves due to the lure of high value goods such as laptops and easy access through communal

doors. You can protect your personal property and your own safety, as well as the safety of other residents, by following a few simple safety tips:

- Do not let people in through the communal door if you do not know them. If the caller is there to meet a resident, advise them to contact that resident to let them in.
- Always remember to close and lock your room door whenever you leave the room, even if you are just going to toilet or to a friend's room.
- An open window is an open opportunity, no matter how high up you live. Always lock windows when you leave the room.

- Don't advertise your valuables to thieves. Keep laptops and other valuables away from windows.
- A low cost deterrent to thieves is that of property marking. This can be done with a UV pen or with forms of engraving. This works by marking property with your postcode and door number. For example, Holborn Police Station, 10 Lambs Conduit St, WC1N 3NR would be shown as WC1N 3NR 10. Property Marking Kits can be obtained from your local Crime Prevention Officer.

**Thanks to Tammy Ingold
Community Safety and Drugs Team
London Borough of Camden**

Camden Federation of Private Tenants **needs you**

CFPT is run for and by private tenants. We work on all aspects of tenant issues, providing information and resources, lobbying Government and campaigning on issues both locally and nationally.

We have close working links with other groups such as Shelter and have worked with Government Departments on a number of issues.

If you are interested in becoming involved, please contact us. If you would like to see other topics covered, please let us know.

We welcome letters, questions, comments and suggestions. You can become a member or a subscriber. This will put you on our mailing list

and you will receive notice of any meetings, workshops, events, special reports, etc., as well as our newsletter for £10.00 per year.

We also need volunteers to work on the newsletter, contributing to policy work and consultations, attending occasional court cases, and representing us with other organisations and committees.

Please contact us at:

11-17 The Marr,
Camden Street, London NW1 0HE

Tel: 020 7383 0151

e-mail: camfpt@lineone.net

This Mark means that we offer a Quality Assured Information Service.

**Community
Legal Service**



Camden Federation of Private Tenants is registered under the Industrial and Provident Societies Act as The Camden Federation for Private Tenants Limited
Registered No: 25086R

Why not become a member of CFPT?

As a member of CFPT you will be kept informed on current housing issues, legislation and campaigns. You will receive our quarterly newsletter to your door, as well as invitations to meetings and notice of relevant consultations. Your membership will also add valuable support to the Fed.

Name _____

Address _____

Tel no. _____

Email _____

Please fill in your details and send with payment to:

Camden Federation of Private Tenants
FREEPOST LON12470
London
NW1 2YW

1 I enclose £1 for membership plus £9.00 subscription fee*

2 I would like to donate £ _____ **3** Total enclosed _____

Signature _____ Date _____

**We can waive the application fee in cases of hardship, please contact the office in complete confidence.*

I am an/a: (please tick)

Regulated Tenant

Assured Tenant

Assured Shorthold Tenant

Other