

GUIDE FOR LANDLORDS

www.whittakerandbiggs.co.uk



Welcome to the Whittaker & Biggs handbook for Landlords – our comprehensive guide to the letting and management of your property. If you want the best tenant, the best rent and an efficient and professional service, then appointing Whittaker & Biggs to let and manage your property is a great place to start.

We hope that this handbook proves a useful source of reference to our services and experience. For further information please contact your local Whittaker & Biggs branch.

About Us

Our letting department has been established for many years, forming part of the estate agency and property consultancy business which was founded in 1930. The department believes in offering a quality service unmatched by other agents.

Our service is designed to put the landlord first and to ensure the successful management of your property. We are members of the Royal Institution of Chartered Surveyors (RICS) and Association of Residential Letting Agents (ARLA). We are also members of the Property Ombudsman scheme.

As members we are bound by a strict code of conduct which means our practices and client accounting systems are fully regulated which in turn means that we are accountable and that your money is both protected and insured.

Why Choose Whittaker & Biggs

- We employ the best people in the business – our staff undertake rigorous training and attend regular refresher courses.
- We provide a set of service standards, ensuring a high level of service for all our clients.
- We are members of the Royal Institution of Chartered Surveyors (RICS) and Association of Residential Lettings Agents (ARLA), two respected professional bodies.
- Client accounts are protected by the RICS Client Money Protection Scheme.
- Our core values include honesty, integrity, communication and service excellence.
- We subscribe to the Private Rented Sector Code of Practice which sets out quality standards for Let properties. This makes properties, not only more attractive to tenants but eases landlords' concerns as well.



Why Let?

There are many practical and financial reasons why people choose to let property.

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- Purchasing residential property to let can be a secure and worthwhile form of investment, with returns rivalling, or beating, many other kinds of investment. More and more people are turning to investment property as a way of providing for their retirement.
- Moving abroad or to another part of the UK, whether it's temporary or permanent, has become increasingly popular and letting your property offers you the opportunity to maintain an income from your property with the option to return at a late date.
- Changes in the job market mean more than ever, mobility and flexibility are important career issues – letting offers a swift solution.

Buy to Let

Buy to Let properties have become hugely popular in recent years, since the market was deregulated in 1989. Mortgage providers have developed numerous products to suit landlord's needs. Provided you have an adequate deposit to put down or, alternatively, enough equity in your main home, "Buy to Let" remains an excellent long-term investment providing both income and capital growth despite occasional fluctuations in the housing market.

Buy to Let should always be viewed as a medium to long term investment. There are some tax advantages in buying to Let; you can claim tax relief against many costs such as letting agency fees, insurance premiums and repairs. (NB interest on mortgage interest payments is now limited for private landlords).

Whittaker and Biggs are not able to provide financial advice and recommend that for matters relating to investment, mortgages and insurance, appropriate independent advice is taken from qualified professionals.

Choosing a Property

The key to success with Buy to Let is choosing the right property. If you are buying a property to let choose one that will appeal to the type of people who live in that area.

For example, the main tenant market could be made up of busy professionals, single people or couples who may be looking for:-

- A two or three bedroomed property
- Good transport links
- Easy to maintain (or no) garden

Our staff can tell you about what gaps there are in the rental market. Your property will need to comply with Health and Safety requirements.

Presenting the Property

Properties that look their best let quicker and achieve higher rents, so it is worth considering the kind of tenant you are trying to attract and decorate accordingly.

Your local Whittaker & Biggs lettings department will be only too happy to provide further guidance and advice if required and can also put you in touch with specialist furnishings and interior design service providers if necessary.

When decorating an investment property, the following guidelines should be followed:

- Keep carpets and wall colours neutral – whites and creams make a cleaner, fresher impression.



- Paint finishes are easiest to maintain, although wallpaper may be expected in higher value properties.
- Good quality carpets and curtains are important, particularly in unfurnished properties where they are more visible.
- Bathrooms should have high quality fittings and be well lit.
- Power showers and fully tiled bathroom floors and walls are preferred by most tenants.
- There should be ample wardrobe space in the bedrooms.
- Corporate tenants will expect a high finish. Wooden floors and low voltage lighting, for example, are all commonplace at the top end of the market.

Managing and Letting your Property

The right tenant is the essential ingredient for successful letting and Whittaker & Biggs have the experience to find the appropriate tenant for your property.

Not only do we have a constant supply of tenants actively seeking a property through our four well located offices, but we have established contacts with major local companies and relocation agencies, who have regular requirements for good quality accommodation.

We also operate the latest computer software which matches potential tenants to your property.

Our internet coverage includes the leading property portal Rightmove, in addition to our own website www.whittakerandbiggs.co.uk.

Property Management

Whittaker & Biggs offers you the benefit of over 25 years management experience, providing a complete management solution whether you own one property or a portfolio, and whether you live right next door or on the other side of the world.

Your dedicated property manager will oversee your property through its letting cycle, from organising safety checks to dealing with tenant's queries and your maintenance obligations during the tenancy. Our property management service delivers total peace of mind. Benefits of Whittaker & Biggs Property Management service include:

- A single point of contact within an experienced team backed by RICS and ARLA trained and qualified professions.
- Pre-tenancy preparations – we can arrange all the preparation required to get a property ready to be let including: gas and electricity safety checks, portable appliance test, inventory report and check-in, professional cleaning and necessary maintenance.
- Clear and accurate statements showing rents received and expenditure incurred.
- Property visits – periodic inspections undertaken with a report back to our landlords.
- Access to a range of local experienced contractors.
- Deposit returns – we ensure the correct apportionment of the deposit at the end of the tenancy. NB – deposits are held by DPS and repayment is subject to their rules, which include securing the tenant's agreement.
- Rent review service



Let Only or Full Management

Whittaker & Biggs offers two distinct services, Let Only and Full Management – the scope of these services are discussed within this brochure, but as a useful guide we set out below a quick reference to the main features of each service.

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The key features of this service are:

Let Only

- Marketing appraisal of your property followed by written report.
- Clear terms of engagement.
- Schedule of proposed marketing.
- Circulation of the property details to our tenant register.
- Placement on our website and Rightmove.
- Additional advertising where required
- Arranging viewings, accompanied where necessary.
- Advice on legal compliance issues such as gas and electric safety, furnishings, insurance.
- Undertaking thorough checks, including credit checks, on potential tenants.
- Arranging for the preparation of detailed inventory if required.
- Negotiation of tenancy commencement and terms.
- Preparation and completion of the Tenancy Agreement.
- Collection of a deposit and payment over to the DPS.

Full Management

Includes all features of Let Only plus:

- Regular interim inspections of the property.
- The initial point of contact for the tenants.
- Handle maintenance and repairs of the property (subject to an agreed budget)
- Collection of rent payments.
- Initial chasing of arrears and advice in the event a tenant fails to make payments due.
- Advice on tax for overseas landlords.
- Monthly statement of all financial transactions.
- Issue appropriate legal notices to initiate termination of a tenancy agreement.
- Advice for the rare occasion when things go wrong
- Full check out inspection of the property once vacated by a tenant.
- Negotiation on return of deposit, required repairs
- Rent reviews.



Landlord's Guide to Safety & Environmental Regulations

The Furniture & Furnishings (Fire Safety) Regulations 1998 (as amended)

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All upholstered furniture made after 1950 is included within these regulations. The furniture covered by the regulations includes sofas, settees, seat pads, beds, headboards, pillows, arm chairs, scatter cushions, futons, mattresses and bean bags, but not curtains, carpets, bedclothes (including duvets) and mattresses and mattress covers.

To comply with the regulations these types of furniture must be fire resistant and, in most cases, carry a permanent (sewn in) label to this effect. To be "Fire Resistant" most furniture and upholstery must have passed an "ignitability Test" specified in the Regulations.

If you ask us to let or manage your property you must remove any furniture which does not comply with these Regulations before the tenancy begins. Any replacement furniture you place in the property must comply with the Regulations.

There are heavy penalties imposed by these regulations on landlords who do not comply with them. The penalties for non-compliance include a maximum of six months' imprisonment and/or up to a £5,000 fine. You can obtain further guidance on these regulations from your local Trading Standards office.

Energy Performance Certificates (EPC)

It is a legal requirement that prior to marketing a property, an Energy Performance Certificate (EPC) must be obtained and made available to prospective tenants. The EPC must also be given to the successful tenants upon moving into the property.

Since April 2018, it is illegal to let properties in bands F and G.

In due course, properties which are already let, but with an EPC of F or G will need to be brought up to standard to enable the letting to continue.

EPC reports are prepared by qualified Domestic Energy Assessors, who visit the property and prepare a detailed report which covers such elements as glazing, insulation and heating. The property is then given a rating in Bands A – G.

The Gas Safety (Installation and Use) Regulations 1998

It is the responsibility of the landlords of domestic properties that ALL gas appliances and gas installation pipework under the ownership of the landlord are checked for safety at least once a year by a Gas Safe contractor; the safety certificate must be provided to the tenant.

Gas appliances includes any fitted gas appliances, for example:

- Central heating or combi boilers
- Gas heaters
- Gas fires
- Gas cookers

Gas installation pipework includes gas pipework, valves, regulators and meters. Faulty equipment can lead to death and a conviction of unlawful killing on a landlord. Under the regulations any appliance that does not conform to the regulation should be disconnected.

These regulations also apply to provision of bottle or tank gas, as well as natural gas.

Failure to comply with these regulations may jeopardise the life of your tenant and lead to prosecution with penalties of imprisonment or fines up to £5,000.



The Electrical Equipment (Safety) Regulations 1994

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The above regulation imposes an obligation on the Landlord to ensure that all electrical appliances and installations left as a part of a let property are safe. We recommend that all electrical appliances are regularly checked and serviced.

Failure to comply with these regulations may jeopardise the life of your tenant and lead to prosecution with penalties of imprisonment or fines up to £5,000. As part of our service we can arrange gas and electrical safety inspections if requested. There are particular requirements for houses in multiple occupancy (HMO'S).

Whittaker and Biggs require a current electrical installation and PAT safety certificates prior to permitting as tenant to take occupation of a property.

Health and Safety

Landlords need to be aware that their obligations in respect of Health and Safety go beyond that of an owner/occupier. It is imperative that the safety of the tenant is considered at all times and there is a duty of care to any tradesmen instructed to work at the property. The landlord has a legal obligation to ensure that contractors are property qualified and experience.

In some cases, depending on the nature of the work required, it may be necessary to prepare a Risk Assessment and/or Method Statement to identify how works will be done. There may be a need, for example to consider Working at Height regulations for certain tasks.

Whittaker & Biggs works with landlords and contractors to ensure that risks are mitigated.



Frequently Asked Questions

Why do I need an Agent?

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There is nothing to prevent a landlord acting without an agent. However, there are many legal requirements that a landlord must fulfil. Failure to comply with these requirements may result in criminal prosecution. Our staff are trained to understand current and future requirements and have systems in place to ensure they are complied with.

We have facilities to properly vet potential tenants allowing you to make the right choice.

What Services do you Offer?

We provide Let Only and Full Management services.

The majority of our clients choose the Full Management option, as this provides a complete service from start to finish, offering peace of mind and the satisfaction of knowing that your property is in capable hands.

Our comprehensive Tenancy Agreements will make sure that your interests are protected in line with current legislation.

How is the Rent Paid?

Typically, a standing order is set up from the tenant's bank account and the rent will be paid monthly in advance.

Our fully computerised systems mean that once the monies have cleared through the banking system the rent is paid promptly into the account of your choice. A detailed statement of account is provided.

What sort of Tenancy Agreement is Used?

There are a number of different types of agreement that can be used depending on the circumstances of the tenants, the landlord and indeed, the property. In the majority of cases

it will be an Assured Shorthold Tenancy (AST) for a fixed period of at least 6 months. Longer periods can be agreed between the parties. Shorter terms are not practical under current legislation.

What happens if the Tenant Doesn't Pay the Rent?

As part of our service we endeavour to ensure that the rent is paid on time. Having carefully selected the tenant in the first place, there's unlikely to be a problem. However, people's circumstances do sometimes change during a tenancy and if the rent is not paid, we will advise you on the appropriate course of action.

What about the Deposit?

A deposit is collected from the tenant and lodged with the Deposit Protection Scheme (DPS). It cannot be returned until satisfactory vacation is agreed.

If there is any dispute between the parties, it will be dealt with by an Ombudsman.

What Happens when my Property is Empty?

You must advise your insurance company in accordance with their requirements regarding empty property. Please check your insurance policy for the relevant details.

You will be responsible for any costs incurred whilst the property is vacant (e.g. council tax, utility charges)



What are my Outgoings?

These will usually include:

- Mortgage
- Insurance (Buildings and Contents)
- Repairs to the property (unless caused by the tenants)
- Ground rent and services charges (where applicable)
- Managing agent fees
- Utility bills and services (when property vacant)

What about Tax?

You will be liable to pay tax on any profit generated from letting your property – the amount of tax you pay will depend on your circumstances.

If you are overseas for more than six months in any tax year, you will be regarded as a non-resident landlord. The current legislation requires us to deduct and pay over to the Inland Revenue tax as the basic rate unless we are in receipt of an exemption letter from the Inland Revenue. Once we are notified by the Revenue that you are exempt, we will no longer need to deduct tax.

Please note that where there are joint landlords (including married couples) an exemption is required for each landlord.

Do I Need to tell my Insurance Company?

Most certainly, yes - otherwise you may find your insurance is invalid. Your insurer may wish to increase the premiums or be unable to accommodate your wishes.

Should you need cover, please let our staff know.

Do I Need to Tell my Mortgage Company?

Yes – prior to the letting of your property you must seek written consent from your lender. Please ask our staff for further details.

What do I do if my Property is Leasehold?

The managing agents or freeholders must be advised as a change in the type of occupancy may affect the buildings insurance. You should obtain the necessary consent prior to letting and advise us of any restrictions within the head lease which your tenant should be aware of.

Who Looks after the Garden?

The maintenance and upkeep of the garden is usually the responsibility of the tenant. However, should you have a particularly large garden or any precious plants then it may be advisable to arrange for a gardener – the cost of which should be incorporated in the rental value.

Do I have to Provide Furniture?

No, interestingly, in most cases we have found that there is very little difference in rental values between furnished and unfurnished lettings. An unfurnished property would usually have carpets, curtains and white goods.

Are Smoke Alarms Required?

It is a legal requirement that smoke alarms are fitted on every floor of let residential property. We recommend hard wired alarms be fitted to provide adequate protection to tenants.

There is also a legal requirement to provide Carbon Monoxide alarms in any room with a solid fuel appliance, although our service requires them in any room with a boiler.



Whittaker & Biggs subscribes to the Private Rented Sector Code of Practice which requires provision of Carbon Monoxide alarms in a room with any gas, oil or solid fuel heating or cooking appliance.

What am I Responsible for Repairing?

As a landlord you have a legal obligation under the Landlord and Tenant Act 1985 to maintain the structure of the building, the sanitation and the supply of services. In addition, should an item in the property require replacing or repairing through fair wear and tear then you would be expected within the terms of the Tenancy Agreement to deal with this.

