



Home Office

Right to Rent Workshop

Valid March 2016

Please check www.gov.uk/righttoarentchecks for current guidance



What is Right to Rent?



A new requirement for private landlords to check the immigration status of prospective tenants and lodgers before they move in, to avoid liability for a civil penalty.

Phased implementation:

- West Midlands from 1 December 2014
- Rest of England from 1 February 2016

If a landlord rents to an illegal migrant and has not carried out a correct right to rent check, they could be liable to a civil penalty. The penalty is up to £3000 per tenant.

Right to Rent – In Practice

All **adults** using the property as their **only** or **main home** should be checked, even if they are not named on the tenancy agreement. To avoid discrimination, **all** prospective tenants and lodgers should be checked.

This requirement is for **new** tenancies which begin on or after the date the measures apply.

Liability can be transferred from Landlords to letting agents in writing.

Exemptions include:

- Student Accommodation
- Hostels and Refuges
- Holiday Accommodation
- Care Homes
- Local Authority Accommodation



Three step right to rent check

1. Obtain

Obtain original versions of one or more acceptable documents.



Three step right to rent check

2. Check

Check the document's validity in the presence of the holder.



Three step right to rent check

3. Copy

Make and retain a clear copy, and record the date the check was made.



Landlords Checking Service & Helpline

The Landlords Checking Service will give a **YES** or **NO** answer where:

- The tenants documents are with the Home Office as they are pursuing an application or appeal to remain in the UK.
- The tenant has Permission to Rent from the Home Office.

Landlords Checking Service: www.gov.uk/landlord-immigration-check

The Landlords Helpline will provide general advice but cannot:

- Verify individual documents.
- Give out details of individual cases.

Landlords Helpline:  **0300 069 9799**

Report to the Home Office, tenants that lose their right to rent.

www.gov.uk/report-immigration-crime or www.gov.uk/righttorentchecks from 1

February

Civil Penalties

Civil Penalty Process:

- Referral Notice
- Information Request
- Civil Penalty Notice
- Objection and Appeal



Penalty amount	Level 1 (first breach - minimum)	Level 2 (second breach - maximum)
Category A (lodgers in a private household)	£80	£500
Category B (tenants in rented accommodation)	£1,000	£3,000

Further Information

Landlords Code of Practice: www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice

Right to Rent Document Checks: Users Guide:
<https://www.gov.uk/government/publications/right-to-rent-document-checks-a-user-guide>

Landlords Checking Service: <https://www.gov.uk/landlord-immigration-check>
Landlords Helpline: ☎ 0300 069 9799

Evaluation of the Right to Rent Scheme
www.gov.uk/government/publications/evaluation-of-the-right-to-rent-scheme

Report immigration crime: www.gov.uk/report-immigration-crime

Guidance on examining identity documents:
www.gov.uk/government/publications/recognising-fraudulent-identity-documents