

## **Appendix 1: Housing Advice for Private Tenants on Brighton & Hove City Council website** (including signposting should there be any 'No DSS' discrimination)

### **At the start of your tenancy**

If you are a private tenant, or looking to move into the private rented sector, then your landlord or letting agent will have certain responsibilities they're expected to fulfil. Before renting a room they are legally required to check your immigration status and the status of any adults living with you. This is called a '[Right to Rent](#)' check.

Unless you are a lodger (i.e. you are renting a room in home where your landlord also lives), at the start of the tenancy your landlord or letting agent must give you the following:

- An Energy Performance Certificate (EPC), unless you are a [lodger](#)
- A [gas safety certificate](#)
- An [Assured Shorthold Tenancy](#)
- A copy of the '[How to Rent](#)' guide

### **Tenancy deposits**

If you are an Assured Shorthold Tenant, your landlord or letting agent cannot hold your deposit. Instead, this must be held in one of three a government approved '[Deposit Protection Schemes](#)'. If you have paid a deposit and it hasn't been protected in this way then:

- You can [claim compensation](#)
- It may be harder for your landlord or letting agent to end your tenancy

Your landlord or letting agent should return your deposit when your tenancy ends, [unless they have reasons to make deductions](#)

If you are a lodger, then any deposit you pay does not have to be protected.

### **Discrimination – eg 'No DSS'**

Your landlord should not discriminate on the basis of your age, gender, race, ethnicity, etc. They should also not place restrictions on you in terms of being in employment. (Eg refusing to take you as a tenant if you are in receipt of welfare benefits). If you believe you have been the victim of any such discrimination, you may want to seek independent legal advice. The following agencies may provide this advice without any direct costs to you.

- [Shelter](#)
- [BHT](#)
- [CAB](#)

### **Repairs**

Your landlord or letting agent is responsible for most of the [repairs in your home](#). Your landlord should not enter your home without your agreement. If they need to access the property (eg to inspect the condition), they should:

- Give at least 24 hour notice, in writing
- Arrange with you a suitable time to visit

### **Health & Safety**

Your landlord or letting agent must:

- Arrange a [gas safety check](#) every 12 months by a 'Gas Safe' registered engineer
- Make sure [wiring and electrical appliances are safe](#)
- Provide [smoke alarms](#) on each floor and carbon monoxide detectors in any room with a coal fire or wood burning stove

### **Rent and rent increases**

Your landlord or letting agent must tell you when and how your rent should be paid. If you pay your rent weekly, then they must provide a rent book. There [rules on rent increases](#), which must be followed. These will vary depending on the tenancy you have. If there is a 'fair usage clause', then you could be asked to pay more [if your rent includes utility bills](#).

### **Landlord harassment**

Your landlord or letting agent is legally required to allow you to enjoy living in your home without unnecessary interference. They should not let themselves into your home without permission. Neither should they harass you or make it difficult for you to live in your home.

If you believe your landlord or letting agent is harassing you, including asking you to leave without appropriate, valid notice you can contact the Council via email ([housing.advice@brighton-hove.gov.uk](mailto:housing.advice@brighton-hove.gov.uk)) or telephone (01273 294400). You can also contact the police, including if your landlord or letting agent is harassing you outside office hours.

More information on your right to enjoy occupation of your home is provided [here](#).

### **Eviction**

Eviction is a legal process that takes time. There are 3 stages for most private renters:

- Notice
- Court action
- Eviction by bailiffs

Assured Shorthold Tenants can be evicted using the [section 21 eviction process](#). If you have another type of tenancy, [other eviction notices](#) may be required.

**Also:**

**Tenant Advice to Landlords** has been updated to encourage support towards the Council's commitment to prevent homelessness:

We ask all landlords to support our commitment to ending homelessness and contact our early intervention team on [early.intervention@brighton-hove.gov.uk](mailto:early.intervention@brighton-hove.gov.uk) to try to help resolve any tenancy issues before serving an eviction notice.