



FEARLESS FLATHUNTING

AN SRC ADVICE CENTRE GUIDE
2022 EDITION



Finding suitable accommodation is not always easy, and Glasgow holds many choices for students. However, you could face problems unless you know something about your **rights** and **responsibilities** as a tenant.

The SRC has produced this leaflet to guide you through some of the difficulties of renting accommodation.

Please note that all the information in this guide is accurate to the best of our knowledge at the time of writing (May 2022). However, the SRC cannot accept responsibility for decisions made based on this information.



FLAT HUNTING

FINDING A FLAT

RENT

It is a good idea to work out what you can afford to spend on rent, and stick to this. Most adverts will specify rent **monthly**, abbreviated to **PCM** (per calendar month). If rent is weekly, remember that you need to adjust this (multiply by 52 and divide by 12) to get the equivalent monthly rate.

LANDLORD REGISTRATION

All landlords letting properties in the private sector **must be registered** with the local council. This scheme aims to ensure that disreputable landlords can be removed from the market, while tenants and neighbours can be protected from the consequences of antisocial behaviour and mismanaged properties.

You can check if your landlord is registered online at www.landlordregistrationscotland.gov.uk

LETTING AGENT REGISTRATION

All Letting Agents in Scotland are required by law to comply with a Letting Agent Code of Practice and to join a Register of Letting Agents. Like landlord registration, the scheme aims to make sure every letting agent is suitable to do the job.

You can check if your Letting Agent is registered online at: lettingagentregistration.gov.scot/

*For updated information about the scheme please see the SRC Advice Centre website:
www.glasgowunisrc.org/advice/accommodation*

HMO LICENCE

An HMO is a **House in Multiple Occupation**, which is a property where **three or more unrelated people** live, using shared facilities. For a landlord to operate an HMO, the property **must** be licensed with the local council.

The licensing conditions are strict, and include, for example, the need to have clear fire escape routes, safe gas and electrical appliances, adequately sized rooms, and a telephone landline installed. These regulations are there to protect tenants and ensure that the property is safe for habitation.

The licence should be prominently displayed in the property.

If you suspect a property is not registered (which is a criminal offence on the part of the landlord) or a landlord has breached the terms of the licence, you can get help from the SRC Advice Centre or directly from the Glasgow City Council's Private Landlord Unit (0300 343 0414).

WHERE TO LOOK

GLASGOW UNIVERSITY ACCOMMODATION OFFICE

www.gla.ac.uk/accommodation

SRC FLATSHARE

www.glasgowunsrc.org/services/flatshare

The SRC run a flatshare service, where you can find details of single rooms or entire flats, or advertise a vacancy.

WEBSITES

Search for:

S1Rental/Gumtree/Citylets/Unilodgers/LettingWeb

These websites are a good resource for flathunting, but remember that these are essentially adverts, so be wary if something looks too good to be true.

When you are searching for accommodation online, look out for when the website was last updated to make sure you're not viewing a property that's no longer for rent, or worse, **a scam**. The usual basic rules apply; **never** give out your personal details online.

For more information, please see '10 Tips for Avoiding Housing Scams', available on the SRC Advice Centre website.

NOTICEBOARDS

Newsagents, supermarkets and some small shops may carry advertisements. Also check the boards in the SRC, QMU and GUU for further notices.

LETTING AGENTS & FEES

Some letting agents may attempt to charge **administration fees** for services such as a credit check, renewing a lease etc, however the Scottish Government has confirmed that **these charges are illegal**.

If you wish to challenge this type of fee or want more

information, please contact the SRC Advice Centre at advice@src.gla.ac.uk

VIEWING ACCOMMODATION

Never accept a flat **without going to see it** and, if you can, take someone with you who has experience of renting.

CHECKLIST

Before you go **draw up a checklist** of the things you want to know about, or use the one provided at the back of this booklet. You are the one who will be paying the rent so you have a right to make sure the place is suitable, in good condition and, above all, safe.

DEPOSITS

Do not pay a deposit for a flat on the promise that repairs will be carried out; either wait until the work has been done before accepting it or ask for **written** assurance that it will have been completed by the date your tenancy starts.

We strongly advise that you **don't pay anything in advance for a property you haven't viewed**.

PHOTOGRAPHS

If viewing the property beforehand isn't practical for you and you can't get a friend or relative to view it on your behalf, it would be reasonable to **request as many pictures as possible from the landlord**. If, when you arrive, the property is significantly different, you may need to seek further advice about your options.

FLAT HUNTING

LEASE/TENANCY/DEPOSIT

YOUR LEASE

A lease (tenancy agreement) is the legally binding contract you make with the landlord to rent the flat and s/he is **not allowed to charge you** for drawing up the document.

Tenancy agreements cannot overrule your basic tenancy rights stated in law, but can add to them.

MODEL TENANCY AGREEMENT

Most private tenancies starting after 1st December 2017 will be a **'Private Residential Tenancy' (PRT)**.

There are a few exemptions to this such as private student halls or properties where the landlord lives in them.

The landlord must provide you with the correct type of tenancy agreement. For PRTs the Scottish Government has created a **Model Tenancy Agreement** for landlords to use.

Even if your landlord does not use the Model Tenancy Agreement, they still have to give you a copy of the 'supporting notes'.

READ THE AGREEMENT CAREFULLY

Make sure there are no terms and conditions that you would **not** want to accept. Sometimes a landlord will agree to change a lease so, if there is anything you do not like, ask if it can be **changed or removed**.

CHECK WHAT THE LEASE SAYS ABOUT RESPONSIBILITY FOR REPAIRS IN THE FLAT

Your landlord is obliged to keep the property wind and watertight. Your lease will make clear if they have responsibility for other repairs, but the landlord cannot include conditions which breach his/her legal responsibilities. If you have had to phone because the problem was urgent, follow the call with a letter or an email.

UNDERSTAND EXACTLY WHAT YOU ARE SIGNING (OR AGREEING TO, AS AN ORAL AGREEMENT IS ALSO BINDING)

For all new Private Residential Tenancies you must be given (by either email or in a physical copy) your tenancy agreement by the **end of the day you move in to the property**. This will also include 'easy read notes' if the Model Tenancy Agreement was used, or 'official supporting notes' if the model was not used.

If your property is **not** a PRT you should still receive a tenancy agreement. If you are unsure about a written lease ask if you can take it away and then have it checked. **Make sure you are given a copy of the signed lease.**

KNOW YOUR TENANCY AGREEMENT

Joint tenancy is the most likely form of tenancy, where all the tenants' names are listed in the lease,

everyone has to sign it and there is a collective responsibility for the rent.

This means that if one or more people fail to pay their share, or leave early, the other tenants are **liable for the full amount** between them. You need to be sure you can trust your flatmates.

ALL TENANTS NAMES SHOULD BE ON THE LEASE

If a landlord **does not** want this, it might be a ploy by the landlord to avoid having to get an HMO licence. This avoidance is an offence, and you should not accept the tenancy.

DEPOSIT

Most landlords ask for a deposit to cover any damage to the property and its contents or to cover any unpaid rent or bills for which they could become liable. The amount asked for is often equivalent to **one month's rent**.

The deposit remains **your money** and should be recovered at the termination of the lease, provided that all the bills have been paid and no damage has been done to the flat.

All private landlords have a legal requirement to place a tenant's deposit with an approved 3rd party scheme. This normally has to be done within **30 working days** of the beginning of the tenancy and you should be notified of this in writing by the scheme administrator.

At the end of the tenancy both the tenant and landlord can contact the administrator to advise of any dispute over the amount of deposit to be returned, and if necessary the administrator can attempt to resolve any issues.

LENGTH AND TYPE OF TENANCY

The new Private Residential Tenancies (PRT) are open-ended (rather than being for a fixed term like the old Short Assured Tenancies) and can be

brought to an end by the tenant giving **28 days' notice** at any point after they have moved in.

It's important to note that some types of tenancies are exempt from these rules. For example both Private and University run Student Halls are likely to have length of tenancy of **at least 6 months**.

Similarly, if the landlord lives in the property you are planning on renting then this type of tenancy agreement may have a **minimum length of 6 months**.

If you are wary or unsure about any part of your tenancy agreement drop into the SRC Advice Centre and we'll be happy to look over it for you and explain anything you're unsure of.

RECEIPTS

Always get signed, dated receipts for any payments you make, which clearly state what the payments are for.



INVENTORY

You should get a **written list** of furniture, fittings and equipment with the lease. Make sure you check these with the landlord to confirm the number and condition of items. If there is no inventory you should make your own.

Draw up a list of **all the contents**, from beds down to cutlery, and record the condition of each item. You should then ask the landlord to check, sign and date the inventory.

You should **not** sign an inventory that lists items that have been promised: wait until you receive them. It is also a good idea to take digital photos of the condition of the flat and furnishings when you move into your flat.

REPAIRS

The landlord is responsible for maintaining the property in a habitable condition and for keeping installations for supplying **heating, water, gas and electricity** in proper working order.

Your lease will make clear if he has responsibility for other repairs. Obviously the landlord cannot carry out repairs unless s/he knows there is a problem so you have a duty to **inform him/her of defects**.

Requests for repairs should **always** be put in writing and a copy kept of all letters. Your landlord should provide a **phone number** for use in emergencies. If you have had to phone because the problem was urgent, follow the call with a letter. If the landlord does not respond within a reasonable time, you may be able to apply to the **First Tier Tribunal (Housing and Property Chamber)** to enforce the repair. See the back of this booklet for information about how to contact them. Where serious problems occur which make the flat uninhabitable it may be necessary to contact the Council.

RENT

You will probably be asked to pay **one month's rent in advance**. The best way to pay rent is by standing order. If your landlord insists on cash or cheque, make sure you get a **receipt** when you hand over the money and never leave cash for someone to collect – if it goes missing you have no proof of payment.

If you pay weekly your landlord must provide a rent book.

If for some reason your landlord fails to collect the rent regularly do not assume that you are not going to have to pay later (people have done this!). Keep the rent money in a separate account so that you will not be tempted to spend it.

SAFETY

Every home in Scotland must now have interlinked fire alarms. They are alarms that talk to each other - so when one goes off, they all go off. Every home will need to have:

- 1 smoke alarm in the room you spend most of the day, usually your living room.
- 1 smoke alarm in every circulation space on each storey, such as hallways and landings.
- 1 heat alarm in the kitchen.

All smoke and heat alarms should be mounted on the ceiling and interlinked. If you have a carbon-fuelled appliance, like a boiler, fire, heater or flue you must also have a carbon monoxide detector. This does not need to be linked to the fire alarms. Private landlords should already have interlinked fire alarms in the properties they let. If your rented property does not have interlinked fire alarms, speak to your landlord. If your landlord fails to comply, you have the right to apply to a tribunal.

FUEL BILLS

The supply of gas or electricity may be in the landlord's name, but it is more likely that a landlord will want you to have direct responsibility for the fuel supply.

Fuel companies will often require **all tenants** to be named on the fuel bill, and this can be a good safeguard to ensure that no-one tries to leave without paying their share.

Make sure that you have a firm and sensible arrangement for paying these bills with your flatmates. Even if you have arranged for the fuel companies to come and read the meters it is advisable to **take readings yourself** and to make a note of the **date** they are taken. If you are paying your landlord for the fuel make sure he reads the meters with you at the **beginning and end** of your tenancy.

GAS SAFETY

If there are any gas appliances ask to see the **certificate of inspection**. They must be checked **every 12 months** by a Gas Safe Register registered installer and your landlord is legally obliged to display the gas safety certificate somewhere within the flat. If the landlord cannot produce a record of inspection you should inform the **Glasgow City Council Private Landlord Unit** or alternatively you can contact the **HSE Gas Safety Advice Line** on 0800 300 363.

Be aware of the signs that mean gas appliances are not working properly, listed at www.hse.gov.uk/gas. Only a firm registered with the Gas Safe Register can legally work on gas appliances - visit their website at www.gassaferegister.co.uk for details.

If you have any doubts about the safety of an appliance ask the **Private Landlord Unit** to come and inspect it. If you suspect a **gas leak** call the **National Gas Emergency Service** immediately on 0800 111 999.

TV LICENCE

If you have a joint tenancy agreement you only need **one TV licence** for the flat, irrespective of the number of TV sets. If you have separate tenancy agreements there must be **one licence for each set**. It is the user's responsibility to ensure that one is obtained, as you could be fined **£1,000** for using a set without a licence.

COUNCIL TAX

If all the people in your flat are on full-time courses the property will be exempt and you will **not** have to pay. You can opt-in to the automated system via **MyCampus**, or else complete a paper form which should be **stamped by Student Services**.

For more information please see the SRC Advice Centre leaflet 'Council Tax and Housing Benefit'. If you are not living in a flat whereby all the tenants are full-time students then seek advice from us as the rules are complicated.

INSURANCE

Your landlord is responsible for insuring the property but this will **not** cover your possessions. Accidents and burglaries do happen so it is sensible to take out insurance **as soon as you move in**.

Contact several insurance companies for quotations, and look for insurance that includes **personal liability cover** for injury to others or damage for their property.

This will protect you against claims arising from your negligence as a tenant, for example damage from water leaks or broken furniture. Before completing a proposal form ask to see a specimen copy of the **full policy document**.



RESPONSIBILITIES

You have entered into a contract with your landlord and you should respect the lease's terms, look after the property and be considerate towards your neighbours.

EVICTON

Generally speaking a landlord is not able to evict a tenant unless they apply to the **First Tier Tribunal (Housing and Property Chamber)**, who will then decide if an eviction order can be granted.

The law is slightly different for properties with resident landlords, so please seek advice if you are in that situation.

It is usually a criminal offence for a landlord to try to remove their tenants by changing locks, cutting off fuel supplies or using threatening behaviour. If you think you are about to be evicted seek advice or, in an emergency, call the police.

ENDING A LEASE EARLY

As mentioned before, for Private Residential Tenancies (PRT), a tenant can end a tenancy at any point after they have moved in, if they give **28 days notice** of this in writing to their landlord. However, tenancies such as student halls or those with resident landlords may have a fixed term in length

(**most commonly 6 – 12 months**). If you want to leave **before** the end of the fixed period, and there is no provision for this in your agreement, you can approach your landlord and try to negotiate an early release.

He/she may be quite agreeable to your finding a replacement tenant, but you should **never** do this without his/her permission. If he/she is uncooperative and you decide to leave you will probably lose your deposit.

The landlord must try to re-let the flat as soon as possible but could **claim rent from you** for the time between you leaving and another tenant taking over, or the end of the tenancy term, whichever comes first.

LEAVING

Make sure your **inventory is checked**, and **read all the meters** before you leave – preferably with the landlord.

Always leave your accommodation in a clean and tidy condition – you may find yourself with a hefty bill for cleaning or redecorating, or even **deductions from your deposit** if the flat is not as it was at the start of the tenancy. It's also a good idea to **take photos** before leaving, in case there is a dispute about the condition in which you left the flat.

CHECKLIST

This is a list of things you should check for, but add your own preferences as well.

HMO LICENCE

If the flat is for three or more people, ask to see the licence or contact **Glasgow City Council Private Landlord Unit**. The licence should also be displayed in the flat.

SAFETY AND SECURITY

- Are the doors and windows secure?
- Are locks on the front door/flat entrance effective?
- Are smoke alarms fitted and do they work?
- Is there a certificate of inspection for any gas appliances?
- Are there any unsafe gas/electric appliances?
- Do the windows open and close properly?
- Is there a fire escape?
- Are there late night buses to the area?
- Is the street well lit?

FURNITURE AND FITTINGS

- Is there a desk and enough storage space in the bedroom?
- Is everything in good condition and working order?
- Does the kitchen have a working cooker, fridge and freezer?
- Is there an inventory?

SERVICES

- Who is responsible for common lighting/cleaning
- What are the rubbish disposal arrangements?
- Check that the cooker works properly
- Flush the toilet and try all the taps.
- Who pays the bills?
- Is there a landline?
- Check the heating works
- Check whether the electricity/gas meters are prepayment or standard

GENERAL CONDITION

- Is the decoration in good repair?
- What state are the carpets?

USEFUL LINKS

SRC ADVICE CENTRE

MCINTYRE BUILDING
advice@src.gla.ac.uk
0141 330 5360
www.glasgowunsrc.org/advice

GLASGOW CITY COUNCIL PRIVATE LANDLORD UNIT

DEVELOPMENT AND
REGENERATION SERVICES
0300 343 0414

LANDLORD REGISTRATION

www.landlordregistrationscotland.gov.uk

GLASGOW UNIVERSITY ACCOMMODATION OFFICE

THE FRASER BUILDING
HILLHEAD STREET
0141 330 4743
accom@gla.ac.uk

SHELTER – GLASGOW OFFICE

0808 800 4444
www.shelter.org.uk

DETAILS OF TENANCY DEPOSIT SCHEMES

(Scottish Government website)
www.mygov.scot/tenancy-deposits-tenants

PRIVATE RESIDENTIAL TENANCY: INFORMATION FOR TENANTS

www.gov.scot/publications/private-residential-tenancies-tenants-guide/

FIRST TIER TRIBUNAL (HOUSING AND PROPERTY CHAMBER)

www.housingandpropertychamber.scot





WWW.GLASGOWUNISRC.ORG