

PRIVATE SECTOR TENANCIES-FAQ'S

In 2008/09 there were just 304 properties let by the Council and Housing Associations, and there are currently over 2700 applicants on the housing waiting list.

It may be the case that you have to explore the private rental sector for accommodation. St Albans City and District Council are increasingly looking towards this market to assist applicants in housing need on our housing waiting list.

Below is a list of commonly asked questions that you may have regarding tenancies in the private sector.

Q. WHAT KIND OF TENANCY WILL I HAVE?

An Assured Shorthold Tenancy (AST). These may be of a fixed term of 6 or 12 months. When this fixed term ends, your tenancy may become periodic, which means it will continue on a month-to-month basis. Alternatively you may sign up to a further fixed term.

Q. WHAT ARE MY RIGHTS AND RESPONSIBILITIES?

They will be clearly detailed in your tenancy agreement. Generally, you will be expected to behave in a reasonable way not causing nuisance and annoyance, not to damage any fixture or fittings not belonging to you, and the property should be left in a clean condition at the end of the tenancy.

Q. WHAT IS THE LANDLORD RESPONSIBLE FOR?

Again, these will be clearly detailed in your tenancy agreement. The landlord will be responsible for carrying out certain repairs, meeting safety standards and giving you reasonable notice for access.

Q. CAN I PASS ON MY TENANCY?

Usually the answer is no, a tenant does not have the right to pass on a tenancy. There are exceptions, if you have a joint tenancy the other joint tenant will automatically take over the tenancy if you die. Also, you may be able to assign your tenancy to someone else if your landlord agrees and correct procedures have been followed.

Q. CAN I LEAVE DURING THE TENANCY?

No. You will be liable for rent if you leave during the period of your fixed term or without serving 1 month's notice outside of this period.

Q. WHAT ARE THE RULES ON RENT AND RENT INCREASES?

Never move into a property that is potentially unaffordable. Check exactly how much the rent and any service charge will be. At the end of the fixed term your landlord can increase the rent you pay by asking you to sign a new agreement for a further fixed term. If you believe your rent increase is unfair, you have the right to challenge through the Rent Assessment Centre.

Q. CAN I CLAIM HOUSING BENEFIT?

Yes. You can apply to the St Albans council to find out how much rent would be covered by housing benefit before you agree to take a tenancy. This is known as the Local Housing Allowance (LHA).

Q. HOW CAN ST ALBANS DISTRICT COUNCIL HELP?

Applicants threatened with potential homelessness and eligible for full or part housing benefit may apply to be considered for the Rent Deposit Guarantee Scheme. This scheme means the Council will underwrite the deposit, so assisting you move into private rented accommodation. You should contact the Housing Options department for further information.

Q. HOW CAN I END MY TENANCY?

There are only 3 ways a tenancy can be ended. This is by mutual agreement between you and your landlord; by serving a valid notice; or your landlord taking action to evict you.

Q. CAN MY LANDLORD EVICT ME WITHOUT NOTICE?

No. Your landlord must serve you with a valid notice. If you are in the fixed term of your tenancy you do not have to leave until the fixed term ends. The landlord must give you at least 2 months notice in writing and it must be in a prescribed form.

Q. WHERE CAN I GO FOR FURTHER HELP AND ADVICE?

There are various organisations that can offer free and independent advice:

Shelter
0800 800 4444
www.shelter.org.uk

Citizens Advice Bureau (St Albans)
01727 855269/ 811118
www.stalbans-cab.org.uk

St Albans District Council
01727 866100
www.stalbans.gov.uk