

Know Your Rights: Private Accommodation

AUSA Advice

Independent service run as part of AUSA.

Can help with accommodation issues, as well as advice on academic issues, part-time jobs and general welfare and wellbeing.

Located on the ground floor of AUSA building.

Can be contacted at ausaadvice@abdn.ac.uk

Finding Accommodation

www.ausa.org.uk/accommodation – AUSA advertise on behalf of private landlords. We ensure anyone who advertises with us has the correct registrations etc to be a landlord. You can also find a list of local leasing agents on our website.

www.aspc.co.uk – This website has adverts from many different local leasing agents and great search functions so you can find what you want.

www.spareroom.co.uk – This is a good website for finding a room, rather than a whole property. Great if you haven't found people you want to share with.

Licenses

Landlords who are renting out a property that they are not resident in need a Landlord Registration Number. This shows that they are registered with the city council as a landlord. You can check registration numbers at <https://www.landlordregistrationscotland.gov.uk>

Live-in landlords do not need a registration.

To share a flat between 3 or more individuals, the property needs an HMO license.

How to Recognise a Housing Scam

Too good to be true – Does it seem much cheaper than average?

Landlord asks for money before viewing – A ‘landlord’ may say they have had trouble in the past with timewasters, and therefore ask for a deposit before viewing. Never hand over money before viewing a property.

Moneygram – Generally any use of Moneygram to secure a property indicates a scam. A common scam is that the ‘landlord’ asks you to transfer money to yourself and send a picture of the receipt to prove financial ability – but they are then able to collect the money themselves and you are left out of pocket.

Live-in Landlords

If you rent a room in a home that your landlord lives in, then you will be a lodger rather than a tenant.

You have less rights and protections as a lodger.

A live-in landlord can give you a fixed term or periodic tenancy, which means it is easier for them to ask you to leave.

Live-in landlords do not have to protect any deposit you pay them.

Lodgers do not have exclusive use of their room – so your landlord wants to enter your room they can within reason. Your landlord can also make you move room if they want to.

'Purpose-Built Student Accommodation'

Halls style accommodation - for example 'Unite', 'Ardmuir', 'Student Roost'.

Generally only offer 'Fixed-term' agreements – this means if you leave before the end of the fixed-term you are still liable for the rent. They will usually expect you to find someone else to take over the room - this can be difficult so make sure you are certain what your agreement says before you sign.

Viewing a Property

Usually you will need to view a property before you secure it. This is a good opportunity to get a feel for the property and its location. It's a good idea to take someone else with you, even if you will be renting alone. This is both for your safety and to have another pair of eyes.

Some of the key things to look out for and questions to ask are:

- Is there damp in the property?
- Do all the windows and doors open and close properly?
- Do the taps run fine? Is there good water pressure in the shower?
- What kind of heating does the property have? What are the bills like?
- Are the kitchen utensils included?
- Do you feel the landlord is approachable?
- Are there things that need to be fixed or changed before you would move in?

Securing a Property

To secure a property you will usually need to:

Pay a deposit

Pay the first months rent

Sign a tenancy agreement

Any fees other than a deposit and rent are illegal. Including but not limited to:

'Administration fees'

Fees for credit checks

Fees for reference checks

If you are asked for fees such as this, contact AUSA Advice.

Guarantors

Most leasing agents, and some private landlords, will ask that you provide details of a UK based guarantor in order to rent a property. This is someone who is willing to sign to say that in the event of unpaid rent, they will be able to pay instead. Usually this would be a relative.

The University offer a guarantor scheme for students unable to secure a guarantor. This has limited places and is subject to meeting their criteria. You can find out more here:

<https://www.abdn.ac.uk/accommodation/prospective-students/rental-guarantor-scheme-522.php>

Guarantors

If you are unable to provide a UK Guarantor there are some options:

University Guarantor Scheme – The University can act as a guarantor for you providing you meet their criteria. Find out more at

<https://www.abdn.ac.uk/accommodation/our-accommodation/rental-guarantor-scheme-522.php>

Pay more up front – Sometimes you can be accepted without a guarantor if you are happy to pay for several months rent up front. The maximum that landlords and agencies can ask for is 6 months rent in advance. Some may also ask for a two-month deposit.

Paid guarantor schemes – There are some websites where, for a fee, they will act as a guarantor for you. This tends to cost around one month of your rent.

Try private landlords – Private landlords tend to be more flexible than leasing agents, and are often happy to negotiate. Some accept guarantors based abroad, or provision of proof of student status.

Deposits

Most landlords/agencies will require that you pay a deposit to secure the property. This is usually one months rent, and the legal maximum is up to two months rent.

The landlord can take money from your deposit after your tenancy if you owe any outstanding money, or if there are repairs or professional cleaning required at the end.

It is a legal requirement that your deposit is held in a Scottish Government approved tenancy deposit scheme. Your landlord should put your deposit in a scheme within 30 working days of your tenancy starting, and give you the details of this.

Tenancy Agreements

Private residential tenancy

Parties – Landlord details and tenant details

Subjects – The property to be rented

Rent – The amount agreed to be paid

Deposit - How much paid and which Tenancy Deposit Scheme it is in.

Tenancies in Scotland are open-ended – your tenancy should not have an end date.

If you aren't given a written tenancy agreement, you have a right to ask for one. Your rights are still protected without one.

AUSA Advice can check your tenancy agreement for unfair terms before you sign. Either pop in with a copy of it or email us at ausaadvice@abdn.ac.uk

Living in your flat

Council Tax

Full-time students do not have to pay any council tax in Scotland, but you will need to apply to the council for your exemption.

This can be done online at

<https://online.aberdeencity.gov.uk/Services/CouncilTax/StudentExemption.aspx>

Bills

Unless otherwise stated, you will be responsible for bills in the property. This will usually involve energy bills (gas and electricity) and internet.

You will likely need to set up a new internet connection by purchasing a contract with your chosen company.

The landlord should have passed your details on to the company who manage the electricity and gas in the property. It will then be up to you to arrange paying the bills.

Inventory

When you move in to your home your landlord may give you an inventory – this is a record of the items in and the condition of the property. The landlord uses this to inform them of any deductions that may need to be taken from your deposit at the end of the lease.

It is important to ensure it is accurate and let the landlord know if there is anything you don't agree with. It is also a good idea to take your own pictures of the condition of the property when you move in, and submit these to your landlord.

Landlords obligations:

Have to give at least 24 hours notice before entering the property – except in emergencies

Must keep the property in a reasonable state of repair – wind and watertight, working electricity and heating, any provided fixtures and fittings (such as carpets, light fittings, white goods, household equipment) kept in working order.

Gas and fire safety - If the property has a gas boiler, the landlord must provide a valid gas safety certificate and carbon monoxide detectors. The landlord must also provide

Tenants Responsibilities

Paying rent – Usually paid monthly. If you pay weekly, the landlord must provide a rent book.

Keep the property reasonably clean

Keep furniture in good condition

Don't damage the property

Carry out minor maintenance (check smoke alarm batteries, change lightbulbs)

Report any problems to your landlord for repair

Don't make any alterations to the property without landlord's permission

Leaving the Property

To end a tenancy you need to give at least 28 days' notice in writing. You can give this at any time once you have moved into the property.

You and your landlord can agree a different notice period, but this has to be done in writing and only once you are living in the property.

Be wary of landlords asking you to agree to a 'notice period' of 12 months, essentially giving you a fixed-term contract.

If you are in a joint tenancy, all tenants will have to agree to end the tenancy.

Notice has to be given 'freely and without coercion' – your landlord cannot pressure you to leave.

What if the landlord wants me to leave?

A landlord can only ask you to leave if there are one or more of 18 grounds for eviction.

Your tenancy should not have an end date – if your landlord gives you a fixed-term tenancy do question it – the law changed in December 2017.

If you are facing eviction, contact AUSA Advice or Shelter Scotland for assistance.

Useful Contacts

AUSA Advice - Located on the ground floor of the AUSA Students' Union. We can talk to you about any housing issues, and check your tenancy before you sign it. You can drop in, email ausaadvice@abdn.ac.uk or call 01224 274200.
Website: www.ausa.org.uk

Shelter Scotland – Housing charity with an Aberdeen office on Upperkirkgate. Have lots of useful information.
Website: <http://shelterscotland.org>

Citizens Advice Scotland – Can also provide advice on housing issues, amongst other things. Office on Union Street.
Website: www.cas.org.uk



Find us on Facebook – Aberdeen University Students' Association
Website – www.ausa.org.uk

Any Questions?