Right to Rent Workshop

Valid March 2016

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

Home Office
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.
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](http://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](http://www.gov.uk/report-immigration-crime) or [www.gov.uk/righttorentchecks](http://www.gov.uk/righttorentchecks) from 1 February

[Home Office](http://HomeOffice.gov.uk)
Civil Penalties

Civil Penalty Process:
• Referral Notice
• Information Request
• Civil Penalty Notice
• Objection and Appeal

<table>
<thead>
<tr>
<th>Penalty amount</th>
<th>Level 1 (first breach - minimum)</th>
<th>Level 2 (second breach - maximum)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category A (lodgers in a private household)</td>
<td>£80</td>
<td>£500</td>
</tr>
<tr>
<td>Category B (tenants in rented accommodation)</td>
<td>£1,000</td>
<td>£3,000</td>
</tr>
</tbody>
</table>
Further Information


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