

# TENANCY AGREEMENTS



A tenancy agreement is a contract between you and a landlord and sometimes the managing agent. It gives certain rights to both you and your landlord. For example your right to occupy the accommodation and your landlord's right to receive rent for letting the accommodation. It also sets out the legal terms and conditions of your tenancy.

## ASSURED SHORTHOLD TENANCIES

- The most common form of tenancy and most new tenancies are automatically this type
- Also known as an AST or contract
- Landlord can only evict you with a court order

**FIXED TERM** The contract runs for a set period of time

**PERIODIC** Runs week-by-week or month-by-month

## LICENSES

- A contract typically used by Homestay landlords (when the owner lives in the property)
- You are known as an excluded occupier rather than a tenant
- Your only right is to stay until your landlord asks you to go or for as long as your agreement says
- Your landlord can evict you by giving you reasonable notice, which can be verbal, and doesn't need a court order

**? CONFUSED ABOUT YOUR CONTRACT/LANDLORD? ARC CAN HELP**

**FREE** contract checking service for all students living in private accommodation.

Email [advice@aston.ac.uk](mailto:advice@aston.ac.uk) before you sign and an ARC Adviser can make you aware of any unfair terms and explain anything that you are unsure about.

You will need to book an appointment.



## INDIVIDUAL TENANCY AGREEMENTS

When each tenant signs a separate contract with the landlord.



- ★ Contract only has your name on, as the tenant
- ★ You are only responsible for paying your own rent
- ★ Responsible for damage in your own room and a share of damage in communal areas
- ★ If another tenant moves out, you have no say over who replaces them
- ★ If you wish to move out before the end of your tenancy, the landlord may agree to release you, but you may have to find a replacement.

## JOINT TENANCY AGREEMENTS

When all tenants are listed on one contract.



- ★ Tenants are jointly and individually responsible for paying the rent and for any damage
- ★ If one tenant doesn't pay the rent then the other tenants may have to pay what is owing
- ★ If no rent is paid by any tenants, the landlord can ask any of the tenants to pay the full amount
- ★ If a tenant moves out before the end of the contract, it is up to the tenants to find a replacement (all tenants must agree who) or pay the extra rent
- ★ Landlords cannot evict one tenant without evicting all the other tenants



# TENANCY AGREEMENTS AND GUARANTORS

## WHAT IS A GUARANTOR?



Landlords may ask you to provide them with the contact details of someone you know (with money), who owns property in the UK. Some landlords accept international guarantors.



This person must agree to be your guarantor and they become responsible for paying any rent that you owe or for damage to the property, should you not be able to pay.

### WHAT IF YOU DON'T HAVE A GUARANTOR?

If you do not know anyone to be your guarantor, the landlord may ask you to pay a large amount of rent upfront.

There are companies who offer guarantor services, but they will charge you a fee.

### WHAT DOES THE GUARANTOR NEED TO DO?

- There are 2 ways to become a guarantor:
-  On the tenancy agreement there may be a section for guarantors which they can sign
-  A separate form for the guarantor to sign called a Special Deed of Guarantee. The tenancy agreement should be given to the guarantor too

### JOINT TENANCIES AND GUARANTORS

In a joint tenancy each housemate is responsible for the rent for the whole property and the condition of the whole property. This is also true for their guarantors.



Some guarantors may think they are only responsible for money owed by the person they are guarantor for, but on a joint contract they are responsible for money owed by **ANY** of the tenants.

### TOP TIP

Make sure you get a copy of the signed tenancy agreement from your landlord/agent. It must include their signature too. If it's a joint contract, all tenants should receive a copy.

## TENANCY AGREEMENT CHECKLIST

- ✓ **LANDLORD NAME AND ADDRESS** - Required by law, even if you do not have a written tenancy agreement
- ✓ **NAMES OF THE TENANTS** - Just your name on an individual tenancy agreement or all tenants names on a joint tenancy agreement
- ✓ **PROPERTY ADDRESS** - The property that is being let
- ✓ **START AND END DATE OF THE TENANCY** - The period of time that you will be renting the property
- ✓ **IF AN INDIVIDUAL TENANCY** - The room you have sole use of and which communal rooms you have access to
- ✓ **RENT** - How much the rent is and when it should be paid. Also, how often it can be increased
- ✓ **WHAT'S INCLUDED IN THE RENT** - If the utilities are included ie. gas, electric, water and internet, check if there is an annual cap. You will have to pay for any additional bills if you exceed the cap
- ✓ **DEPOSIT DETAILS** - The amount of deposit to be paid and the deposit protection scheme chosen by the landlord
- ✓ **ADDITIONAL SERVICES** - That the landlord will provide and the cost. For example laundry, cleaning of communal areas or meals.



The official accommodation support service



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