

# Letting essentials



Gateway

Read all about the fundamentals of being a landlord, from what's required when handling a tenant's deposit to gaining consent to let and your insurance options.

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## Deposits

When taking a deposit for an Assured Shorthold Tenancy (AST) in England or Wales (the default legal category of residential tenancy), all landlords – or their letting agents – must register key details and safeguard the money held.

This is achieved by using a government-approved Tenancy Deposit Scheme (TDS). The Housing Act 2004 refers and more details can be found online. Separate schemes apply in Scotland and Northern Ireland.

### If we act as your letting agent

We'll collect the deposit on your behalf and administer the Tenancy Deposit Scheme (TDS). We can also provide our full management service, which takes care of everything on your behalf. Once a contract is terminated, we'll refund, or

apportion, the deposit as agreed by you and the tenant in a quick and timely manner.

### If you manage your property

Before deciding on how you'd like to manage your deposits, speak to us as we'll be happy to provide some free guidance. Most likely, we'll recommend that you lodge your tenant's deposit with the Deposit Protection Service (DPS) within 14 days. The DPS is the only free scheme available and is open to all landlords and letting agents.

For further information, go to [depositprotection.com](https://depositprotection.com) and it's worth visiting the Tenancy Deposit Scheme (TDS) too, at [thedisputeservice.co.uk](https://thedisputeservice.co.uk) (authorised by the Department for Communities and Local Government).

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## Consent to let

If you have a mortgage on the property you wish to rent out, you must first obtain consent from your mortgage lender.

You should also check whether you own your property freehold or have a lease. If the latter, your lease may require you to obtain consent from your landlord before sub-letting it.

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## Insurance for landlords

Depending on your circumstances, you may be responsible for insuring the building.

Comprehensive buildings insurance policies will cover damage caused by flood, fire, storm, subsidence (normally) and a number of other risks (perils).

You may also wish to consider Rent & Legal Protection.

Our associated company can advise you on what's best. For further details, visit our subsidiary company: [Associated Insurance Services](#).

# Property regulations



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Here's an overview of your main legal requirements as a landlord. We'll make sure you meet these regulations when required as part of our full property management service.

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## Energy Performance Certificate (EPC) October 2008

All landlords are required to provide a valid Energy Performance Certificate (EPC) for their rented property, issued by an approved EPC assessor.

This certificate will show the energy efficiency rating of your property, based on a scale from A (the most energy efficient) to G (the least efficient).

An EPC lasts for 10 years and can be used for multiple tenancies throughout that period.

At Gateway Residential, we work in partnership with experienced EPC assessors to produce a swift report, avoiding any delays in marketing your property.

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## The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

Landlords in the Private Rented Sector (PRS) must ensure every electrical installation in their residential premises is inspected and tested at intervals of no more than 5 years by a qualified and competent person.

Following the inspection and testing, a private landlord must :

- Obtain a report from the person conducting that inspection and test, which gives the results of the inspection and test and the date of the next inspection and test;
- Supply a copy of that report to each existing tenant of the residential premises within 28 days of the inspection and test;

- Supply a copy of that report to the local housing authority within 7 days of receiving a request in writing for it from that authority;
- Retain a copy of that report until the next inspection and test is due and supply a copy to the person carrying out the next inspection and test; and
- Supply a copy of the most recent report to –

Any new tenant of the specified tenancy to which the report relates before that tenant occupies those premises; and

Any prospective tenant within 28 days of receiving a request in writing for it from that prospective tenant

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## Gas Safety (installation And Use) Regulations 1998, Gas Safe

A landlord must make sure that every gas appliance and gas installation pipe work owned by them is checked for safety at lease once a year, avoiding the risk of carbon monoxide poisoning.

Inspections need to be carried out by a registered engineer (formerly from the Corgi Register; now the Gas Safe Register), who will assess installation and maintenance.

You should keep accurate records of these safety inspections and have a current Gas Safe safety certificate to hand.

This certificate must always be available for a tenant to see before occupying a property. These regulations first came into force in 1994, with subsequent updates.

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## Smoke Alarms and Carbon Monoxide Legislation

Landlords are legally required to put working smoke alarms on every floor of their property where there is a room used wholly or partially as living accommodation

Landlords must also put working carbon monoxide alarms in every room with an appliance that burns, or is capable of

burning, solid fuel (not gas or gas boilers). This includes log and coal burning stoves and open fires, even if these are not normally in use.

The regulations apply to houses and flats and failure to comply can lead to a civic penalty of up to £5,000.