

PRIVATE SECTOR TENANTS GUIDE

This guide is intended to provide a brief outline to Tenants who are looking to rent privately.

*Working with Mid
Sussex District
Council*



Direct Let
PRIVATE RENTED SECTOR

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YOUR HOUSING JOURNEY EXPLAINED



WE'RE HERE TO HELP.

We appreciate this is stressful and we'll do our best to help you as quickly as possible.

INITIAL CONTACT FORM

So we can understand your circumstances, you'll be asked to complete a form.



ENQUIRIES

We will assess your application and let you know what we can do to help you. We follow a legal process to determine the help we can offer.

ADVICE

If we can't consider you to be homeless or threatened with homelessness, we will provide you with advice and guidance.

FINDING ACCOMMODATION

If you cannot stay where you are, we will help you find alternative accommodation. This is likely to be by one of the methods below.



PERSONALISED HOUSING PLAN

We will work with you to create a personalised housing plan to resolve your housing issue.

SOLUTION 1

FRIENDS AND FAMILY

You may be able to stay with friends and family until alternative accommodation is found.



SOLUTION 2

SHARED ACCOMMODATION

If you are a single adult, we may find you suitable accommodation in a shared house.



SOLUTION 3

SOLE OCCUPANCY

We will help you secure a privately rented home that meets the needs of your family.



SOLUTION 4

SHELTERED OR SUPPORTED

You may qualify for sheltered or supported housing to help you live independently.



HOUSING REGISTER

If you are eligible to join the register, you may be successful for a social property.

SOLUTION 5

Once your housing need has been identified, we will do whatever we can to help you remain in your current accommodation or assist you to find alternative accommodation as quickly as possible.

You could be offered accommodation in either the private rented sector or through the housing register, whichever comes first.



MID SUSSEX
DISTRICT COUNCIL

Housing Options Team

housingadvice@midsussex.gov.uk

01444 477574

Why look for Privately Rented Accommodation?

Unfortunately, the supply of Social Housing does not currently meet the demand so waiting to be housed through the Housing Register can take a long time. You may, therefore, need to consider other options available to you to meet your household needs. Realistically, the quickest way to resolve your housing need will be to privately rent.

Looking for Private Rented Accommodation

When looking for privately rented accommodation, it is important to be realistic. The following points can help you manage your expectations: -

- **Can you afford it?**
 - If you are working and the property is with a Letting Agent, your annual income may need to be 36 times the monthly rent to avoid needing a guarantor, however, some agents will be flexible.
 - If you are not working, have debts or don't earn enough, you may be required to pay more than one month's rent in advance or have a guarantor that earns 36 times the monthly rent and is a UK home owner.
 - What are the Agency Fees? Always ask what the up-front costs are: -
 - ✓ A Holding Deposit is a fee equivalent to 1 weeks rent and is **per property**, not person, which is deducted from the first month's rent in advance payment or holding deposit.
 - ✓ Rent in Advance which is due on or before the day you collect the keys and is typically one month's rent.
 - ✓ Security deposit which is equivalent to 5 weeks rent and is held by the Landlord or Agent as a deposit for damages or rent owed at the end of a tenancy.

You can no longer be asked for the following up-front fees: -

- ✗ Referencing Fees
 - ✗ Credit Check Fees.
 - ✗ Administration Fees.
 - ✗ Check-in Fees.
 - ✗ Guarantor Check Fees.
-
- When approaching a Landlord, I would avoid the first question being *"do you accept housing benefit"* but simply make enquiries about the property first ie; is this property still available? Have you had much interest? Is it possible to make an appointment to view? Once you have established a relationship with the Landlord that is always the best time to ask whether housing benefit is acceptable. Always make them aware that you can request a direct payment of housing benefit or Universal Credit housing element to them.
 - If you are in receipt of Housing Benefit or the Housing Element of Universal Credit, always check what the Local Housing Allowance rate is for the area you are looking. Click on the

following link and select your bedroom entitlement from the drop down menu then type in the post code of the property you are interested in or select the Local Authority for that area and it will give you the weekly LHA. If the rental amount of the property is more than this, you will be liable for the difference. <https://lha-direct.voa.gov.uk/search.aspx>

- **Area**
 - Widen your search area. If you restrict your search to one specific area you may not find suitable accommodation. Consider looking outside Mid Sussex if you can as the rent in other areas is often cheaper. If you are on a low income you may need to recognise that you cannot afford to live in some parts of the district.

Where to look?

- **Use your personal contacts**
 - Ask family, friends and work colleagues if they know of any properties.
- **Look in local newspapers**
 - Private landlords and letting agents sometimes advertise in local papers. For Mid Sussex you should focus on the following publications:
 - i. Mid Sussex Times
 - ii. Friday Ad
- **Shop windows/notice boards**
 - Look out for properties being advertised in newsagent windows, supermarket notice boards and libraries.
- **Websites**
 - It is good practice to register with these websites and set up property alerts to get automatic updates when new properties are added.
 - i. www.friday-ad.co.uk
 - ii. www.gumtree.com
 - iii. www.openrent.co.uk
 - iv. www.spareroom.co.uk
 - v. www.propertypigeon.co.uk
 - vi. www.rentmyhome.co.uk
 - vii. www.rightmove.co.uk
 - viii. www.zoopla.co.uk

- **Letting Agents**

- There are plenty of Letting Agents throughout Mid Sussex that represent Landlords and their properties. Below is a list of some of the agents in Mid Sussex, this is not an exhaustive list but is a good starting point: -

- i. www.belvoir.co.uk
- ii. www.mayhewestates.co.uk
- iii. www.sussexlettingcentre.co.uk
- iv. www.northwooduk.com
- v. www.connells.co.uk
- vi. www.ashdownhouselets.com
- vii. www.stjameslettings.co.uk
- viii. www.leaders.co.uk
- ix. www.Thelettingpeople.co.uk



- Please remember to register with all letting agents and I would highly recommend you approach them in person to do this.
- Some estate agents also have letting departments so check their websites too.

- **Colleges**

- If you are at College, talk to your student welfare officer or an accommodation officer. They may have details of available private rented accommodation.

- **Rooms in Shared Accommodation**

- If you are a single person under 35 renting privately, your Housing Benefit will be restricted to the Local Housing Allowance rate set for those living in shared accommodation. Refer to page 8 of this guide for the current rate. The following websites are useful when looking for a room to rent: -

- i. www.spareroom.co.uk
- ii. www.friday-ad.co.uk
- iii. www.gumtree.com
- iv. www.roombuddies.co.uk
- v. www.flatmaterooms.co.uk



YOU SHOULD ALWAYS FOLLOW UP ADVERTISEMENTS AS QUICKLY AS POSSIBLE TO AVOID DISAPPOINTMENT.



Please spend time each day looking as we do not offer a property search service.

Up Front Costs

- **Rent in Advance** - 1 week to 1 month's rent in advance may be required.
- **Security Deposit** – A figure equivalent to up to 5 weeks rent may be required as a deposit for the property. The Landlord can claim for damages or rent arrears against this deposit at the end of the tenancy.
- **Holding Deposit** – A figure equivalent to 1 weeks rent per property to secure the tenancy. This will need to be funded by you so please make provision for this expenditure.

****IMPORTANT** Please refer to addendum 1 at the end of this document for information regarding the new legislation relating to permitted tenancy fees.**

If you qualify for assistance with the Council's Rent in Advance and Deposit Guarantee Scheme (see eligibility below), contact the Council's Housing Options Team (01444 477574).

Eligibility for Assistance

To qualify for assistance with a Rent in Advance Loan or Deposit Bond, households must answer YES to the following questions: -

1. Are you on a low-income YES NO
2. Do you receive housing benefit or the housing element of UC YES NO
3. Are you homeless or threatened with homelessness, in the next 56 days YES NO

You will also need to have a local connection to Mid Sussex & answer YES to one of the following: -

1. Have you been resident in Mid Sussex for 6 months or more YES NO
2. Do you have meaningful employment within Mid Sussex YES NO

How does the Scheme work

- **Rent in Advance Loan** – This is an interest free loan which you will have to repay. You will need to sign a loan agreement and agree a repayment schedule with us. This payment is then made by BACs direct to the Landlord for your first month's rent. If you default on your repayment and have not advised us of a change of circumstances, we could seek to deduct your housing benefit or apply a 3rd party deduction to your Universal Credit claim until the money is repaid in full. Continued failure will result in the debt being passed to our Legal Department for recovery.
- **Deposit Guarantee** – The Council's deposit scheme is usually provided in the form of a bond up to the value of 5 weeks rent. The bond is provided for the initial term of the tenancy, and you can then save up a cash deposit for any renewal. Should the Landlord make a valid claim against the bond at the end of the tenancy for rent arrears or damages, the Council will agree to pay, up to the maximum value of the Guarantee. However, you will then be liable to refund the Council for any money we pay out.
- **Housing Related Debt** – Any Rent in Advance Loan or Deposit Bond subject to a claim from the Landlord, will be considered a housing related debt in your name and may prevent any allocation of social housing if you are on the Housing Register so it is important that you keep to your repayment plan and clear any debt as soon as possible.

Households may be assessed for the scheme by attending an interview with a Housing Needs Officer or the Private Sector Tenancy Sustainment Officer who will confirm eligibility. An income and expenditure calculation will be completed to establish the amount of rent that would be affordable in the Private Sector and you will be required to submit your last 2 months' bank statements to enable an accurate affordability assessment. This figure will be fundamental for tenancy sustainment, and you should then focus on looking for properties that fall within this amount. We would always recommend you seek a property near the current Local Housing Allowance rates for Mid Sussex as this is the maximum amount of housing benefit you would receive. However, an affordable figure for you will be discussed.

If you are eligible for the Scheme and find a property to rent, any Housing Benefit or Universal Credit Housing Element awarded would be subject to a direct or managed payment to the Landlord as a condition of the scheme. You would also be required to sign an Early Intervention agreement to ensure tenancy sustainment; this gives your Landlord/Letting Agent permission to contact the Housing Options Team should any issues arise during the tenancy term.

Mid Sussex Local Housing Allowance Rates April 2021/22

Housing Benefit

If you are looking to rent in Mid Sussex, any Housing Benefit award will be based on these rates if you rent your accommodation from a private landlord. These rates set out the **maximum** Housing Benefit that would be paid. Whether you receive Housing Benefit up to this level will be dependent on your own particular circumstances.

If you are unsure which area your property falls into, please check with the Housing Benefit office. The amount of benefit you receive will depend upon your financial and family circumstances.

LHA RATES 2021/22

Crawley & Reigate			Brighton & Hove	
Weekly	Monthly	Size of accommodation	Weekly	Monthly
£101.61	£441.52	Shared	£98.96	£430.00
£172.60	£749.99	One bedroom	£184.11	£800.00
£218.63	£950.00	Two bedroom	£230.14	£1000.01
£276.16	£1,199.98	Three bedroom	£276.16	£1,199.98
£356.71	£1,549.99	Four bedroom	£390.08	£1,694.99

Single people under 35 years of age and Housing Benefit

If you are a single person under 35 renting privately, your Housing Benefit will be restricted to the Local Housing Allowance rate set for those living in shared accommodation. This means that any rent above the shared level of Housing Benefit will have to be met by you. This rule does not apply to couples or to single parents.

Universal Credit

Universal Credit is replacing 6 means tested benefits as follows: -

1. Income Support
2. Employment and Support Allowance (ESA)
3. Job Seekers Allowance (JSA)
4. Housing Benefit
5. Child Tax Credit
6. Working Tax Credit

Housing Benefit will be replaced by the Housing Element of Universal Credit. The Local Housing Allowance Rates above, will still apply.

AFTER YOU FIND PRIVATELY RENTED

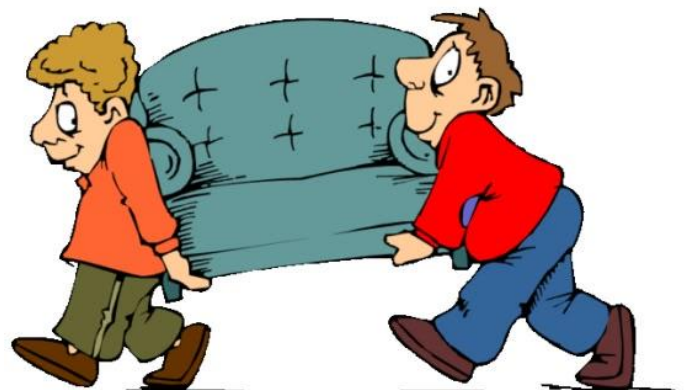
MOVING COSTS

- Mid Sussex District Council Housing Options Team do not provide financial support for the cost of moving, this is the responsibility of the individual household.
- In certain circumstances, you can apply for a discretionary housing payment to cover removal costs. Please discuss this with your Officer who can advise.

FURNITURE

If you need assistance with white goods or basic furniture, the following options are available: -

- Mid Sussex District Council can do a referral to the Furnihelp Charity for basic furniture. Your Officer can discuss this with you, however, during Covid-19, donations are now limited.
- The Now! Charity is currently operating The COVID-19 Essential Household Item Scheme for residents living in Sussex. This is restricted to one essential item per request.
- You can check on the local websites to see if there is anything available: -
 - i. Freecycle
 - ii. Preloved
 - iii. Gumtree – Freebies
 - iv. Facebook
- Local Charity shops often have furniture available.
- Contact Office@standrewsbh.org.uk who may be able to assist with furniture via the Acts 4:35 Scheme.
- If you can afford to do so, there is always the option to rent white goods from certain suppliers.



TENANCY AGREEMENT

A Tenancy Agreement is a contract between you and the Landlord. Most Landlords give [Assured Shorthold Tenancies](#) (ASTs), usually for 6 or 12 months. We recommend a 12 month assured shorthold tenancy with a 6 month break clause. This protects both Tenant and Landlord should either party wish to terminate the agreement after 6 months. **Please remember this is a legally binding contract and any breach of the terms could result in the Landlord serving notice.**

Useful Contacts

Housing Options Team

e: housingadvice@midsussex.gov.uk

t: 01444 477574

Housing Benefits

e: benefit@midsussex.gov.uk

t: 01444 477264

You can apply online for housing benefit or council tax support at <https://selfservice.midsussex.gov.uk/publicaccesslivem/selfservice/dashboard.htm> and select "Apply for Housing Benefit or Council Tax Support."

Universal Credit

t: Helpline 0800 328 5644

You can apply online at <https://www.universal-credit.service.gov.uk/postcode-checker>

Mid Sussex Citizens Advice Bureau

t: 0844 4771171

The CAB gives independent and confidential advice to the public.

Shelter

t: 0344 5151750

Shelter give independent confidential housing advice.

StepChange Debt Charity

t: 0800 138 1111

Step Change offer debt advice and debt management.

<https://www.stepchange.org/>

Addendum 1

Tenant Fees Act 2019

Guidance for Tenants as from 1st June 2019

On 1st June 2019, the Government introduced the Tenant Fees Act 2019 to prohibit certain fees being charged by Landlords and Letting Agents. The following is a brief outline of what is permitted and what is prohibited:-

❖ What payments are allowed?

- i. Holding Deposits (capped at 1 week's rent **per property** and subject to provisions)
- ii. Rent
- iii. Security Deposits (capped at 5 weeks rent)
- iv. Payments to change the tenancy when requested by Tenant (usually capped at £50)
- v. Payments for early termination of the tenancy when requested by the tenant.
- vi. Payments for Utilities, broadband, TV, phone and council tax. Landlords are required to resell the provision of these services at the price they paid for them.
- vii. Default fees for example:

Late rent payments – a Landlord can only charge interest on a late payment of rent where there is a term in the tenancy agreement which permits them to do so and the rent has been outstanding for 14 days or more.

Lost keys and security devices – a Landlord can only charge you for the reasonable cost of replacing the lost key or security device, They are also required to demonstrate that their costs are reasonable by providing evidence

Any default fees should be included in the tenancy agreement.

❖ What payments are NOT allowed?

- i. Referencing fees.
- ii. Credit Check fees.
- iii. Inventory fees (check-in and check-out).
- iv. Assessing Guarantors.
- v. Services such as cleaning and gardening.
- vi. Administration fees.

Landlords will not be able to use Section 21 notices to regain possession of a property until any unlawfully charged fees have been repaid. This includes returning a holding deposit that the landlord has withheld unlawfully.

For further information you can visit the Government Website or click on the following: -



TFA_Guidance_for_Tenants.pdf

CONTACT



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