

a guide for  
**landlords**

Key facts to consider when letting a property

Here is a set of answers to questions frequently asked by landlords about property lettings. This will hopefully explain any queries you have. However, if you need more information please contact us. We are highly experienced estate agents in Shepherd's Bush, serving Hammersmith, W6 and surrounding areas.



## **WHAT SERVICES DO YOU PROVIDE? DO YOU CHARGE THE LANDLORD OR THE TENANT?**

### **Letting only**

The letting agent will perform the following services:

- View the property for the purposes of advertising the same for letting.
- If required by the owner, to advise on appropriate rent levels.
- To circulate and advertise details of the property in such manner as Kerr & Co considers appropriate and to provide tenants facilities to view the rental property.
- Obtain from applicants references from their previous landlord and current employers, as well as financial references and to advise the landlord promptly of any responses received, whether before or after the granting of any tenancy.
- If required by the landlord, to ensure that a written tenancy agreement in any form provided by the owner but otherwise in such form as the letting agent considers reasonable in the circumstances is entered into with the tenants prior to the start of the tenancy.
- To collect from the tenants at or prior to the start of the tenancy the first rental payment and a security deposit equivalent to not less than six weeks rent.



- To hold any security deposit as stakeholder in accordance with the letting agent's statutory responsibilities and to account to the landlord for it. The deposit shall be held in a secured tenants deposit scheme in accordance with current legislation. The landlord must refund the full amount of deposit less any amount agreed for dilapidations that may occur during the tenancy. In the event of a dispute arising, be referred to the Tenancy Deposit Scheme for adjudication.

In the case of furnished lettings where an inventory is to be taken to provide the Owner on request and on reasonable notice with particulars of a suitable Inventory Clerk to be engaged by the Owner at the Owner's own expense. Kerr and Co can organize this on behalf of the owner with their written permission

Subject to adequate particulars being supplied on reasonable Notice prior to the commencement of any Tenancy to advise the Gas, Electricity, water rates and council tax suppliers of the identity of the Tenants and the date of commencement of the Tenancy.

## Letting and rent collection with full management

The letting agent will provide the following further services, subject to the proviso in clause 5.

- Inspect the property at regular intervals and in any event quarterly during the tenancy.
- Investigate complaints received from tenants or third parties and inspect where appropriate.
- Report to the owner any matters arising from such inspections and to instruct appropriate contractors to carry out such remedial works as may be reasonable in all circumstances, the costs of such works being charged to the owner's account.
- At the request of the owner, to obtain and supply competitive estimates for any works costing in excess of £250.00 or such other limit as may be agreed in writing between the letting agent and the owner.
- Where anticipated costs of necessary remedial works exceed the net balance in the rent account the agents obligations under the above are limited to reporting to the client only.

In the event of management instructions being terminated the agent will require at least four weeks notice, in writing, to expire on any quarter day.

Our management function does not include the supervision of the property when it is not let, although in the normal course of letting, periodic visits may be made to the property by our lettings staff. It also does not include any period before the property is let.

To find out more information about our Lettings and Management Services Including our Fee Structure please contact [susana@kerrandco.com](mailto:susana@kerrandco.com)

## What does the estate agent do for the fee?

Introduce and professionally reference prospective tenants, prepare the tenancy agreements, advise on inventories, contact utility companies with changes to utility accounts and council tax, set up tenant standing orders, collect the initial monies and deposit and pay the balance to the landlord's account.

When retained on management: pay bills for the landlord, regularly inspect the property, recommending, overseeing and accounting for necessary maintenance.

## What kind of tenancy agreement should the landlord use?

Our tenancy agreements comply with the Housing Act 1988, or under contract law for bona fide companies and/or rental values over £25,000 a year. These contracts are regularly updated to take account of changes in legislation.

## Is letting property safe? Can I get my property back?

Yes. It's safe provided the tenancy agreements are properly drawn up and the correct notices served. Then, in those cases where legal action is needed for repossession the court should make an order in the landlord's favour. New accelerated court procedures speed up the process, without the necessity for a court hearing and take the hassle out of the very occasional problem.

## What if the tenant wants to extend the term of the lease?

This is very common, presenting no problem provided both parties agree and Kerr & Co conducts the negotiations and prepares the necessary paperwork and renewal documentation.

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Kerr & Co is an estate agent with extensive experience in this area, as well as good local knowledge of Shepherd's Bush and Hammersmith, so we can give good advice to landlords in the area.

### What about inventories?

These are essential and it is recommended that an inventory is made by a professional company to avoid omissions or errors. They should always be made at the start and finish of the tenancy to identify missing items, breakages and damages liable to be covered out of the tenant's deposit.

### Obvious legislation aside, what other regulations could affect a landlord?

Regulations are constantly changing, particularly with regard to safety. Currently these cover furnishings, gas and electrical installations. Kerr & Co Estate Agents will be able to advise you about compliance with these new and difficult regulations and recommend companies to carry out testing. New regulations came into force in 1996 on responsibility for tax liabilities on rental income for non-U.K. resident landlords (N.R.L. Scheme). Kerr & Co Estate Agents will advise you of your liabilities and the procedures to be followed to satisfy the Inland Revenue.

### What insurance covers can protect a landlord?

Kerr & Co Estate Agents can provide information from third party companies who can provide different levels and types of insurance. We do recommend that you take out policy with a reputable firm that covers buildings and contents insurance. However we will endeavour to resolve any situation where ever possible before solicitors fees are incurred.

### What does the letting agent do if it all goes wrong?

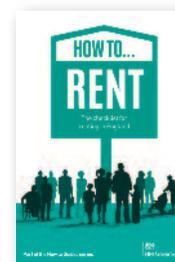
Where ever possible Kerr & Co will try to resolve any issues relating to the tenancy. Solicitors have to be instructed on your behalf to take the tenant to court to regain possession, or correct whatever breach of contract the tenant has committed. Kerr & Co Estate Agents can instruct or recommend a reputable firm of solicitors and provide any assistance necessary.

### As a landlord or a tenant, I want to know, what is management?

Management is a service provided by the estate agent to protect and maintain a property to the standard it was in at the beginning of the tenancy, fair wear and tear excepted. It includes all maintenance and running repairs, except for those items that are clearly the tenant's responsibility.

### Landlords Fees

Letting only service: 9.6% including VAT of the rent received.  
Letting and managed service: 15.6% including VAT of the rent received.



This guide is published by the government and will help you to understand what questions to ask, what your rights are, and what responsibilities you have. This will help you create a positive relationship with your landlord, but we also tell you how to get help if things go wrong.

Kerr & Co is part of the Propertymark Client Money Protection Scheme – No: C0009656  
Click here to visit the scheme website

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