

## Landlords – Right to Rent Checks

### What are Landlords obligations?

Under the Immigration Act 2014, clauses 22-28, Landlords of private rental accommodation will be responsible for carrying out 'right to rent' checks to ensure that their tenants have the right to rent in the UK.

The requirement to carry out right to rent checks applies to all adults (age 18 and over).

Right to rent checks will be required for anyone renting private accommodation in the West Midlands from 1 December 2014. Full details of those areas in the West Midlands that are not currently part of the scheme can be found by following the link 'Right to Rent checks' under further information where you can enter the postcode of property to check if a right to rent check will be required.

### How will Landlords make these checks?

Landlords will be required to carry out right to rent checks by seeing original passports or biometric residence permit card to ensure that the tenant has the right to rent. Landlords are also expected to keep copies of the documents they check.

### LIVING IN PRIVATE ACCOMMODATION

#### **I am living in private accommodation and am a UK student and I hold a British Passport – do I need to have my passport checked?**

Yes. The landlord will advise you what documentation they need to see and keep a copy of.

#### **I am living in private accommodation and am an EEA student and I hold an EEA passport – do I need to have my passport checked?**

Yes. The landlord will advise you what documentation they need to see and keep a copy of.

#### **I am living in private accommodation and am an international student and I hold a non-EEA Passport – do I need to have my passport or biometric residents permit checked?**

Yes. The landlord will need to see a copy of your passport and visa or biometric residence permit card.

#### **I have not changed my accommodation contract since I moved in – will my landlord need to see my passport/ biometric residents permit?**

No. The right to rent checks will only apply to new tenancy agreements (this includes where it is a renewed agreement). Existing tenancy agreements are unaffected and landlords are not required to carry out retrospective checks.

If you rented your property before 1 December 2014, your landlord will not ask to see your documents.

### LIVING IN UNIVERSITY HALLS OF RESIDENCE

#### **I am a UK/EEA/international student and I am living in University Halls of residence – do I need to have my passport or biometric**

No. Only students living in private accommodation rented by a landlord are expected to provide evidence of their right to rent property in the UK.

#### **What are my obligations?**

Your landlord will advise you what documents they need to see and you are required to provide them with the original documents which they will check and copy.

We expect that failure or refusal to provide documentation will result in you being refused the opportunity to rent accommodation from the landlord.

#### **I am an international student and I have extended my visa to continue my studies – do I need to show my landlord my new visa?**

You should check with your landlord and they will advise you if they need to see your new visa when it is granted by the Home Office.

#### **Can the University confirm my immigration status?**

No. The University will not provide letters to landlords confirming your immigration status. Under the 'Right to Rent' rules, the landlord is liable for carrying out the checks.

The Landlord will tell you what documents are needed and it could include seeing the letter you received from the University confirming your acceptance on a current course of studies - you should make sure you keep a copy of your acceptance letter.

#### **Finally,**

#### **Further Information Accommodation (for any housing based queries):**

[living@contacts.bham.ac.uk](mailto:living@contacts.bham.ac.uk)

#### **Home Office Guidance Right to Rent checks**

#### **UK Council for International Student Affairs (UKCISA):**

<http://www.ukcisa.org.uk/>