Right to Rent FAQs

(Updated in Sep 2016)

1. **What is it?**
   Since February 2016, changes to the Immigration Act were introduced which require landlords to check that potential tenants are legally in the UK before renting property to them.

2. **Who needs to prove they have a right to rent?**
   Landlords are required to check every potential tenant entering into a residential tenancy, including UK and EU nationals (who will need to prove their nationality). There are some exceptions, including where the landlord is a parent, where the lease is for more than 7 years, where the accommodation is classed as “Short stay” only (e.g. a hotel) or student accommodation.

3. **Do I need to prove I have a right to rent if I’m in student accommodation?**
   If you are in accommodation used “wholly or mainly for occupying students” then you should be exempt from proving you have a right to rent. This includes rooms in residences nominated by City University and private halls/charitable institutions such as International Students House and Goodenough College.

4. **How are right to rent checks carried out?**
   The landlord or agent **must** take a copy of the original documents you have confirming your immigration status in the UK. They must do this within the 28 days before the tenancy starts.

5. **What documents are acceptable to prove I have a right to rent?**
   If you are a UK/EU student you will just need to show your passport or national ID card as evidence of your nationality. If you do not have a passport/ID card there are other documents you can provide, such as a birth certificate or driving licence. Further information can be found at [Gov.UK](https://www.gov.uk). If you’re an international student you will also need to provide evidence of your right to be in the UK (see below).

6. **I’m an international student. What documents are acceptable to prove I have a right to rent?**
   Tier 4 visa holders would usually show a passport and a valid visa or BRP. There is a detailed list of documents at [Gov.UK](https://www.gov.uk).

7. **Can I secure accommodation before I travel to the UK?**
   Possibly, although some landlords may be concerned about doing this. UKVI have confirmed that landlords can see documents over Skype and agree the tenancy in principle, then see the originals once you arrive in the UK.
8. I only have a visa for one month in my passport and don't have my BRP yet. Will this be a problem?
   This should not be a problem – this is how visas are issued for Tier 4 now, and the guidance issued by UKVI to landlords explains this and allows them to rent to you for 12 months based on the initial entry visa. After 12 months they will need to check your documents again to ensure you still have the right to be in the UK.

9. I have applied for a visa extension so my documents are at the Home Office. What can I do?
   Your landlord can apply to the Landlord Checking Service, who should be able to confirm your right to rent. They have confirmed that this should take a maximum of 2 days.

10. My leave will run out before the end of my tenancy. Is this a problem?
    This should not be a problem. As long as you have valid leave a landlord can rent to you for 12 months, and then must undertake another check to ensure you still have the right to be in the UK.

11. I have dependants with me. Do I need to show they have a right to rent too?
    Only those over 18 will need to show they have a right to rent. If you have a partner with you in the UK you will need to provide evidence that they have a right to rent.

12. Will this affect my chances of securing accommodation?
    Landlords need to check everybody’s documents, including UK nationals. However, there is a concern that some landlords may be reluctant to rent to those from overseas because the legislation is complicated and they may be afraid of making a mistake and getting into trouble, or they may be reluctant to take the extra time to check documents. There are lots of places where you can look for accommodation that is either exempt from the legislation, or where landlords have been sent detailed information about the scheme so should be confident on what they need to do.

    Student halls are exempt from this legislation. There are many private halls in London, which you may wish to consider when looking for accommodation.
    Goodenough College (postgraduates only) and International Students House are both charitable organisations housing students, so are exempt from this legislation. They also have accommodation available for students with dependants.
    University of London Housing Services has a database of private accommodation available for students at member institutions (this includes City University.) Landlords and agents on this list have been provided with further information about the scheme.

13. Where can I get further information?
    - Right to Rent Documents Check Guide
    - Landlord Checking Service (for landlords to request a check on your right to rent from the Home Office)
    - UK Council for International Student Affairs (UKCISA)
    - University of London Housing Services