**4. Process**

**Module Content.**

4.1 Preparation before an agent is instructed

4.2 How to manage viewings

4.3 Paperwork required for the tenant

4.4 Complaint handling

**4. Process**

**4.1 Preparation before an agent is instructed.**

**A landlord will instruct an agent for a variety of reasons.**

The cheapest agent is not always the best. Those who can demonstrate a good business model, well trained staff, good references from other landlords and a good reputation with the local authority are the agents who will enjoy a sustainable place in the market.

The agent, must have a good knowledge of the **private rented sector**in the area, so that they can provide reliable advice on rental values, market demand and needs.  
  
The agent has a duty of care to advise the landlord as to the correct rental value and recommend a marketing plan.

**4. Process**

**4.1 Preparation before an agent is instructed.**

Preparation of the property is important. It must be ensured that the property is a safe environment for a tenant, that it has a reasonable level of amenities and is free of defects. By law, an **Energy Performance Certificate** is also required.

Once these steps have been taken, marketing of the property can begin. It must be ensured that the **property will be vacant and ready to let before committing new tenants**.

Where the property to be let is already occupied, you must proceed with caution as time and cost could be wasted by a prospective tenant. Also, advertising a property that is not genuinely available to let can lead to you being prosecuted.

**4. Process**

**4.1 Preparation before an agent is instructed.**

The agent’s terms of business must be discussed with the landlord and the level of service agreed. The terms of business should be agreed and signed prior to marketing the property. It is an offence under the **Accommodation Agencies Act 1953** to advertise a property as available to let without a lawful instruction to let. Signed terms of business are part of your defence to such a claim.

**Finally, the agent must be clear about the landlord’s general requirement for a tenant.**

Most tenancies will be for a short initial fixed term, but the agent should find out if the property is available for a longer term. Whilst the first tenant may only have a short tenancy, it can be helpful for a tenant to know that this could be a longer let.

Where sharers are an option, the landlord/agent must have regard to HMO management regulations and the greater obligations on the landlord/agent and landlord around safety and possibly licensing and planning laws. These matters must be addressed prior to advertising to ensure that the legal requirements can be met for this particular property.

**4. Process**

**4.2 How to manage viewings.**

There are risks in proceeding with a prospective tenant that has not viewed the property. Where a prospective tenant cannot get to the property for a personal viewing, **you should suggest that the prospective tenant asks a friend or family member to look on their behalf.**

Most genuine prospective tenants view a property and plan to decide to take it or not at that meeting. You should therefore be present at the viewings and where possible, have as much information about the property to assist the decision. You should arrive in good time and ensure the property can be unlocked and that it is safe to conduct a viewing.

If the property is occupied, **the occupier’s consent is required in advance**. Where consent is not forthcoming a viewing is not possible. If this happens at short notice, the viewer is likely to expect a reimbursement of travelling expenses at very least.

**4. Process**

**4.2 How to manage viewings.**

The common questions relate to the cost of living at the property, so information from the **EPC** must be offered as well as council tax banding.

Questions around **smoking, pets, sharers, parking and possibility of extending the tenancy usually arise** and it saves time and assists the viewer if you are able to give definitive answers to these points.

The viewing is an opportunity for you to have a **face to face conversation with the viewer and ask relevant questions, which may assist in the vetting process.**Although the viewer may be aware of your procedures for applying for a property, you should take that information to the viewing and provide copies to the viewer.  
  
**An explanation of costs and timings should be given at this meeting if the viewer is interested in proceeding.**  
An accompanied viewing is a higher risk activity for agency staff. You must risk assess this activity and ensure that the 'safe from harm' and 'lone working' policies are in place.

## 4. Process

### 4.3 Paperwork required for the tenant.

The paper trail will start at the viewing if not before. **Typically this will include:**

* EPC is available for the viewing;
* Agent’s terms for renting, including a clear breakdown of costs that the prospective tenant will incur.

**4. Process**



Which of the following should be made available to a tenant when viewing a property?Tick all that apply.

* Energy Performance Certificate (EPC).
* The landlords contact details.
* A clear breakdown of any costs a tenant will incur.
* The electrical condition report.
* The agents terms for renting.

## 4. Process

### 4.3 Paperwork required for the tenant.

**For prospective tenants (and guarantors) as is applicable:**

         Appliance safety sheets/info for all electrical appliances and smoke detectors;

         **Gas Safe Record (if appropriate);**

         Prescribed Information and scheme information for any deposit taken;

        **It is advisable for landlords to provide a move-in pack** (generally provided by agents) to include information about the**services around repairs and emergencies**,consents as well as relevant information about living at the property (operating the heating etc.) and refuse/recycling arrangements. The expectations when the tenancy comes to an end should be expressed at the outset. **Some move in packs include a simple explanation of the main tenancy agreement terms.**



At the start of their tenancy, information could also be provided to tenants about organisations who could offer them help and advice should something go wrong during their tenancy, such as Citizens Advice Cymru, Shelter Cymru or NUS Wales (if students).

### 4.4 Complaints handling.

If a complaint is received, it should be **acknowledged promptly** so that the tenant knows it has been received. The best approach is to make sure that complaints or problems are dealt with and resolved fully **and promptly**.

 If the complaint refers to a repair request, either **completing** **the works quickly or providing details of what action is proposed within a reasonable time-scale**should be sufficient in most cases.



At the start of their tenancy, information could also be provided to tenants about organisations who could offer them help and advice should something go wrong during their tenancy, such as Citizens Advice Cymru, Shelter Cymru or NUS Wales (if students).