



# GUIDE TO ALL PARTIES' RESPONSIBILITIES DURING A TENANCY

---

The Property Ombudsman describes letting agents' responsibilities as follows:

## **Maintenance and Repairs:**

- The tenancy agreement sets out the Landlord and Tenants maintenance and repair responsibilities.
- The tenancy agreement is a contract between the Tenant and Landlord. If the agent is managing the property, their role is to receive notifications from the Tenant, pass these to the Landlord and deal with them as instructed by the Landlord.
- Landlords have a responsibility to understand and comply with their legal obligations relating to gas safety, electrical installations. The Landlord is responsible for ensuring that the property is safe to let.
- Our role as the managing agents is to assist with all of the above.
- If the Tenant requires action to be taken regarding the facilities at the property before they move in, these specific conditions should be written down and agreed upon by the Landlord, via the agent, at the same time as their offer.
- Rampton Baseley does not employ nor subcontract tradesmen; they are employed by the Landlord.
- All contractors on our panel hold appropriate qualifications and the necessary public and professional liability insurance. Please note that landlords may instruct their own preferred contractor(-s).

## **Rampton Baseley responsibilities as agreed with the Landlord, are as follows:**

- Arrange for an Energy Assessor to prepare an Energy Performance Certificate (EPC) at the Landlord's expense
  - Arrange for minor repairs or works of maintenance to be completed at the property with prior consent from the Landlord
  - Arrange an Inventory and check-in and check-out with an independent inventory clerk at the Landlord's expense
  - Arrange for a Gas Safe registered engineer to test the appliances at the Landlord's expense.
  - Arrange for an electrical engineer (registered with a regulatory body) to carry out an electrical inspection to ensure compliance with the Regulations only if instructed by the Landlord
  - Arrange a pre-tenancy clean with an independent, professional cleaning company, to include the steam cleaning of carpets and window cleaning, if necessary, and at the Landlord's expense
  - Where the liability for payment of all utility bills and insurance premiums, and council tax exist, we shall pay them at the Landlords expense
  - To ensure that carbon monoxide and smoke detectors are supplied at the start of all new tenancies in accordance with the law
  - Attend to emergency works and repairs without prior Landlord's approval
  - Attend to routine management matters and liaise with the Tenant as appropriate on a day-to-day basis
  - Carry out a routine management visit of the property every six months and arrange to repair any apparent defects
-

---

### **The Tenant's responsibilities during the tenancy:**

The Tenant's responsibilities can be summed up in the sentence "the Tenant is obliged to treat the property in a 'Tenant-like manner'", a quotation from Lord Denning's famous judgement in the case Warren vs Keen, 1954.

'The Tenant must take proper care of the place. He must, if he is going away for the winter, turn off the water and empty the boiler. He must clean the chimneys, where necessary, and the windows. He must mend the electric light when it fuses. He must unstop the sink when it is blocked by his waste. In short, he must do the little jobs about the place which a reasonable tenant would do. In addition, he must, of course, not damage the house, wilfully or negligently; and he must see his family and guests do not damage it: and if they do, he must repair it.' and 'if the house falls into disrepair through fair wear and tear or lapse of time, or for any reason not caused by him, the tenant is not liable to repair it.'

### **Therefore, in summary, we set out below the Tenant's responsibilities as follows:**

- Unblocking toilets and sinks and drains
  - Cleaning internal and external windows and preventing condensation
  - Wiping down any condensation and cleaning off any mould
  - Replacing consumables such as batteries, light bulbs, and fuses
  - Cleaning chimneys when necessary
  - Keeping the property clean & tidy
  - Ventilating the property to prevent condensation and mould growth
  - Taking care of pests or vermin such as ants, wasps, or mice, if it is found by a pest controller that the infestation is due to misuse or negligence of the property by the tenants
  - Replacing all broken glass
  - Keeping all garden areas properly weeded, the grass mowed, and the hedges trimmed regularly
  - Re-pressurising the boiler
  - Bleeding radiators
  - Replacing locks & cutting keys for all involved parties if keys are lost
  - Informing Landlord or agent if gutters need clearing; any low-level reachable gutters shall be cleared by tenants
  - Informing the Landlord or agent if any repairs & maintenance is required at the property
  - Keeping all exterior drains, gullies, hoppers, and channels free from obstructions such as tree leaves
  - Testing smoke detectors and alarms regularly
  - Tightening loose handles and such like
  - Cleaning the washing machine, tumble dryer and fridge freezer filters regularly
  - Cleaning or replacing cooker hood filters when needed.
  - Making sure the dishwasher and any water softener don't run out of salt
  - Defrosting the freezer compartment whenever there is a build-up of ice
  - Keeping baths, sinks, shower heads and taps free of limescale
  - Keeping sink waste pipes free-flowing and by regularly flushing through a drain-cleaning product
  - Instructing on professional end of tenancy cleaning, including steam cleaning of all carpets and window cleaning at the end of the tenancy
  - Setting up and closing utility accounts
-

---

### **Landlord's responsibilities during the tenancy:**

Under Section 11 of the Landlord and Tenant Act 198, Landlords have statutory repair obligations. These include:

- Keeping the structure, exterior, and interior (including the plasterwork, doors, window frames and glass in windows, doors and skylights) of the property, including the sewers, main/communal waste stack, exterior drains, mains, ducts, conduits, gutters, wires, cables, channels, flues and other conducting media inside serving the property in a good state of repair, and in good condition and properly maintained.
- Keeping in good repair and proper working order, the central heating and hot water system and other installations for the supply of water, gas, electricity, for sanitation (including basins, sinks, baths and sanitary conveniences), and for space and water heating.
- Keeping all fixtures, fittings and other contents in repair and working order (only items that the Landlord supplied).
- Organising Gas Safety Checks annually.
- Organising Electrical Safety Checks, no more than 5-year intervals.
- Organising Energy Performance Certificate every 10 years.
- Providing the pre-tenancy professional cleaning, including steam cleaning of all carpets prior to the start of your tenancy.
- Trimming of trees and repairing fences.
- Keeping the property free from infestation of pests and the Landlord shall take all reasonable steps to eradicate those pests. If infestation is due to misuse or negligence of the Tenant, then the Tenant shall take all reasonable steps to eradicate those pests and will be responsible for the costs of doing so.