

Starting a tenancy and right to rent checks:

A survival guide

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Legal Language

In this guide, we try to explain any unusual or legal language as we go along, but there is also a '**What does it mean?**' section at the end.



This guide will be particularly useful for refugees and other migrants, EU citizens living in the UK, people on benefits, disabled people and students.



It does not cover starting a tenancy with a social housing provider.

The information in this guide applies to England only.

Right to rent checks are not currently being applied in Wales, Scotland or Northern Ireland.

November 2022

This is just one of our resources to help you with housing.

[See Help with housing issues](#)

What is
'right to rent'?



How to prove it

What is 'Right to Rent'?

It's the name given to a **UK government policy**. It says that all adults who need permission to enter or remain in the UK, but do not have it, cannot rent a property from a private landlord.

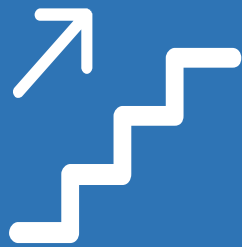
Proving your Right to Rent

To prove your '**Right to rent**' you may have to show your landlord documents or other evidence that you have permission to enter or remain in the UK.

This guide will help you get ready to rent and deal with right to rent checks. We will explain the steps you need to take and what to do if you have problems.



Starting
a tenancy



What you
need to know

Starting a tenancy – what you need to know

There are some key things you need to know about finding a place to rent and signing the tenancy agreement. In this first section of the guide we give a brief outline of what they are, and where to find more information.

In the second section of the guide we look at right to rent checks in more detail.

What is a tenancy

- A **tenancy** is a type of contract between you and your landlord. It sets out what rights you and your landlord have, for example, how much and how often you will pay rent.
- Not all agreements between an individual and a landlord are tenancies. You have different rights depending on what type of agreement you have. See **[our video for more information on tenancies and other types of housing agreements](#)**.
- If you are a **[new arrival in the UK check out this information on finding and starting a private tenancy](#)**.

A private landlord is an individual or company who rents out a property they own. It is different from a social housing landlord, for example, a local council or housing association.

What are right to rent checks

Before they can rent a property out, landlords have to check if the tenant has a 'right to rent'. If you do not have a right to rent, you can be evicted (made to leave by law) and landlord can risk being fined or even sent to prison.

The landlord has to check if you have permission to enter or remain in the UK, by checking your documents. If you do not, or cannot prove that you do, you are not allowed to rent a property from a private landlord.

In our experience you are more likely to have problems with right to rent checks if you speak limited English, do not have a British passport, are claiming benefits, have a low income or are a student. Since Brexit, EU nationals living in the UK may have more problems than they had before, as they can no longer just show their passport or national identity card.

We cover this in more detail in **Right to rent**.

A tenant is someone who has a contract (tenancy) with the landlord to live in the property.

How to rent

Before you sign a tenancy agreement with a landlord, there are a number of steps you need to take first, including checking:

- What rights you have and what you have to do as part of the tenancy, and what rights and responsibilities your landlord has.
- What fees the landlord is allowed to charge.
- How much deposit you will have to pay and how it will be protected.
- What documents the landlord should give you and what documents you will need.

See this [useful checklist](#) from the UK government, which explains all this in more detail. You can refer back to it several times as it covers the main things you need to know to start your tenancy.

Problems you might
experience



What you
need to know

Problems you might experience

Despite the **rules** that landlords and lettings agencies have to follow, we still hear from people who have had problems starting a tenancy. Next we explain what some of these problems are and what you can do if you encounter them.

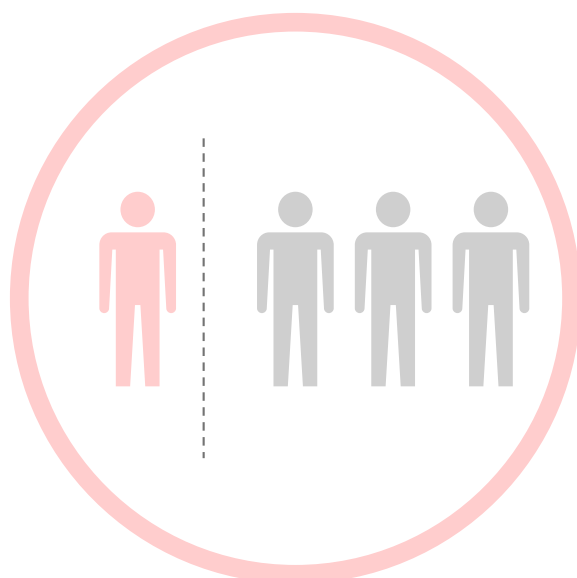
Discrimination

A landlord or letting agent:

- cannot refuse to let you rent a property,
- offer you different renting terms, for example, by charging you more; or
- treat you differently

because of your race, disability, gender or other **protected characteristic**.

The Equality Act 2010 is a law which protects people with 'protected characteristics' from discrimination, harassment and victimisation. For example, protected characteristics include race, disability and gender. Race includes colour, Nationality and ethnic or national origins.



Types of discrimination

The law sets out two main types of discrimination:

Direct discrimination

This includes treating you less well because of your race, or based on racial or national stereotypes. Or treating you less well because of another **protected characteristic**, such as your gender, age, or being disabled.

Examples of direct discrimination include:

- Rejecting prospective tenants who do not have a British passport (even if they have a valid UK visa and are allowed to rent in the UK);
- Ignoring an enquiry about the property because it came from someone with a name that is not ethnically British; or
- Refusing to rent to anyone who speaks English as a second language.

Direct discrimination also covers treating you unfairly because of any other **protected characteristic**.

Example might include:

- Rejecting you as a potential tenant because you are young or because you are old;
- Ignoring an enquiry from you because you are disabled, or
- Refusing to rent to you because you are a woman or because you are a man (including if you are transgender).

Indirect discrimination

Indirect discrimination is where there is a rule or a way of doing things that they apply to everyone the same, but which puts you, and other people with the same protected characteristic, at more of a disadvantage, and cannot be justified.

Sometimes indirect discrimination can be justified if there is a very good reason for it, but this is not common.

Examples of indirect discrimination include:

- Requiring a prospective tenant to have lived in the UK for over five years (this is not justifiable because living in the UK for five years does not prove the tenant is renting the property legitimately or demonstrate anything about how good a tenant they are);
- If the landlord will only rent to people who do a particular job, in which specific ethnic groups are over or under represented (unless there is a justifiable reason why the accommodation should only be occupied by members of that occupation).
- Refusing to rent a property to anyone who claims benefits, even though they can afford the rent. This could be indirect discrimination against disabled people and women as they are more likely to claim benefits. (See treating you unfairly because you claim benefits.)

What to do if you think you have been discriminated against

If you think you might have been treated unfairly because of your race, disability or gender or other protected characteristic read this helpful information from Housing Rights on **challenging discrimination** and try to **get advice**.



Treating you unfairly because you claim benefits

You might see adverts for rented accommodation that say 'No DSS' or 'Working professionals only'. This is a way of saying that they don't want to rent the property to people who claim benefits. A landlord or lettings agent might even say that you cannot view a property or start a tenancy because you claim Universal Credit or Housing Benefit.



Landlords and lettings agencies **are not allowed to do this** because it would be **indirect discrimination**. They must consider applications from people claiming benefits fairly (although they can decide not to rent to them for other reasons, like if they will not be able to afford the rent).

If this happens to you can complain. See this **[helpful guide and template letter from the charity Shelter](#)**. You can also get **[advice](#)** to help you.

- Check you are claiming all the **[benefits you are entitled to](#)**.
- If you are a refugee watch our **[video on benefits for refugees](#)**.

Some **[landlords also offer affordable rents](#)** to people claiming benefits.

Benefits are payments or practical help from the government to people on low incomes or with particular needs. Universal Credit and Housing Benefit are examples.

No deposit

Most landlords will ask a potential tenant to give a deposit – a sum of money that will protect them from losing money if there is damage to the property or if there is unpaid rent.

We know that many people find it really difficult to get enough money together to pay for a deposit and a month's rent.

Below we set out some sources of help:

- Help paying your deposit through **rent guarantee** and **rent bond schemes**, often through your **local council** – find out more from **Citizens Advice**.

- If you are a refugee you might be able to get a **refugee integration loan** to help pay for a deposit (it can also be used to pay for rent, things you need for the house, like furniture and appliances, and for education and training). Find out more about **refugee integration loans** on GOV.UK.



- Check that you are claiming all the benefits you are entitled to. You can use this **online calculator** from the charity Turn2us to help you, or try to **get advice**.
- Some charities will give people **a grant** – a sum of money that does not have to be paid back. You can **search for a grant** on the Turn2us website.
- In London, the Refugee Council runs a **Private Rented Scheme** which helps refugees who are homeless as a result of being granted protection in the UK. It offers advice and assistance with finding accommodation and applying for loans and grants for a deposit, and will sometimes provide a deposit bond on behalf of refugees who cannot afford a deposit.

No guarantor

Some landlords feel they need extra security and will ask you to find a **guarantor**.



This is someone who agrees to be responsible for your rent and other things you agree to in the tenancy agreement. This means that if you damage the property or do not pay your rent, the guarantor will have to pay the landlord what you owe them.

Lots of people, especially if they are from another country, or do not have friends or family with money, find it difficult to get a guarantor in the UK.

Read more about some of the help that is available for some people (particularly students) who **cannot find a guarantor**.

Schemes run by your **local council** may be able to help a landlord feel they can rent to you without a guarantor by offering a rent bond or guarantee.

In London, the Refugee Council's **Private Rented Scheme** may be able to help if you are a refugee.

How
to complain

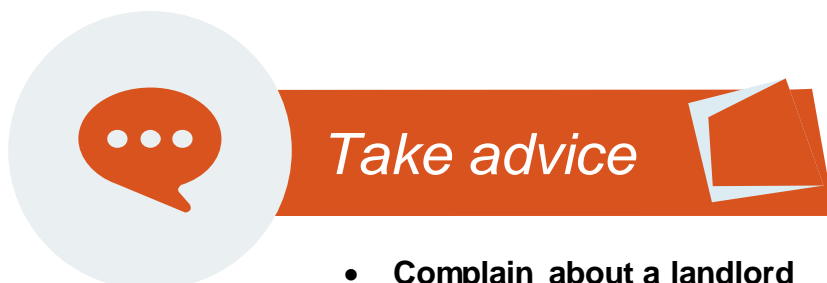


What you
need to know

How to complain

Remember, if you think you have been treated unfairly or the landlord or lettings agency has not followed the rules, you can complain.

There is helpful information from Citizens Advice on how to complain:



- [Complain about a landlord](#)
- [Complain about a lettings agency](#)

You can also try to [get advice](#) on your situation and help to complain from an advice agency or other organisation.

Right to rent checks

Private landlords have to check if a potential tenant has a right to rent, by checking if they have permission to enter or remain in the UK. They do this by checking their original documents or checking online. If the landlord does not carry out the checks and confirm that the tenant has permission to enter or remain in the UK, they are not allowed to rent to them. This is what is known as a 'right to rent check'.

Law for Life has found that some landlords do not always understand these rules or do not follow them properly. For example, some landlords think they only need to carry out right to rent checks on people they think are not British. Or say they can only rent to people with a British passport. This is not correct, and is against the law – see [Discrimination](#).

In the next sections of this guide we are going to explain more about right to rent checks and how they work so that you can be prepared for your own right to rent check, and know what to do if you experience any problems.

When do you NEED to prove a right to rent

You need to prove a right to rent if you want to rent a property as your main home in England, from a private landlord.

The landlord can ask you to prove your right to rent up 28 days before you sign the tenancy agreement.

This means you could be asked to prove your right to rent at the early stages of looking at a property if the tenancy is due to start soon. So it is a good to be prepared for right to rent checks when you start looking for a home to rent.



A tenancy agreement is the legal document in which you and the landlord agree you will rent the property.



When you do not need to prove a right to rent

There are some situations where landlords **do not have to do right to rent checks.**

You do **not** need to prove that you have the right to rent if:



- Your tenancy is in Wales, Scotland, or Northern Ireland
- You are renting a holiday accommodation (for three months or less)
- The property is not your main home
- You are under 18
- You are not paying rent (rent can include things like providing services such as cleaning and childcare – not just paying with money). For example, people providing free accommodation to people coming from Ukraine under the Homes for Ukraine scheme do not have to do right to rent checks
- If your tenancy started before 1 December 2014 in Birmingham, Wolverhampton, Dudley, Sandwell and Walsall, or before 1 February 2016 in the rest of England

Other types of accommodation where you do not have to prove a right to rent include:

- Social housing, such as council housing or housing association housing, arranged through a local council (local councils have to carry out stricter checks on your immigration status)
- Student accommodation provided directly by universities or colleges
- Hostels and refuges
- Care homes, hospices, hospitals, and NHS accommodation
- Some leases involving mobile homes
- Leases granted for a term of seven years or more



Who
has a right to rent



What you
need to know

Who has a right to rent

A right to rent check is to find out which of the following categories you are in.

Unlimited right to rent	Limited right to rent	No right to rent
<p>Anyone who has permanent permission to remain in the UK.</p> <p>This includes:</p> <ul style="list-style-type: none"> ✓ British citizens ✓ Irish citizens ✓ EU, EEA and Swiss nationals with EU settled status in the UK ✓ Individuals with indefinite leave to remain in the UK or no time limit on their visa ✓ Individuals with the 'right of abode' in the UK (for some Commonwealth citizens who are not British citizens) 	<p>Anyone who has permission to work or stay in the UK for a limited period of time.</p> <p>For example, this could include (among others):</p> <ul style="list-style-type: none"> ✓ International students ✓ Spouse visa holders ✓ People with discretionary leave in the UK ✓ Individuals granted refugee status ✓ EU, EEA and Swiss citizens with pre-settled status ✓ Ukrainians under the Homes for Ukraine Scheme or Ukraine Family Scheme ✓ British overseas nationals from Hong Kong ✓ People with a time-limited visa granted under the points-based immigration system <p>People with an outstanding application with the Home Office</p>	<p>Anyone who requires permission to enter or remain in the UK but does not have it. This group are often referred to as 'undocumented' or 'irregular' migrants, such as:</p> <ul style="list-style-type: none"> ✗ Refused asylum seekers ✗ Asylum seekers do not have a 'right to rent', although they should be granted 'permission to rent' if they have an ongoing claim or appeal against refusal ✗ Anyone who has overstayed their visa ✗ Anyone who has entered the country by evading immigration control and has not regularised their status

EU, EEA and Swiss citizens

Before the UK left the EU (Brexit), EU, EEA and Swiss citizens had an unlimited right to rent in the UK. They could show their passport or national identity card to prove that they had a right to rent. As you can see from the table above this has now changed. EU, EEA and Swiss citizens will only have a right to rent if they meet one of the criteria in the unlimited or time limited right to rent columns above.

If you have applied but do not yet have a decision see [‘if you do not have documents to prove your right to rent’](#).

For more information on the [rights of family members](#) see the Housing Rights website.

If you are worried about your status in the UK, or the situation of your family members, try to [get advice](#).

Ukrainian citizens

If you came to the UK as part of the Homes for Ukraine Scheme or Ukraine Family Scheme and do not pay rent, because you live with a host, then you do not have to prove that you have the right to rent.

However, if you leave your host’s home and go on to rent a property from a private landlord in England as your main home, you will have to prove your right to rent.

The UK government has produced a guide on right to rent checks for Ukrainian nationals.

If you are worried about your status in the UK, or the situation of your family members, try to get advice.



Permission to rent

The Home Office can grant 'permission to rent' to someone who does not have a right to rent. This power is discretionary, meaning the Home Office does not have to grant it in every case.

There are no rules on who must be granted permission to rent, but government guidance says people who may be given permission to rent include:

- Asylum seekers;
- Refused asylum seekers;
- Families and individuals cooperating with the Home Office's family returns processes;
- People on criminal or immigration bail;
- People within the Home Office voluntary departure process;
- Victims, or potential victims, of trafficking or slavery;
- People with an outstanding out-of-time immigration application, in-country appeal, or Judicial Review claim.

The government says that to find out if you qualify for permission to rent, you should contact the case owner or team that is dealing with your case, or ask when you visit an immigration reporting centre.

The Joint Council for the Welfare of Immigrants also runs a confidential helpline for undocumented migrants on Mondays, Tuesdays and Thursdays, from 10am to 1pm, on **0207 553 7470** and can offer [specialist immigration advice](#) on whether undocumented migrants may be eligible for permission to rent from the Home Office. The helpline is confidential and advice is free. Calls cost up to 13p per minute from landlines, 3p-55p from mobiles.

How to prove a right to rent

To prove your right to rent you have to show the landlord evidence which confirms your immigration status, for example, that you are a British citizen, have EU settled status, indefinite leave to remain, or refugee status.

How it works – an overview of the process

To check that you have a right to rent, the landlord should:



ask for your evidence of your right to rent; which will be either:

- a share code from the **Home Office online checking service**; or
- an original document.

Then, check your immigration status, by:

- using your share code in the **View a tenant's right to rent** service, or
- looking at your original documents.

Keep copies of the document and record when they checked the evidence.

A share code is a number which you can create online, and give to the landlord to allow them to check your immigration status.

Below we explain this process in a bit more detail

If you have a British or Irish passport

From April 2022 landlords will be able to carry out digital checks on your passport (or Irish passport card), using a new method called Identity Verification Technology (IDVT).



However, landlords must not treat you unfairly if you do not want to use IDVT, and should carry out a manual check of your original documents.

Be prepared with your proof

It is a good idea to know in advance what evidence you will use to prove your right to rent, and to have it ready to show to the landlord:

- Whether you have an unlimited or time-limited right to rent (the government sets out what type of proof you can use in each case); and
- Whether you can show original documents or will need to provide digital evidence online.

Some landlords use the services of a letting agent to find a tenant or manage the property. In this situation you will show your evidence to the agent rather than the landlord.

Online right to rent checks

You can prove your right to rent online if you have digital evidence of your immigration status, for example:

- settled status under the EU Settlement Scheme (EUSS)
- a biometric residence card or permit
- you scanned your identity document using the 'UK Immigration: ID Check' app when you applied for a visa.

If you have this kind of digital evidence you can use the **Prove your right to rent** service on GOV.UK.

It will ask you a few questions, and if it can identify you, it will provide you with a 'share code'. You can then give the landlord this share code and they can use it to check your status using the **View a tenant's right to rent**. They will also need your date of birth.

If you are having problems accessing or using your digital immigration status, you can contact the **UK Visas and Immigration Resolution Centre**.

If you have a biometric residence card or permit, or a frontier worker permit you have to use this online service. Otherwise, you do not have to use the online service if you can prove your right to rent with an original document.



Right to rent checks of original documents

If you do not have digital evidence to prove your right to rent online you can show your landlord your original documents.

To prove that you have an **unlimited** right to rent you must show the landlord:

- one document from this list – **List A Group 1**; or
- two documents from **List A Group 2**.

To prove that you a **time-limited** right to rent you must show the landlord:

- one document from **List B**.

A landlord cannot insist on seeing a particular document from the list – you can choose which documents you want to show them, as long as they are in the relevant list.

For example, a landlord cannot refuse to rent to you because you do not have a biometric immigration document as long as you can show another document proving your right to live in the UK – this can be a passport, residence card or other current immigration status document.

Original documents include things like passports and immigration status documents issued by the Home Office. There is a full list of the **documents you can show to prove your right to rent** on GOV.UK.



What the landlord must do next

- A landlord must look at your documents and check to make sure that they are genuine and relevant.
- They should then make and retain copies, which should be stored in a secure place.
- They should record the date they made the check.
- Landlords must keep the copies of the document for 12 months after the tenancy expires.

Landlords cannot charge you any fee to carry out right to rent checks.



Follow up right to rent checks

If you have a **time-limited** right to rent, for example, because you have pre-settled status under the EU Settlement Scheme, or have been given refugee status, the landlord will need to do a follow up check. Follow up checks should be carried out either:

- 12 months after the first check was carried out;
- When your permission to be in the UK expires; or
- When the document you used to prove your time-limited right to rent expires.

If you do not have documents to prove your right to rent

If you cannot provide a document to prove your right to rent, for example, because your passport is being held by the Home Office, landlords can check with the Home Office by using the UK government's **landlord checking service**.

Landlords are supposed to receive the result within two working days of making the request.



Long-term residents of the UK who do not have documents to prove their right to rent

Some long-term residents of the UK may not have been issued documents to prove their right to remain in the UK, for example, people originally from Commonwealth countries, including the 'Windrush generation'.



The UK Home Office has issued guidance on this issue.

It says that Commonwealth citizens who have lived in the UK permanently since before 1973, and have not been away from the UK for long periods in the last 30 years, have the right to live in the UK and to rent property.

Commonwealth citizens who came to the UK before the end of 1988 (and after 1 January 1973) might not have the automatic right to live or right to rent in the UK. This could be because:

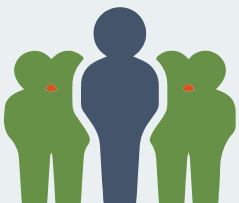
- You have the right to live in the UK (called the 'right of abode'), but you do not have the documents to prove it; or
- You do not have a 'right of abode'. This may be because you have ceased to be a Commonwealth citizen (even temporarily) or because your country was not part of the Commonwealth on 31 December 1982 or has since left the Commonwealth. For instance, citizens of Pakistan and South Africa do not have the right of abode in the UK because these countries temporarily left the Commonwealth before 1982 (even though they later re-joined the Commonwealth). Citizens of the Gambia and the Maldives also no longer have the right of abode in the UK because these countries have now left the Commonwealth.

If you are unsure of your residency status in the UK, whether or not you are a Commonwealth citizen, you can also get advice from an independent organisation. Many of these organisations offer free advice.

If you are a long-term resident of the UK and cannot provide any of the documents in **List A Group 1**, **List A Group 2** or **List B** to prove your right to rent, the landlord should not refuse to rent to you. Instead they should contact the government's Landlord Checking Service.

If you are a Commonwealth citizen who arrived in the UK before the end of 1988 the Landlord Checking Service should notify the Windrush Help Team, who should contact you to confirm your circumstances and to try to sort out your status. Working with the **Windrush Help Team**, the Landlord Checking service will be able to confirm your right to rent.

You can call the **Windrush Help Team** yourself, to apply for documents to confirm your status and to apply for compensation under the Windrush Compensation Scheme.



*If you are living in England and think that you may not have a right to rent – **get advice**.*

No documents for another reason

There is **guidance on what to do** on GOV.UK if you do not have your documents for any other reason, for example, because they have been stolen from you or because you are homeless. You can also try to **get advice** from another organisation.

If you are homeless or at risk of becoming homeless see **our guides** on what to do.

If you don't have a right to rent

If you or someone you live with has no right to rent, the landlord can **evict** everyone from the property. They need to give the renters at least 28 days' written notice of this. Once 28 days have passed, the landlord can evict everyone without needing to go to court.

If some renters in the shared accommodation do have a right to rent, the landlord needs to go to court to get an eviction notice. Once they have this, they can evict all of the renters (including those with a right to rent).

**EVICTION
NOTICE**

Landlords can be fined or go to prison if they do not end the tenancy and evict renters after they have been informed by the government that one or more people in the property does not have a right to rent.

PENALTY!

It is also important to note that, while landlords do not have to report people without a right to rent when they are enquiring about renting a property, landlords are required to report their renters to the Home Office if their time limited right to rent has expired when they carry out follow-up checks.

Remember that you do not have to prove a right to rent to social landlords like the local council. Also right to rent checks only have to be carried out in England – not in Wales, Scotland or Northern Ireland.

How to find help
and advice



What you
need to know

How to find help and advice

Advicelocal

A UK-wide service from the advice charity Lasa. Advicelocal can help you find help with problems including welfare benefits, housing and homelessness, and asylum and immigration. Enter your postcode, choose an advice topic from the drop down menu and search. This will tell you about any Citizen's Advice, law centres, or independent advice agencies in your county.

The AIRE Centre (Advice on Individual Rights in Europe)

Provides free, specialist legal advice and other legal services to individuals on EU law and can help you apply to the EU Settlement Scheme. To find out if the centre can help you, you can either email: info@airecentre.org or call **020 7831 4276**. Open Monday to Friday, 10:30am – 6pm.

Citizens Advice

The national body for Citizens Advice Bureau (CAB). See [Contact Citizens Advice](#) to find a CAB near you, details about their national helpline, and their chat and other services. Be aware that the national helpline is not free. Calls are charged at the same rate as calls to landlines.

Chartered Institute of Housing – Housing Rights Information

CIH sets out information on the housing rights attached to each immigration status, ranging from refugees to individuals with limited right to remain, to family members of European citizens. There are separate sections of the website for [individuals looking for housing](#) and [housing advisors](#).

Equality Advisory Support Service (EASS)

The EASS helpline advises and assists individuals on issues relating to equality and human rights, across England, Scotland and Wales. Telephone: **0808 800 0082** Textphone: **0808 800 0084**. Open Monday to Friday 9am-7pm, Saturday 10am-2pm. You can also email them using their online contact form.

Joint Council for the Welfare of Immigrants (JCWI)

A charity that supports immigrants of all backgrounds. It runs a confidential helpline for undocumented migrants on Mondays, Tuesdays and Thursdays, from 10am to 1pm, on **0207 553 7470** and can offer [specialist immigration advice](#) on whether they may be eligible for permission to rent from the Home Office. The helpline is confidential and advice is free. Calls cost up to 13p per minute from landlines, 3p-55p from mobiles.

In 2019 they launched a legal challenge against the right to rent scheme, arguing that it causes racial discrimination.

LawWorks

Supports a network of over 280 free legal advice clinics that provide initial advice to individuals on various areas of law, including social welfare issues, employment, housing, and consumer disputes. During the coronavirus crisis, all clinics have closed face-to-face appointments. Use their **search** to see if there is a clinic near you offering advice on the area of law you need help with by phone, email or digitally. In order to use the time efficiently, please see **What to bring to your appointment at a LawWorks clinic (PDF)**.

Refugee Council

Provides help and support to asylum seekers and refugees. It runs a freephone infoline on **0808 196 7272** which connects people seeking asylum, and recently recognised refugees, with information and services relevant to their individual needs. The Infoline is open Mondays, Tuesdays, and Thursdays between 9.30am and 12.30pm.

In London, the Refugee Council runs a **Private Rented Scheme** which helps refugees who are homeless as a result of being granted protection in the UK. It offers advice and assistance with finding accommodation and applying for loans and grants for a deposit, and will sometimes provide a deposit bond on behalf of refugees who cannot afford a deposit.

Shelter (England)

Shelter is a national housing charity which offers useful advice and information on all aspects of housing and homelessness.

It gives advice over the phone about **urgent** housing problems. Call: **0808 800 4444**. Open Monday to Friday, 8am-8pm, Saturday/Sunday 9am-5pm, 365 days a year. Calls are free from UK landlines and all major UK mobile operators. They ask that you look at their online advice first or use their webchat service before you call the helpline due to high demand.

Shelter (England) also has some advice centres where you can get personal, face to face advice. You can use your postcode to search for a centre local to you: **Shelter advice centres**. (At the time of producing this guide face to face advice was suspended due to Covid-19).

Ukraine Advice Project

Free UK immigration advice for people fleeing Ukraine provided by volunteers. You can connect to a lawyer through the website.

Documents you can use to prove an unlimited right to rent

– List A Group 1

You can see [images of these documents](#) in the government's right to rent checks [user guide](#).

If you are from Ukraine (and not living with a host under the Homes for Ukraine Scheme or Ukraine Family Scheme) you can see images of documents you can use to prove your right to rent in the government's specific [guide on right to rent checks for Ukrainian nationals](#).

You can show **one** document from this list to prove an unlimited right to rent:

Show 1 document

- A **passport** (current or expired) showing that the holder is a British citizen, or a citizen of the UK and Colonies having the 'right of abode' in the UK.
- A **passport** or **passport card** (in either case, whether current or expired), showing that the holder is an Irish citizen.
- A document issued by the **Bailiwick of Jersey**, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Landlord Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
- A **passport** or other **travel document** (in either case, whether current or expired) endorsed to show that the holder is exempt from immigration control, or is allowed to stay indefinitely in the UK, or has the right of abode in the UK, or has no time limit on their stay in the UK.
- An **immigration status document** (current or expired) containing a photograph issued by the Home Office to the holder with an endorsement indicating that the person named in it is allowed to stay in the UK indefinitely or has no time limit on their stay in the UK.
- A **certificate of registration** or naturalisation as a British citizen.

Documents you can use to prove an unlimited right to rent – List A Group 2

You can show **two** document from this list to prove an unlimited right to rent:



Show 2
documents

- A **birth certificate** issued in the UK[.
- An **adoption certificate** issued in the UK.
- A **birth certificate** issued in the Channel Islands, the Isle of Man or Ireland.
- An **adoption certificate** issued in the Channel Islands, the Isle of Man or Ireland.
- A **letter** which:
 - is issued by a government department or local authority no longer than three months before the date on which it is presented,
 - is signed by a named official stating their name and professional address,
 - confirms the holder's name,
 - confirms that the holder has accessed services from that department or authority or is otherwise known to that department or authority.
- A **letter** which:
 - is issued no longer than three months before the date on which it is presented,
 - is signed by a British passport holder who is or has been a professional person or who is otherwise of good standing in their community and confirms the holder's name,
 - states how long the signatory has known the holder, such period being of at least three months' duration, and in what capacity,
 - states the signatory's name, address, profession, place of work and passport number.
- A **letter** issued by a person who employs the holder no longer than three months before the date on which it is presented, which indicates the holder's name and confirming their status as an employee and employee reference number or National Insurance number and states the employer's name and business address.
- A **letter** issued by a police force in the UK no longer than three months before the date on which it is presented, confirming that the holder has been the victim of a crime in which a document listed in [List A \(Group 1\)](#) belonging to the holder has been stolen and stating the crime reference number.
- An **identity card** or **document issued by one of Her Majesty's forces** or the Secretary of State confirming that the holder is or has been a serving member in any of Her Majesty's forces.

Documents you can use to prove an unlimited right to rent

– List A Group 2 Cont'd

You can show **two** documents from this list to prove an unlimited right to rent:



Show 2 documents

- A **letter issued by Her Majesty's Prison Service**, the Scottish Prison Service or the Northern Ireland Prison Service confirming that the holder has been released from the custody of that service no longer than six months before the date on which that letter is presented and confirming their name and date of birth.
- A **letter issued no longer than three months** before the date on which it is presented by an officer of the National Offender Management Service in England and Wales, an officer of a local authority in Scotland who is a responsible officer for the purposes of the Criminal Procedure (Scotland) Act 1995 or an officer of the Probation Board for Northern Ireland confirming the holder's name and date of birth and confirming that the holder is the subject of an order requiring supervision by that officer. A current licence to drive a motor vehicle granted under Part 3 of the Road Traffic Act 1988 (to include the photocard licence in respect of licences issued on or after 1st July 1998) or Part 2 of the Road Traffic (Northern Ireland) Order 1981 (to include the photocard licence).
- A **certificate issued no longer than three months** before the date on which it is presented, by the Disclosure and Barring Service under Part V of the Police Act 1997, the Scottish Ministers under Part 2 of the Protection of Vulnerable Groups (Scotland) Act 2007 or the Secretary of State under Part V of the Police Act 1997 in relation to the holder.
- A **document**, or a **screen shot of an electronic document**, issued no longer than three months before the date on which it is presented, by Her Majesty's Revenue and Customs, the Department of Work and Pensions, the Northern Ireland Department for Social Development or a local authority confirming that the holder is in receipt of a benefit listed in section 115(1) or (2) of the Immigration and Asylum Act 1999.
- A **letter** which:
 - is issued no longer than three months before the date on which it is presented,
 - is issued by a public authority, voluntary organisation or charity in the course of a scheme operated to assist individuals to secure accommodation in the private rented sector in order to prevent or resolve homelessness,
 - confirms the holder's name,
 - states the address of a prospective tenancy which the authority, organisation or charity is assisting the holder to obtain.
- a **letter** which:
 - is issued by a further or higher education institution in the UK,
 - confirms that the holder has been accepted on a current course of studies at that institution,
 - states the name of the institution and the name and duration of the course.

Documents you can use to prove a time limited right to rent – List B

You can show **one** document from this list to prove a time limited right to rent:

**Show 1
document**

- A **current passport** or **travel document** endorsed to show that the holder is allowed to stay in the UK for a ‘time-limited period’.
- A **current immigration status document** issued by the Home Office to the holder with an endorsement indicating that the holder has been granted limited leave to enter or remain in the UK.
- A **document issued by the Bailiwick of Jersey** or the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Landlord Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
- A **document issued by the Bailiwick of Jersey**, the Bailiwick of Guernsey, or Isle of Man, showing that the holder has made an application for limited leave to enter or remain under Appendix EU to the Jersey Immigration Rules or Appendix EU(J) to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules (as the case may be), together with a Positive Right to Rent Notice issued by the Home Office Landlord Checking Service.
- A **document issued by the Home Office** confirming an application for leave to enter or remain, under Appendix EU to the immigration rules (known as the EU Settlement Scheme), made on or before 30 June 2021 together with a Positive Right to Rent notice issued by the Home Office Landlord Checking Service.
- A **Certificate of Application (digital or non-digital) issued by the Home Office** showing that the holder has made an application for leave to enter or remain, under Appendix EU to the immigration rules (known as the EU Settlement Scheme), on or after 1 July 2021, together with a Positive Right to Rent Notice issued by the Home Office Landlord Checking Service.
- A **passport** of a **national of an EEA country**, Australia, Canada, Japan, New Zealand, Singapore, South Korea or the USA who is a visitor to the UK, together with evidence of travel to the UK that provides documentary evidence of the date of arrival in the UK in the preceding six months.

What does
it mean



What you
need to know

What does it mean?

Benefits	payments or practical help from the government to people on low incomes or with particular needs.	Direct discrimination	where someone treats you worse than they treat other people because of who you are.
Biometric residence permit	a document issued by the UK government which confirms your identity and your immigration status. It includes a digital photo of your face and a scan of your fingerprints.	EU – the European Union	a union of countries who agree to make joint decisions about some political and financial laws. People who live in the European Union can live, study or work in any European Union country.
Brexit	the name given to describe the UK leaving the EU. As a result of Brexit lots of laws and processes, especially around immigration, have changed.	EEA	an area made up of all the countries in the EU, plus Iceland, Liechtenstein and Norway.
Council housing	housing provided by the local authority (or council). There are <u>rules about who qualifies</u> for local authority housing.	Equality Act 2010	a law which protects people with ‘protected characteristics’ from discrimination, harassment and victimisation. For example, protected characteristics include race, disability and gender.
Deposit	a sum of money that you have to pay in advance, that will protect the landlord from losing money if there is damage to the property or if there is unpaid rent.	Evicted	where the landlord can use the law to make you leave the property.

Guarantor	someone who agrees to be responsible for your rent and other things you agree to in the tenancy agreement. This means that if you damage the property or do not pay your rent, the guarantor will have to pay the landlord what you owe them.	Indirect discrimination	where someone has a rule or a way of doing things that they apply to everyone the same, but which puts you, and other people like you, at more of a disadvantage and cannot be justified.
Home Office	the UK government department responsible for managing immigration and the police.	Landlord	an individual or company who offers a property to rent.
Housing association	organisations which are set up to help local communities and provide cheaper rental accommodation than private landlords.	Landlord Checking Service	a service run by the Home Office for landlords which allows them to check if you have a right to rent if you do not have the correct documents, for example, because you are still waiting for a decision from the Home Office.
Identity Verification Technology (IDTV)	a specific way of proving someone's identity by creating a digital copy of a physical document.	Lettings agency	a company which manages properties for private landlords. This may include finding a tenant, collecting the rent and sometimes maintaining the property.
Immigration reporting centre	a building run by the Home Office where you have to go to on a regular basis if you have applied for asylum or another immigration status and have not had a positive decision.	Local council/ authority	the local organisation which is responsible for managing local services, for example, running some schools and dustbin collections. They are also responsible for looking after people who are homeless in their area.
Immigration status	the type of permission you have to be in the UK. For example, refugee status, EU settled status or British nationality.	No DSS	'DSS' is an old term for welfare benefits. You may see adverts for housing which say 'no DSS', which means that the landlord does not want you to apply if you are on benefits. But they are not allowed to do this.
Indefinite leave to remain	a type of immigration status that gives you the right to live, work and study in the UK for as long as you like.		

Permission to rent	the Home Office can grant 'permission to rent' to someone who does not have a right to rent. This power is discretionary, meaning the Home Office does not have to grant it in every case.	Rent guarantee scheme	a legal agreement between the provider of the scheme and the landlord which gives the landlord a guarantee against unpaid rent.
Points-based immigration system	the UK's <u>new approach</u> to immigration after Brexit. People who want to live and work in the UK can apply for a visa, if they have enough points.	Right to rent checks	right to rent is the name given to a UK government policy that says that all adults who need permission to enter or remain in the UK, but do not have it, cannot rent a property from a private landlord. Landlords have to check that you have permission to enter or remain in the UK by viewing your documents, either face to face or online.
<u>Pre-settled status</u>	the immigration status granted to EU, EEA or Swiss citizens (and their family members) who have not yet lived in the UK for a continuous five year period.	Right of abode	the right to live and work in the UK without any immigration restrictions. All British citizens have a right of abode. <u>Some</u> Commonwealth citizens who are not British citizens may also have a right of abode: <ul style="list-style-type: none"> Commonwealth citizens with a parent or adoptive parent who, at the time of their birth or adoption, was a citizen of the UK and Colonies, or female Commonwealth citizens who are, or have been, married to a man with the right of abode at any time before 31 December 1982. <p>You must also not have ceased to be a Commonwealth citizen at any time since then.</p>
Private landlord	an individual or company who rents out a property they own. It is different from a social housing landlord, for example, a local council or housing association.		
Protected characteristics	personal characteristics such as race, religion, gender, sexuality disability and age. It is against the law to discriminate against you because of protected <u>characteristics</u> .		
Rent bond scheme	a legal agreement between the provider of the scheme and the landlord which gives the landlord a guarantee, instead of a cash deposit, to cover damage or unpaid rent.		

Settled status	a type of immigration status that gives you the right to live, work and study in the UK for as long as you like.	Tenant	a person who lives in accommodation rented from a landlord.
Share code	a number which you can create online, through the online checking service, and give to the landlord to allow them to check your immigration status.	Visa	a document issued by the UK government to allow you to enter and stay in the UK for a period of time.
Social housing provider	organisations that provide housing to rent at a cheaper cost than private landlords and which usually offer longer and more secure tenancies. Social housing providers are often local councils and housing associations. They do not aim to make a profit from renting the accommodation.	Windrush generation	people arriving in the UK between 1948 and 1971 from Caribbean countries to take up jobs in the UK where there were a shortage of workers. The name 'Windrush' refers to one of the ships – 'Empire Windrush' which brought workers from Jamaica, Trinidad and Tobago and other islands.
Tenancy agreement	a type of contract between you and your landlord. It sets out what rights and obligations you and your landlord have. This will include, for example, how much and how often you will pay rent.		

The information in this guide applies to England.

The law is complicated. We have simplified things in this guide. Please don't rely on this guide as a complete statement of the law. We recommend you try and get advice from the sources we have suggested.

The cases we refer to are not always real but show a typical situation. We have included them to help you think about how to deal with your own situation.

advicenow
Making sense of the law and your rights

If you would like this guide in another format please email guides@lawforlife.org.uk

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The Litigant in Person
Support Strategy

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