



# *J K Lettings Ltd*

## *Property Management*

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*The following brochure aims to answer any queries you might have in relation to the letting of your property. We hope that you find it clear and that it answers some of the questions that might arise. For many it is a nervous concept, entrusting your property to others and our role is to assist you and make the transaction as easy and straightforward as possible.*

*If you do have any further queries or require any further information, please do not hesitate to contact us. We would be delighted to undertake the letting of your property and look forward to receiving your further instructions in due course.*

*Justine Ross & Karen Mitchell*

## **GENERAL INFORMATION**

### **J K Lettings Ltd**

- *J K Lettings Ltd is an established company in the heart of Truro. Justine Ross and Karen Mitchell have both been in property management and estate agency for many years and set up their company to provide a small friendly firm with whom landlords can entrust their properties.*
- *Our reputation has spread far and wide as a personal, approachable company who landlords and tenants alike can depend on.*

### **Renting in Cornwall**

- *The rental market in Cornwall has been exceptionally buoyant for many years and there are various reasons why people need or wish to rent.*
- *House prices are exceptionally high, incomes notoriously low and there are increasing numbers of professionals and families unable to afford the size accommodation they need and therefore rely on long term rental accommodation to call home.*
- *Cornwall is a very popular destination for those seeking a change of life style or scenery and there are incredible numbers of people moving into the area. Many of these eventually intend to purchase a property but use the rental market for time to find their feet, get themselves established and then find the property to buy.*
- *In addition to these categories there are many others who have no desire to buy a property at all or who intend to sit out the uncertainty in the sales market for several years to come.*

*Whether you intend to rent your property for a long or short term lease, we will be able to find the tenant to suit your time scale.*

### **Letting your Property Through A Professional Agent**

- *It is a myth that landlords are unable to set up and manage their own properties successfully however by using a professional agent you know that all legal aspects will be attended to and that your property is in safe hands.*
- *Many use an agent to undertake either the setting up only or full management because they do not have time to do so themselves, they do not live close enough to monitor the property regularly or, for many, they are too nervous of the whole concept.*
- *The tenancy is a **legally binding** document so landlords must be fully aware of their obligations and legal rights.*

### **National Approved Lettings Scheme**

- *JK Lettings Ltd is an accredited member of the National Approved Lettings Scheme (NALS)*
- *The NALS ensures that agents comply with defined service standards and has a strict criteria for accredited agents. The objective of the Scheme is to give landlords the confidence that their property is being let through qualified agents who meet a minimum standard for letting and management.*

## **Tenants**

- *The most important aspect of renting a property is finding suitable tenants. Our aim is to find the right tenants for each individual landlord and therefore we need to find out about the tenant you are looking for.*
- *There are various categories to consider, namely families, pets, smokers, sharers, students and people claiming housing benefits. Not all may be suitable for each landlord and we take note of any restrictions you wish to place.*
- *Landlords always choose their tenants, we are merely providing suitable candidates for you to elect from.*
- *People who will not be residing at the property full time, eg children over eighteen who are students will be named on the tenancy as 'Permitted Occupier'.*
- *We require a minimum of two references from each adult applicant and a letter of application.*
- *We verbally contact their referees and run credit references with Rentshield.*
- *Once we are confident that the applicants are suitable and have sufficient income to cover the rent, we will contact you so that you can elect the tenant you require. If you live locally and wish to do so, we will organise a meeting with the chosen tenant and you before the agreement is signed.*

***It is our recommendation that landlords meet prospective tenants.***

## **TENANCIES**

### **Tenancy Agreement**

- *All our tenancies are Assured Shorthold Tenancies and commence with a fixed period of six months. At the end of this period, if you do not wish to end the contract, it will automatically continue on a periodic or 'month by month' basis.*
- *If you do wish the contract to terminate at the end of the six months, notice to quit must be served by four months. During the periodic tenancy, tenants are still bound by the existing terms and conditions.*
- *When a landlord wishes to terminate the contract, you are required to give a tenant two months notice in writing. A tenant is required to give a landlord one month's notice in writing.*
- *Notices must run from the same date as the tenancy commencement date.*

*Please note that once a Notice to Quit (Section 21) has been served on the tenants, enforcement of this notice can only be carried out through the courts. Serving the notice does not guarantee that the tenant will vacate the property on the agreed date.*

### **Rent**

- *Rental figures are based on current market levels.*
- *A fair rent will ensure that the property is let quickly and that a landlord will have a wider selection of tenants from which to choose. If a landlord wishes to place the property higher than the recommended figure, the property may take longer to*

*fill and tenants may leave at the end of six months if they know they are paying over the market level.*

- *Rent is due in advance on a calendar month basis. As the commencement of a tenancy can commence at any date in a month, the rent due dates will vary from property to property.*
- *If you wish to manage the property yourself, you can request that the rent is paid on standing order. If a tenant pays by standing order, cheque or BACS transfer, the appropriate clearance should be taken into account. The bank clearing process at present is four working days so the rent due date is not necessarily the date the rent will appear in your account.*
- *All clients' funds that pass through this Office are banked and paid out from a designated Clients Account.*

### **Deposits**

- *We always require a deposit one month's rent for each property.*
- *On 6 April 2007, new legislation has been introduced by the government regarding the retention of deposits by landlords and tenants. All deposits for Assured Shorthold Tenancy Agreements must be registered into the new scheme. There are three companies which have been awarded a licence, two offer an insurance based scheme and one a custodial scheme.*
- *JK Lettings Ltd is registered with the custodial scheme run by The Deposit Protection Service. This service is free so no additional costs are incurred.*
- *For all properties we manage, we will arrange the transfer of the deposit into the scheme and ensure that it is legally protected. It is held by the Deposit Protection Service for the duration of the lease and returned to the tenant at the end of the tenancy following the final outgoing inspection. If there is a disagreement regarding the amount returned, the Deposit Protection Service will act as arbitrator.*
- *For all properties we do not manage, the legal onus is on the individual landlord to register with the scheme. This is compulsory and must be done within fourteen days of the deposit being received. We will provide you with all the necessary information to be able to register with the scheme of your choice, but you will need to let JK Lettings Ltd know, prior to drawing up the tenancy, if you do not wish to use the DPS. .*
- *Deposits should not be held for general wear and tear. Deposits can be held for excess wear and tear and damage.*
- *Deposits can also be held against non-payment of utility bills and any rent owed.*
- *If you wish to view the house after a tenant has vacated, this should be done as soon as possible (within five days).*

### **Furnished/Unfurnished**

- *Demand is higher for unfurnished properties but there are some tenants who require furnished accommodation.*

- *There are varying degrees of furnished from fully furnished whereby everything is supplied down to cutlery and bedding to part furnished which indicates only certainly larger items like sofas and beds will remain in the property.*
- *We recommend, even if the property is let unfurnished that curtains, curtain poles and light shades are provided.*
- *As a landlord you will be responsible for any appliances left in the property. We do recommend that a cooker at least is supplied as many are integral appliances and many tenants do not have their own. If you do leave an appliance you must by law provide an instruction manual for the item. If you do not have an instruction manual you must remove the appliance. Please note some manuals are downloadable from the internet.*
- *It is expected that all properties will have a working BT line connected and also have a television aerial and appropriate connections.*

### **Inventories**

- *Before the tenants move in, we will compile an inventory recording furnishings, fixtures and fittings and general condition.*
- *We note wall colours, flooring etc and take photographs internally and externally.*
- *We also take the meter readings for gas, electricity and water and a measurement of oil.*
- *We will test the smoke alarms and if the batteries are not working, we will replace with new ones, the cost of which will be deducted from the first months rent.*
- *Tenants are given two copies of the inventory together with photographs to check when they move in. They make any alterations or amendment they deem necessary before signing one copy. This is then forwarded to the landlord for their records.*
- *If the inventory is not returned to this office by the tenant, we assume no alterations are required and will check the property against our original when the tenant vacates.*

### **Utilities**

- *Tenants are responsible for all the utilities during a tenancy.*
- *We will notify all the necessary authorities that the tenants have moved into a property and transfer accounts into their names. Please note however, we do not notify utility companies when tenants leave the property at the end of the tenancy. Between tenancies, bills will revert back to the landlords who are responsible for paying for interim charges.*
- *As the tenants are paying the account, they have a right to change supplier if desired but we request that the agent/landlord is informed.*
- *Tenants often request that a meter is altered from normal to key or visa versa which can be done with landlord's consent.*
- *We are unable to set up any telephone accounts so this must be done, if required, by the tenant. If the landlord is vacating the property, they must contact BT to terminate their own account but please ensure that the line is not disconnected.*

### **Property visits**

- *Visits should be carried out periodically to ensure that the property is being well maintained by the tenant. If we are managing the property we usually go out every six months but this can be increase if there were any concerns.*
- *Ultimately, for a long tenancy, the visits become annual.*
- *Visits are also an opportunity for tenants to show either an agent or the landlord repairs or maintenance required on the property.*
- *If we are managing the property, we will routinely carry out visits and notify the landlords if there are any issues we need to highlight.*

*Neither landlords nor agents can enter the property or carry out spot checks. Twenty-four hours notice must be given before visiting the tenant, unless it is an emergency.*

### **End Of Tenancy**

- *A property should be inspected once a tenant has left the property. If we are the managing agents we will undertake this, if not a landlord should go out to their property.*
- *Condition should be checked against the inventory and meter readings taken.*
- *A forwarding address should be taken for the tenant so that any finalized utility bills and the deposit can be forwarded to them.*
- *If the condition of the property is not acceptable, a tenant should be given the opportunity to rectify the problem. If this is not carried out immediately, the appropriate deductions should be made from the deposit.*
- *Valid estimates must be obtained indicating the exact cost of repair as soon as possible.*
- *The DPS should then be contacted regarding the amount due to be returned to the tenants or any to be retained.*
- *As the deposits are lodged with the DPS, they will act as arbitrators between tenants and landlords if any disagreement arises.*
- *We will aim to help resolve disputes quickly and amicably but any decision by the DPS is final.*

### **Repairs**

- *Landlords have a legal responsibility to ensure that the house is kept in good general repair, in particular the structure and exterior of the property including guttering, drains and pipes.*
- *A landlord has to also ensure that the heating and hot water installations and necessary connections are in constant working order.*
- *Tenants will contact J K Lettings Ltd if we are managing the property, or the landlords directly if not, when a problem arises. It is reasonable to expect that any repairs are carried out as quickly as possible.*
- *If we are managing the property we are usually authorized to organise minor repairs on the property without prior consultation with a landlord. All repairs*

- over £150 will only be carried out with a landlord's consent. If you wish to know about all repairs before an engineer is called, please let us know.*
- If you have your own contractors which you would like us to use, we will contact them first. If, however, we are unable to contact your requested contractor we reserve the right to call our own engineers in an emergency. We will also override with our own engineer if your contractor does not get out in time to carry out the gas certificate before it expires.*
  - As agents, we have the right in extreme situations to act as 'Agents of Necessity' whereby if there is an emergency at the property and the safety of the tenant are at risk, if we are unable to contact the landlord, we will authorize the necessary remedial work required to safeguard the property and tenant on your behalf. The landlord is legally obliged to pay for this work.*

## **OTHER MATTERS**

### **Gas**

- The landlord's safety certificate is a legal requirement on all properties with gas. The heating system and each gas appliance must be included in the test.*
- This check is annual and must be carried out by an approved contractor, who will issue a certificate, a copy of which must be held by this office. **A service certificate is not acceptable.***
- If you wish we can organise our local contractor to carry out this safety certificate and please note that a tenant cannot move into a property until the certificate is in place. .*
- British Gas offer service contracts on central heating systems and can also carry out the landlord's safety certificate. If you arrange for such a contract, please let us know.*

### **Electricity**

- Any portable electrical appliances left in the property **must** be certified by a registered electrician, verifying that they are in safe working order.*
- Any plug, socket or adaptor must meet the current British Standards and all plugs must be fitted with the right fuse.*
- Annual electricity checks on the property are not mandatory but failure to ensure that your property is safe is a criminal offence. The penalties are extremely serious and can result in a large fine and custodial sentence. If a property has not had an electric check carried out in the last three years or you have recently purchased the property, you must carry out the electric check to give you peace of mind. JK Lettings Ltd will not let a property without the electric certification in place.*
- The law requires that electrical work carried out on a property must be undertaken by a qualified registered engineer.*

### **Fire safety for furniture and furnishings**

- *All soft furnishings made after 1 March 1989 must meet safety standards and be labelled as such.*
- *Regulations apply to beds, headboards, mattresses, bedbases, sofa beds, futons, sofas, armchairs, footstools, nursery furniture, scatter cushions, seat pads, padded sears, furniture covers and pillows.*
- *Regulations do not apply to bed covers, duvets, curtains, carpets and furniture made before 1950. Any old furniture re-upholstered after 1950 must comply.*
- *Upholstered furniture must have a fire resistant filling and have passed the match resistant test. The labels will confirm this.*
- *If furnishings do not comply, they must be removed from the property entirely and cannot be stored in a cupboard or attic.*

### **Energy Certificates**

- *From the 1 October 2008 it has become a legal requirement for all landlords to obtain an Energy Performance Certificate before they can commence advertising their rental property. These are designed to inform prospective tenants how energy efficient each property is and can be provided to the landlord on request. We have seven days between being instructed on a property to the EPC legally being required to be carried out.*
- *JK Lettings has two assessors assigned to carry out these surveys which will cost between £60 - £65 and last for ten years. Unlike our fees which are deducted once the property is let, this certificate is carried out by independent companies outside JK Lettings Ltd. Although we are happy to organise it on your behalf, we do need to ensure that we receive payment for the report before we can instruct the assessor. If you have recently tried to sell the property, you may have already have a certificate which would need to be forwarded to us.*
- *EPC's currently last for three years.*

### **Smoke Alarms**

- *The law requires one smoke alarm to be installed into each property on each level.*
- *If battery operated, a landlord must ensure that new batteries are installed before a tenant moves in. Between tenancies, we will check this at the inventory and install new batteries if required and deduct the cost from the next month's rent.*
- *A tenant is responsible for ensuring that they are fully functional during the tenancy.*

### **Other alarms**

- *Carbon monoxide alarms are not a legal requirement but highly recommended if the property is supplied by gas, oil or operates a rayburn, Parkray or has an open fire. Over 600 people have died from carbon monoxide since 1995 and the installation of these detectors must be seriously considered. JK Lettings will not let properties with any of the above heating installations without one being erected.*
- *Burglar alarms are installed into many properties and a landlord is responsible for ensuring that they are fully functional. Many alarms have a master code and*

*we recommend that a landlord retain the number to prevent a tenant altering the operational code during the tenancy.*

### **Insurance**

- *Landlords are required to ensure that the property is covered by buildings insurance and contents insurance.*
- *If the property is unfurnished, a tenant will take also take out contents insurance to cover their own possessions.*
- *Please ensure that within the contents insurance, public liability is also included.*
- *Please ensure that within the building insurance the fixtures and fittings, especially carpets are include as some insurance companies do not included these unless specified.*
  
- *It is possible to take out extra insurance through certain insurance companies against non-payment of rent, damage on the property or legal costs. Since de-regulation, which came into force in January 2005, we are unable to sell or promote these policies but if you require further information, we can certainly give you more information about some of the companies which offer this type of cover.*

### **Taxation**

- *Advice should be taken from a financial expert in matters relating to taxation. Rental income is subject to taxation.*
- *Overseas landlords or those temporary living abroad while the property is let must contact the Inland Revenue to obtain an exemption certificate and the number must be forwarded to our office. We are legally bound to deduct tax from overseas landlords without this number at 22%. For more details you should contact the Inland Revenue Centre for Non-Residents on 0151 472 6208.*

### **Freehold or leasehold**

- *If the property to be let is owned on a leasehold, you will have to provide the contract details of the freeholder and a copy of the head lease or any covenants.*
- *This information should be passed on to our tenants as they contain details about parking restrictions, communal areas, location of meters and access to meter cupboards.*

### **Mortgages**

- *If you have a mortgage on the proposed rental property, your mortgage lender must be informed that the property is to be let.*
- *Permission can be denied if there are arrears on the mortgage and some charge for change of usage.*
- *If your lender requires confirmation that the property is to be tenanted, we are more than happy to confirm this with them and send copies of agreements if required.*
- *We must have copies of your mortgage consents prior to letting the property.*

## **Keys**

- *Each adult tenant should be given one full set of keys.*
- *We can arrange to have keys cut if required.*
- *If we manage the property, we require one set of keys to be kept in our office for emergencies and to allow contractors in if necessary.*

## **Data Protection**

- *JK Lettings Ltd is registered with the Information Commissioner's Office (ICO) and therefore covered for Data Protection.*
- *Information regarding our landlords, tenants and properties is kept securely in our office and never passed on to a third party other than required within a tenancy agreement.*

## **Money Laundering**

- *The Money Laundering Act 2003 ensures that all letting agents comply with money laundering enforcement. The act covers procedures which must be followed when taking on clients and dealing with transfer of money.*
- *In order to comply with Money Laundering, all landlords must provide two forms of identity including an address and photo id before their property can be let.*

## **Purchasing a property to let?**

- *If you are in the process of purchasing a property to let and need an accurate rental figure to assist you in your decision as to whether to proceed, we would be more than happy to view the property on your behalf, confidentially if need be, to advise you as to the rental potential.*

## **FINAL POINTS**

*J K Lettings Ltd offers a professional, friendly service to ensure that every landlord is confident about the letting of their property. We offer a particularly personal service tailor made to each individual landlords. The majority of tenants are responsible, reliable people who treat their rental homes with the love and care expected and pay the rent on time.*

*If you do have any questions or require any further information, please do not hesitate to contact either Justine or Karen and we would be delighted to help*

*If you would now like to proceed with instructing JK Lettings Ltd to market your property please can you sign and complete the enclosed Agency Agreement and confirmation of details and return them to the office together with two forms of ID for each landlord and copies of mortgage consents, if applicable.*

*We would be delighted to act on your behalf and look forward to hearing from you.*



## **FEES AND SERVICES**

### **Set up only service**

- *To carry out a professional appraisal valuation on the property*
- *To find suitable tenants from either our existing client base or to advertise for potential tenants*
- *Carry out full referencing for all applicants and liaise with the landlord about applicants*
- *Draw up all the necessary legal documentation including a Short Assured Tenancy Agreement*
- *Collect first months rent and deposit from tenants*
- *Carry out an inventory on the property including taking photographs*
- *To take the meter readings and register the tenants for the utilities*
- *To liaise with the tenants regarding moving in and handing over the keys.*
- *Hand the property and all matters relating to the tenancy to the landlord.*

*Although we are not instructed to manage the property further, if a landlord does require further assistance, we would be only too willing to help.*

- ***One off fee for the set up service of £295 + VAT (at current rate)***

### **Full management service**

- *All of the above until the tenant moves in.*
- *Collecting the monthly rent and forwarding the balance, less our fees and VAT. Most landlords require this to be done by BACS transfer.*
- *Register the deposit with the Deposit Protection Service.*
- *Organizing minor repairs reported by the tenant.*
- *Liaising with landlords if major repairs are required and organizing the necessary quotes and subsequent work to be carried out.*
- *Carrying out inspections on the property and reporting to landlords on the condition of the property and any comments tenants which would like to forward.*
- *Ensuring that contractor's invoices are settled from rent.*
- *Carry out rent reviews and rental increases when necessary.*
- *Attending to all other matters which may arise with a tenancy so that the landlord is not disturbed unless necessary.*
- ***One off fee for setting up the tenancy £125 + VAT (at current rate)***
- ***Monthly management fee of 10% + VAT (at current rate)***
- ***For landlords with three or more properties on full management 8% + VAT (at current rate)***