

## Right to Rent Checks Guide for UK Landlords

### What are Right to Rent Checks?

**Right to Rent checks** are a legal requirement under the **Immigration Act 2014**. They require landlords to verify that all adult tenants have the **legal right to rent property in England** before starting a tenancy.

The checks are designed to prevent illegal immigrants from renting property and ensure landlords comply with immigration laws.

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### Why Right to Rent Checks Matter

Right to Rent checks are important for landlords because:

- They are **legally required** and failing to comply is a criminal offence
- They protect landlords from fines and potential imprisonment
- They ensure tenants have the legal right to live in the UK
- They avoid tenancy disputes related to immigration status

Non-compliance can result in fines up to **£3,000 per tenant** or prosecution in serious cases.

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### How Right to Rent Checks Work

Landlords must verify tenant identity and immigration status using **original documents**, such as:

- Passport or national identity card
- Biometric residence permit
- Birth or adoption certificate (UK)
- Immigration status documents issued by the Home Office

### Steps to carry out the check:

1. **Obtain original documents** from each adult tenant



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2. **Check validity** — ensure documents are current, not expired, and genuine
3. **Take copies** and retain them with the tenant records
4. **Check future expiry** — some documents may need follow-up checks during long-term tenancies

Landlords may use **online checks** where applicable, particularly for tenants with digital status via the Home Office.

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### How Often Right to Rent Checks Should Be Done

- **Initial check:** Before the tenancy begins
- **Follow-up check:** For tenants with **time-limited permission to rent**
- **Renewal checks:** Required if the tenant's documents expire during the tenancy

Landlords must **retain copies of the checks** for at least **one year after the tenancy ends**.

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### Satisfactory vs Unsatisfactory Checks

#### Satisfactory

- All tenants' documents verified and valid
- Copies retained in landlord records
- Checks comply with Home Office guidance

**Meaning:** The landlord is legally compliant and may rent the property safely.

#### Unsatisfactory

- Tenant's documents are not checked or copied
- Expired or invalid documents are ignored
- Landlord fails to follow proper guidance

**Meaning:** The landlord is in breach of the law and may face fines or prosecution.

## What Remedial Actions are Required for Unsatisfactory Checks

If a Right to Rent check is incomplete or invalid:

- **Conduct the check immediately** on all tenants
- **Verify original documents** carefully
- **Take copies and retain them** in your records
- **Regularly review documents** for tenants with time-limited permission

Failure to take remedial action can lead to:

- Fines up to **£3,000 per tenant**
- Criminal prosecution
- Inability to legally rent the property

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## Legal Responsibilities for Landlords

Landlords must:

1. Verify every adult tenant's **Right to Rent** before tenancy starts
2. **Retain copies** of original documents for at least 12 months after the tenancy ends
3. Conduct **follow-up checks** for tenants with limited immigration permission
4. **Use Home Office guidance** or approved online checks
5. Take **reasonable care** — failure to check properly can result in fines

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## What This All Means for UK Landlords

- **Right to Rent checks are mandatory** for every adult tenant in England
- Proper checks reduce **risk of fines and legal issues**
- They must be completed **before tenancy begins**
- Records must be **kept securely** for proof of compliance



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- It's part of a landlord's wider legal obligations, alongside EICR, GSC, EPC, Legionella, and Deposit Protection

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## In Summary

Right to Rent checks protect both tenants and landlords.

To remain compliant, landlords must:

- Verify the **legal right to rent** for all adult tenants
- Retain **copies of documents** for the required period
- Conduct **follow-up checks** for tenants with time-limited permission
- Use **Home Office guidance** or approved online systems

Compliance avoids fines, criminal charges, and tenancy disputes, ensuring safe and legal rental management.