



# A Leaseholder's guide to subletting

Working for better homes

 **Hackney**

## Can I sublet my property?

As a leaseholder, if you let your home to someone else and charge them rent, this is called subletting. You may sublet your property as long as you register this with the London Borough of Hackney.

Under the terms of your lease and in line with the Hackney Council Leaseholders' Rules and Regulations, you are required to register all sublets within four weeks of the sublet commencing. You may also have to check with your mortgage provider (if you have one) as you may require their permission to sublet your home.

If you sublet your home the lease terms, obligations and covenants within your lease still apply to you whilst you are not living in the property. If your tenants breach the terms of your lease, for example by causing anti-social behaviour, it is you as the leaseholder who we will take action against.

As a result, it is advisable that you sublet your home on similar terms to those outlined in your lease.

## How do I register my sublet?

### Tenancy under 12 months

If the tenancy agreement you have granted is for 12 months or less, you will need to send Hackney Council the following:

- A signed copy of the tenancy agreement
- A completed Hackney Council sublet registration form (available to download at [www.hackney.gov.uk](http://www.hackney.gov.uk))
- Our registration fee of £30.00 (Cheques made payable to 'London Borough of Hackney')

### Tenancy longer than 12 months

If the length of the tenancy you have granted exceeds 12 months, you are required to enter into a deed of covenant. This ensures that your tenant is directly responsible for adhering to the terms of your lease (except for payment of service charges) in the same way that you as the leaseholder are.

This deed will be made among the two parties: your sub-tenant, and London Borough of Hackney. The fee for the drafting of this deed is £100.00.

To obtain your deed of covenant you will need to write to Hackney Council, Leasehold & Right to Buy Services, Christopher Addison House, 72 Wilton Way, London, E8 1BJ. When writing to request the deed please ensure that you enclose a cheque for £100.00 made payable to 'London Borough of Hackney'.

## Why do I have to register my sublet?

Firstly, as stated above, under the terms of your lease you are responsible for registering any subletting with us within 4 weeks of the commencement of the sublet by following the procedure outlined.

Secondly, Hackney Council is responsible for the security of your building. We are continually working with residents to maintain and improve the standards on your estates and we need your full co-operation to succeed.

To help with this it is essential that we know which properties are sublet. By fully completing the Hackney Council sublet registration form we will have the contact details for you and your tenant. This information will allow us to act quickly in response to any emergencies and to minimise problems such as water leaks or kitchen fires.

It is also very important that all correspondence, legal notices and bills are sent to your correct address.

## Your obligations as a Landlord

By subletting your property, you have become a Landlord. As a Landlord you have obligations to fulfil to your tenants. Before you agree to sublet your property you should thoroughly look into the responsibilities you have.

You may consider contacting the Citizens Advice Bureau or seeking independent legal advice from a qualified solicitor.

Some of your responsibilities as a landlord include the following:

- You must ensure that all furniture and furnishings you provide comply with the Furniture and Furnishings (Fire Safety) Regulations 1988/1989, 1993 and 2010. For more information on your responsibilities please review the Department of Business and Industry's website at the following address: **[www.firesafe.org.uk/furniture-and-furnishings-fire-safety-regulations-19881989-and-1993/](http://www.firesafe.org.uk/furniture-and-furnishings-fire-safety-regulations-19881989-and-1993/)**
- You are responsible for repairing heating and hot water installations, sinks, basins, baths and other sanitary installations that you own within your property;
- You are responsible for ensuring that all electrical appliances supplied in your property are safe to use. For more information on electrical safety please review the Electrical Safety Council's: Landlords Guide to Electrical Safety. You can find this at the following webpage: **[www.elecsa.co.uk/Documents/Public-Documents/Bldg-and-Property-Mngt/Landlords-Guide-to-Electrical-Safety-May-2011\\_01.aspx](http://www.elecsa.co.uk/Documents/Public-Documents/Bldg-and-Property-Mngt/Landlords-Guide-to-Electrical-Safety-May-2011_01.aspx)**

New Laws came into effect on October 2015 that required all private landlords:

- To have at least one smoke alarm installed on each floor of their premises as a minimum requirement.
- Check that all alarms are working when a new tenancy starts.

We would recommend as best practice that you install mains powered smoke detection.

You can obtain further information using the web-pages below:

**[www.alarms4life.com/new-laws.aspx](http://www.alarms4life.com/new-laws.aspx)**

**[www.london-fire.gov.uk/smokeAlarms.asp](http://www.london-fire.gov.uk/smokeAlarms.asp)**



We would also advise that you give clear instructions to your tenant about using your property. Ensure that they:

- Know how to report repairs to you.
- Know how to use fixtures and fittings within the property, for example heating systems, baths and showers, and window blinds or locks. It would be beneficial if tenants are provided with instruction manuals for all appliances.
- Know the arrangement for disposing of rubbish. If you/your tenant are unsure of how to do this, please contact your Neighbourhood Housing Office who will be pleased to help you with your query.
- Have your contact information or those of your agent in an emergency. Please note that you are legally required to give your tenants an address in England or Wales for mailing notices to you.
- Have been given a copy of the Energy Performance Certificates (EPC's). Since 2008 EPC's have required whenever a property is rented out. As the landlord you must ensure that this is handed to the tenant before they move into the property or ideally prior to the commitment to rent.

## Tackling anti-social behaviour and nuisance

Anti-social behaviour is any behaviour which harms the quality of life of residents in an area, causing distress or alarm. It includes noise, drug dealing, theft, vandalism and prostitution. It also includes harassment and hate crime. We will take tough action against anti-social behaviour. We consider this a high priority.

You are responsible for the behaviour of your tenant and their visitors. According to the terms of your lease, you must ensure that your tenant does not cause nuisance or harassment, whether in the flat, on the communal block / estate areas or in the surrounding area.

If this agreement is broken we will be forced to take action. This may mean taking legal action against you either by seeking an injunction or an order forfeiting your lease.

## Important gas safety advice

New Laws came into effect on October 2015 that required all private landlords:

- To have at least one smoke alarm installed on each floor of their premises as a minimum requirement.
- Check that all alarms are working when a new tenancy starts.

We would recommend as best practice that you install mains powered smoke detection.

You can obtain further information using the web-pages below:

**[www.alarms4life.com/new-laws.aspx](http://www.alarms4life.com/new-laws.aspx)**

**[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/464717/150929\\_SC\\_Explan\\_book\\_Annex\\_A\\_LandlordsTenants\\_REVISED.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464717/150929_SC_Explan_book_Annex_A_LandlordsTenants_REVISED.pdf)**

## What to do in a gas emergency?

- Are you experiencing any of the symptoms of carbon monoxide poisoning? (see further information below)
- Can you smell gas?
- Are there any danger signs on or around the appliance?
- Act quickly and take the following safety steps:
- Open all doors and windows to ventilate the room. Get fresh air immediately.
- Switch off the appliance and do not reuse until it has been checked by a Gas Safe registered engineer.
- Shut off the gas supply at the mains (if you know where this is).
- Call the National Gas Emergency Service Freephone Number on 0800 111 999
- Visit your GP or the hospital immediately and tell them that you believe your symptoms may be related to carbon monoxide poisoning
- Contact a Gas Safe registered engineer to carry out the necessary repairs to the appliance

## Carbon Monoxide Poisoning

You can't see it, taste it or smell it but it can kill quickly and with no warning. Unsafe gas appliances produce a highly poisonous gas called carbon monoxide (CO). It can cause death as well as serious long term health problems such as brain damage.

Remember the six main symptoms to look out for:

1. Headaches
2. Dizziness
3. Nausea
4. Breathlessness
5. Collapse
6. Loss of consciousness

Being aware of the symptoms could save your life.

## Contacting us for advice

Should you be unsure about anything outlined in this guide please feel free to contact us.



By telephone: **020 8356 2299**

By email: **service.charges@hackney.gov.uk**

By post: **Leasehold & Right to Buy Services,  
Christopher Addison House,  
72 Wilton Way,  
London E8 1BJ**

**If you would like to find out what this document says please tick the appropriate box, put your name, address and phone number at the bottom of this page and return it to the address below.**

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如果你想知道這分文件的詳細內容，請在方框內打鉤，在本頁下面寫下你的名字、地址和電話號碼並寄到下面的地址。 (Chinese)

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Ger hun dixwazin bizanibin ku ev dokument çî dibêje, ji kerema xwe qutîka minasib îşaret bikin, nav, navnîşan û hejmara telefona xwe li jêrê rûpel binivîsin û wê ji navnîşana jêrîn re bişînin. (Kurdish)

Jeśli chcesz dowiedzieć się, jaka jest treść tego dokumentu, zaznacz odpowiednie pole, wpisz swoje nazwisko, adres i nr telefonu w dolnej części niniejszej strony i przeslij na poniższy adres. (Polish)

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(Urdu) اگر آپ یہ جاننا چاہتے ہیں کہ دستاویز میں کیا لکھا ہے تو ازراہ کرم مناسب باکس میں صحیح کا نشان لگائیے اور اپنا نام، پتہ اور فون نمبر اس صفحہ کے نیچے لکھیے اور اسے نیچے دئے گئے پتہ پر واپس بھیج دیجئے۔  
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