



Right to Rent Declaration

Under the UK Immigration Acts landlords or their letting agents are obliged to carry out right-to-rent (immigration) checks to determine an adult tenant's right to reside in the United Kingdom.

Tenant's Full Name:

Rental Property Address:

I have a **Permanent Right to Reside** in the United Kingdom by virtue of my EU or Swiss citizenship:

Permanent Right-to-Rent means those people having a right to reside in the UK including those granted indefinite leave to remain and have no time limit on their stay. These include British citizens; European Economic Area (EEA) nationals (Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK.), and Swiss nationals.

I will be producing the following document/s to validate my **Permanent** right to stay:

I have a **Time Limited Right to Reside** in the UK from

to

Time Limited Right-to-Rent means those people who are not British citizens, EEA or Swiss nationals given leave to enter or remain in the UK for a limited period of time. Time limited tenants or those under 18 when a tenancy starts will need to be checked or rechecked within 28 days of their right-to-remain expiring. Landlords will need to diarise these critical dates and follow-up.

I will be producing the following document/s to validate my **Time Limited** right to stay:

Will any occupant turn 18 during the agreed period of this tenancy? Yes / No

I hereby declare that I have a Permanent or Time Limited Right to Reside in the UK as confirmed above. I agree to accept formal communications about this tenancy via electronic means, for example e-mail and SMS text messaging.

Signed

Date:



A Landlord Guide to Right to Rent Checks

The 4-Step Right-to-Rent Checking Process – landlords need to:

- (1) Obtain original (acceptable) documents for all adults who will occupy as their main residence.
- (2) Check the documents face-to-face with each document holder and establish identity.
- (3) Make copies of these documents and retain for 12 months after the tenancy, marking the copies with the date the checks were made.
- (4) Not compulsory but we recommend you take a passport type photo of all adults who will occupy

As a double check, most of the credit reference agencies (including TenantVERIFY®) now check for right to rent as a matter of course, but using the name and documents only. It's the landlord's responsibility to verify ID and documents face-to-face.

What are acceptable documents?

There are many different types of acceptable documents but in most cases a Passport (from whatever country) will be sufficient. For those without a passport and there are many in the UK without one, there are many other acceptable documents which come under three headings:

One – Permanent Right to Reside – any ONE of these documents will be sufficient:

- 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 national identity card (current or expired) showing that the holder is a national of the European Economic Area or Switzerland.
- A registration certificate or document (current or expired) certifying or indicating permanent residence issued by the Home Office, to a national of a European Union, European Economic Area country or Switzerland.
- A permanent residence card, indefinite leave to remain, indefinite leave to enter or no time limit card issued by the Home Office (current or expired), to a non-EEA national who is a family member of an EEA or Swiss national.
- A biometric immigration document issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK. The document must be valid (not expired) at the time the right to rent check is made.
- A passport or other travel document (current or expired) endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.



- A current immigration status document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person is permitted to stay indefinitely in the UK or has no time limit on their stay in the UK. The document must be valid (not expired) at the time the right to rent check is made.
- A certificate of registration or naturalisation as a British citizen.

Two - Permanent Right to Reside – any TWO of these documents will be sufficient:

- A full birth or adoption certificate issued in the UK, the Channel Islands, the Isle of Man or Ireland, which includes the name(s) of at least one of the holder's parents or adoptive parents.
- A letter issued within the last 3 months confirming the holder's name, issued by a UK government department or local authority and signed by a named official (giving their name and professional address), or signed by a British passport holder (giving their name, address and passport number), or issued by a person who employs the holder (giving their name and company address) confirming the holder's status as an employee.
- A letter from a UK police force confirming the holder is a victim of crime and personal documents have been stolen, stating the crime reference number, issued within the last 3 months. Evidence (identity card, document of confirmation issued by one of HM forces, confirmation letter issued by the Secretary of State) of the holder's previous or current service in any of HM's UK armed forces.
- A letter from HM Prison Service, the Scottish Prison Service or the Northern Ireland Prison Service confirming the holder's name, date of birth, and that they have been released from custody of that service in the past 3 months; or a letter from an officer of the National Offender Management Service in England and Wales, an officer of a local authority in Scotland or an officer of the Probation Board for Northern Ireland confirming that the holder is the subject of an order requiring supervision by that officer.
- A letter from a UK further or higher education institution confirming the holder's acceptance on a course of studies.
- A current full or provisional UK driving licence.
- A current UK firearm or shotgun certificate.
- A Disclosure and Barring Service certificate issued within the last 3 months.
- Benefits paperwork issued by HMRC, Local Authority or a Job Centre Plus, on behalf of the Department for Work and Pensions or the Northern Ireland Department for Social Development, within the 3 months prior to commencement of tenancy.

Three – Time Limited Right to Reside – any ONE of these documents will be sufficient:

- A valid passport or other travel document endorsed to show that the holder is allowed to stay in the UK for a time-limited period.
- A current biometric immigration document issued by the Home Office to the holder, which indicates that the named person is permitted to stay in the UK for a time limited period.



- A current residence card (including an accession residence card or a derivative residence card) issued by the Home Office to a non-EEA national who is either a family member of an EEA or Swiss national or has a derivative right of residence.
- A current immigration status document issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK for a time-limited period.
- In the case that the person has an on-going application with the Home Office, or their documents are with the Home Office, or they claim to have a discretionary right to rent, an email from the Landlords Checking Service providing a “yes” response to a right to rent request. This will only be sent to the landlord by the Landlords Checking Service.

Identifying Documents

Landlords are not expected to know different forms of ID documents from around the world, they simply need to check ID against the documents produced to ensure to the best of their ability that the document is not fraudulent.

Check dates match and look for evidence of tampering. If everything looks genuine then retaining a good copy will absolve the landlord from prosecution later.

If you are in any doubt there is a government helpline to give assistance: 0300 069 9799 The Public Register of Authentic travel and identity Documents Online – PRADO – can help identify European Economic Area (EEA) nationals’ documents.

In cases where no ID documents are available landlords or agents would need to contact the Home Office, and similarly if the tenant’s right to reside has expired.

The Immigration Bill 2015 may amend some of these rules and there are plans afoot to make the housing of illegal immigrants a criminal rather than a civil offence, which could lead to a criminal record.

Landlord should be aware:

The responsibility for doing these checks falls on the landlord. If landlords are to delegate the responsibility to an agent they will need a written agreement, signed by both parties stating time-scales and stating that the agent takes full responsibility for penalties if the regulations are not fully complied with.

All checks must be carried out within the 29 days prior to the tenancy agreement being entered into.

Under the Equality Act 2010 landlords are prevented from discriminating on grounds of race, including nationality, colour of skin, race, religion, sexual orientation or disability.

For further information:

Read more at: <http://www.landlordzone.co.uk/content/doing-right-to-rent-immigration-checks>

Copyright © LandlordZONE® - Follow us on Twitter @LandlordZONE

Form DRR-TV 270116 - ©Courtesy of TenantVERIFY®.co.uk