



Homes & Enterprise

Supporting BME Communities
and Multi-Cultural Neighbourhoods

Lodger & Sub Tenants



**Room
for rent**

**What to consider before
taking in a lodger**

Are you thinking about taking a lodger or subletting part of your home?

Are you thinking about renting out your spare room? As a Unity tenant you may have the right to take in a lodger or sub-tenant. In this leaflet, we explain the difference between lodgers and sub-tenants, provide information on whether you may be eligible to take them into your home and advise on the next steps for you to take.

Q: What's the difference between a lodger and a sub tenant?

A lodger is somebody living with you and occupying part of your property in exchange for rent. Usually they will have their own room but they wouldn't have the right to exclude you from entering that room or any part of the house they were using.

A subtenant is also somebody living with you and occupying part of your property in exchange for rent. What makes a subtenant different from a lodger is that they would have exclusive access to part of your home, usually a bedroom. You would not be permitted to enter that room without their permission and usually there would be a lock on the door.

Q: Can I take a lodger or sub tenant?

You may have the right to take in a lodger or sublet part of your home, but you would need our

permission. Check what your tenancy agreement says. You won't be allowed if you live in accommodation with shared living space or facilities or live in a warden controlled sheltered scheme or if the arrangement results in your household becoming overcrowded. You will need to provide us with information about the lodger or sub tenant.

Q: Can I sublet all of my home?

No. The important thing to understand is that you must continue living at the property at the same time as the lodger or sub-tenant as your only or main home. If you were to leave the property to live elsewhere then you may be committing a criminal offence. You could lose your tenancy and if prosecuted be sent to prison for up to 2 years.

Q: What should I think about before taking in a lodger or sub tenant?

We want you to think about whether sharing your home with a lodger or sub tenant is the right arrangement for you. You will be responsible for their behaviour and if they cause any problems, it will be your responsibility and could impact on your tenancy.

Any rent you receive from your lodger or sub-tenant is considered as income. If you receive Housing Benefit or Universal Credit, the amount you receive may be affected.

If you live alone, you need to bear in mind that you will lose the 25% single person discount on your

council tax.

Renting out a room in your home could affect your home contents insurance. Your insurer may increase your premium. If you don't tell your insurer, your policy may not be valid.

It's best if you and your lodger or sub tenant sign an agreement, so any responsibilities and arrangements for occupation are clearly set out. It's also a good idea to draw up an inventory of the furniture and fittings in the lodger or sub tenants room to help prevent disputes later.



Q: I'm interested in going ahead, what should I do now?

First check the immigration status of your proposed lodger or sub tenant. You will need to confirm to us that you have checked that the lodger or sub tenant has the correct immigration status. Only people who have a legal right to be in the country are allowed to rent a home. This

applies to lodgers and sub tenants. If you take in a lodger or sublet part of your home to a person who does not have a right to rent, you could be committing an offence. More information about the right to rent rules can be found at www.gov.uk/check-tenant-right-to-rent-documents.

If you wish to go ahead, please contact Unity. We have a form that we'll ask you to fill in to provide the information that we need to decide if we can give you permission. We will need the name of the lodger or sub tenant, their date of birth, details of how long the arrangement will last and evidence of their identity. We'll also need to know how much you will be charging and what part of your home they will occupy.

Q. How do we decide whether to give permission?

Our decision will depend on your circumstances. We will check your tenancy and check on the circumstances of the proposed lodger or sub tenant. We will not turn down your request without good reason. Some of the reasons why we may refuse a request will include:

- ✘ You have not provided us with the information we need
- ✘ You are subject to a court order
- ✘ The arrangement would cause overcrowding or your property is not appropriate
- ✘ The occupier may pose a risk to you or a member of your family
- ✘ You have not provided us with evidence that the occupier has a right to rent under current immigration rules
- ✘ The proposed occupant has a history of ASB or has been convicted of a serious criminal offence
- ✘ We may have plans to carry out works that could affect the accommodation used by the lodger or subtenant
- ✘ We have a reasonable suspicion that you may be intending to sublet the whole of your home

If we turn down your request, we will provide you with our reasons.

Problems understanding?

If you need any of our information translating or if you need an interpreter, please contact us. We can also provide this information in large print or on CD if you need us to.

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