landlords package

renting property



- Factors to Consider
- Responsibilities and Obligations
- Service Options
- Marketing Your Property
- Knowing the Law
- Fees
- Other Services
- Contact



macleod & maccallum

Factors to Consider

If you are thinking of letting your property for the first time, there are many things you will need to know before taking the first step. Macleod & MacCallum's Residential Lettings Department, are happy to guide you through the process.

As a landlord, there are a number of matters you may require advice and assistance on and our aim is to deliver a professional service to ensure that you fulfil your duties as a landlord.

During your FREE, no obligation, rent appraisal we will discuss the range of options available to you, give you details of the likely rental value of your property (taking into account factors such as location, condition of your property and market conditions), and help you to decide whether to rent your property furnished or unfurnished.

We can also provide tips on how to ensure that your property and furnishings appeal to prospective tenants.

Responsibilities and Obligations

Being a landlord involves a number of responsibilities and legal implications. Some of the main issues are listed below:

- Prior to advertising your property for let, it is a legal requirement that all private rented properties have an Energy Performance Certificate (EPC). An EPC rates the energy efficiency of the property and must be included in all advertising material and made available to prospective tenants on request. An EPC contains information on the property's energy use and typical energy costs, together with recommendations on how to reduce energy use and save money.
- All private landlords are required to register their details in the Register of Landlords, held and maintained by the Local Authority in which the property is situated, in terms of the Antisocial Behaviour (Scotland) Act 2004. The aim is to ensure that all private landlords are "fit and proper" to let residential property. The registration system ensures that all landlords meet minimum standards and allows tenants and neighbours to identify and contact landlords of private rented properties, if required. A landlord's registration is valid for three years from the date of approval, and the landlord's registration number must appear on all advertising material and in the tenancy agreement. Landlords are required to keep the information held on the register up to date at all times. If is an offence to act as an unregistered landlord and failure to register can incur a fine of up to £50,000.
- All private rented properties in Scotland must meet the Repairing Standard before they are let, and at all times during the tenancy. Landlords must ensure that the rented property is wind and water tight, reasonably fit for human habitation, and that the structure, the exterior, various installations, fixtures, fittings and appliances are satisfactory. In order to comply with the Repairing Standard regard must be given to the most up to date Building Regulations available. Landlords must ensure that the rented property has satisfactory provision for detecting and giving warning of fires, and that there is one functioning smoke alarm in every room which is frequently used by the occupants for general daytime living, one functioning smoke alarm in every circulation space such as hallways and landings, one heat alarm in every kitchen. All smoke alarms must be interlinked.
- All electrical systems and appliances in private rented properties must be fit for purpose and safe to use. All private rented property in Scotland will require to have a fixed wiring Electrical Installation Condition Report (EICR). The EICR must be carried out at least every five years and must include a Portable Appliance Test (PAT). Best practice is to carry out the PAT every two years, or more frequently, based on the recommendations of your electrician.
- The Housing (Scotland) Act 2014 amended the Repairing Standard to make landlords legally responsible for fitting carbon monoxide (CO) detectors in their properties. Landlords must have a long-life sealed battery or mains powered detector in any space which contains a carbon-based fuel appliance, e.g. a gas/oil boiler, gas/oil fire, wood burning stove or open coal fire. Co detectors should also be fitted in any bedroom or living room which is bypassed by a flue.
- If the rented property has mains or bottled gas, it is a legal requirement that prior to let and annually thereafter, the landlord obtains a landlord's gas safety certificate compiled by a Gas Safe Registered engineer.
- Landlords with furnished properties must adhere to the Furniture and Furnishing Fire safety regulations.
- As part of the Housing (Scotland) Act 2006 the Scottish Government has introduced tenancy deposit protection for all relevant tenancies in Scotland where a deposit is taken. The deposit must be lodged with a Tenancy Deposit Scheme provider. Landlords are under a legal obligation to ensure that all deposits paid under a relevant tenancy are lodged with a Tenancy Deposit Scheme provider within 30 days of the start of a tenancy.
- As a landlord you have an obligation to carry out a risk assessment of the water system within your rented property and take suitable precautions to prevent and control the risk of exposure to legionella. A risk assessment can be carried out by you, the landlord, if you are competent to do so, or by a suitably qualified third party. Failure to comply with the law could result in criminal prosecution with a fine of up to £20,000 and/or up to 2 years imprisonment. A risk assessment requires to be carried out every two years or more frequently, based on recommendations.
- Landlords may require a House in Multi Occupancy (HMO) licence from the local authority.
- Consent from any mortgage lender will be required prior to letting your property.
- Landlords require special insurance to ensure that they, and the rented property, are adequately covered.
- Landlords must declare their rental income to HMRC.

Service Options

We have a range of options and can tailor our services to meet the individual needs of landlords.

Full Management Service

Our full management service is a comprehensive service, whereby we will deal with the day to day management of the rented property. This service is perfect for the inexperienced, busy or non-resident landlord.

landlords package

renting property

This service includes:-

- Marketing your property. *
- Finding and vetting your tenant.
- Preparation of an Inventory of Contents and Record of Conditions for unfurnished properties only. **
- Preparation of a private residential tenancy, providing all legal supporting documents and having the tenancy agreement signed by both the tenants and us, as agent for you.
- Lodging the tenant's deposit with a Tenancy Deposit Scheme provider.
- Monitoring, collecting and remitting rental payments to you.
- Dealing with tenant enquiries.
- Carrying regular property inspections and providing a report to you on the condition of the property.
- Dealing with any repairs, renewals, as instructed by us, with our reputable and trusted tradesmen. Communal repairs are subject to an additional charge. ***
- Preparation and submission of income tax returns for non UK resident landlords. ****
- Dealing with insurance claims. *****
- Issuing notice to leave to the tenant should you wish the tenancy to end.
- Carrying out a final inspection of the property and providing a report to you of our findings.
- Requesting the refund of the deposit from the Tenancy Deposit Scheme provider.
- Notifying all utility companies and the Council Tax department of any change of occupier (this does not include the telephone supplier).

Non-Factored Service

This service leaves the day to day running of the property to the landlord. This option is best suited to the experienced landlord who has ample time and flexibility to deal with the needs of the tenant. This service includes:-

- Marketing your property. *
- Finding and vetting your tenant.
- Preparation of a Private Residential Tenancy providing all legal supporting documents and having the tenancy signed by both the tenants and us, as agent for you.

Tenancy Preparation Only Service

This service is suited to the landlord who has secured their own tenant and wishes for a professionally prepared tenancy agreement to be entered into between them and the tenant.

Tenant Finder Service

Again, this service leaves the day to day running of the property to the landlord. The landlord also has the responsibility of preparing the tenancy agreement. This service includes:-

- Marketing your property. *
- Finding and vetting your tenant.

Tenant Referencing

This service is ideal for the landlord who has found a tenant, although wants to ensure that the prospective tenant has adequate references.

Rent Collection Service

This service is an add on to the above services, whereby on completion of the above, we will collect the rent from the tenant and remit direct to the landlord.

Compliance Works Service

This service is an add on to the above services, whereby we will instruct the relevant legal compliance works.

Property Inspection Service

This service is an add on to the above services, whereby we will carry out a property inspection and report to you our findings and any issues requiring your attention. This can be scheduled on a regular or ad-hoc basis.

Marketing Your Property

To achieve this, we will:-

- Use our extensive mailing list to match your property with prospective tenants. Prospective tenants will be notified immediately of the availability of your property, in order to facilitate an early let.
- We pride ourselves on our use of social media and believe that the use of social media plays a huge part in the marketing of your property, therefore, your property will feature on our social media channels.
- Your property will also be registered with the Highland Solicitors Property Centre and will not only feature in their premises, but also on their website www.hspc.co.uk, In addition, your property will also be featured on the renowned property websites Rightmove and On The Market.
- Erecting a To Let Board at the property is a valuable marketing asset, which ensures maximum exposure, enabling you to attract the greatest amount of interest in your property.
- Arrange and conduct accompanied viewings with prospective tenants.
- Efficiently handle prospective tenant enquiries.
- Obtain references for prospective tenants.
- Negotiate conditions of tenancy with tenants.

Knowing the Law

A Professionally Prepared Tenancy Agreement

Leasing your property can be an area fraught with potential difficulties. By leasing your property, you grant substantial legal rights to your tenant.

As a landlord, there are a number of matters you may require advice and assistance on. We, at Macleod & MacCallum will ensure you fulfil your duties as a landlord.

landlords package

renting property

Fees

Initial Marketing Payment *

£275 (inclusive of VAT) with an Energy Performance Certificate (EPC)

or

£225 (inclusive of VAT) without an Energy Performance Certificate (EPC)

Full management service

Preparation of tenancy agreement:-	£250 per tenancy
Commission:-	15% of the monthly rent collected. Paid monthly.

** Inventory Preparation:- Fee to be agreed dependent on size of property
*** Communal Repairs:- £125
**** Preparation and submission of annual income tax returns for non UK residents:- £100
***** Dealing with insurance claims:- £125

Fees – Non-Factored Service

Non-Factored Service:-	£375.00
Tenancy Preparation only:-	£250.00
Tenant Finder Service:-	£150.00
Tenant Referencing:-	£75.00
Rent Collection Service:-	10% of the monthly rent collected. Paid monthly.
Inventory Preparation:-	Fee to be agreed dependent on size of property
Photographic Schedule Preparation:-	£75.00
Issue of Notice to Leave:-	£100.00
Compliance Works Service:-	£30 plus VAT per compliance required, plus the contractor's fee.
Property Inspection Service:-	£50 per visit

Notes:

Outlays (e.g. marketing, accompanied viewing charges and travelling expenses) to be added where incurred after initial marketing payment.

Value Added Tax at 20% to be added.



Contact Us

Sarah-Anne Gow
Residential Lettings Manager
01463 258070
Email: sarah-anne.gow@macandmac.co.uk

Karen MacGillivray 01463 258082
Email: karen.macgillivray@macandmac.co.uk

Gemma Duncanson 01463 258077
Email: gemma.duncanson@macandmac.co.uk

Hayley McKenzie 01463 258002
Email: hayley.mckenzie@macandmac.co.uk

macleod & maccallum

solicitors, estate agents and financial advisers

www.macandmac.co.uk

Opening Hours:
Mon-Fri: 9.00am – 5.00pm

28 Queensgate, Inverness, IV1 1DJ.
Tel: 01463 239393.
Letting Department Tel: 01463 258002.
E-mail: lettings@macandmac.co.uk

Letting Agent Registration: LARN01902060