

# Right to Rent and Identification Requirements

Right to Rent was introduced under the Immigration Act 2014 and it is really important for both tenants and landlords to understand the implications of this act.

It places restrictions on illegal immigrants accessing rented accommodation in England by making all adult occupants prove they are in the UK legally before being granted a tenancy. This is done through a process called a Right to Rent check.

## What is a Right to Rent check?

This is when a prospective adult occupant of a rental property shows their identity documents in person to a landlord or letting agent. This is a similar checking process to presenting your passport (and visa) to a border control officer at an immigration check point.

The landlord/letting agent must take a copy of the documents seen, and record the check being completed. If a tenant has a time limited right to rent (e.g. a visa or Biometric Residency Permit with an expiry date) then the check must be done within 28 days of the tenancy start date and the visa must be valid for the proposed tenancy start date.

## What documents are acceptable?

Acceptable documents that a tenant can use to demonstrate their identity and Right to Rent are dependent on their nationality.

### Options for British citizens are:



- Combination of valid UK driving licence & original UK birth certificate
- Valid passport

### Options for all other nationalities are:



- Valid EEA\*/Swiss national ID card (after 30th June 2021 a visa or proof of settlement status granted may be required)
- Combination of passport and valid visa or Biometric Residence Permit (BRP)

*\*Countries in the EEA are: 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*

## What are the landlord's/agent's responsibilities?



Check all adult occupants who will live in the property as their only or main home



Ask tenants for the original documents that show they have the right to be in the UK



Check the original documents with the tenant physically present and ensure they are valid



Make copies of the original documents and record when the check was completed



Conduct follow up checks at the appropriate time (e.g. repeat the check when a tenant's visa expires)

If follow up checks reveal that an occupant in a rental property no longer has a valid 'Right to Rent' then the landlord/lettings agent must report that person to the Home Office.

### How to obtain a share code online

If you're not a British or Irish citizen, you can usually get [a share code](#) to prove your right to rent.

Your landlord can use the share code to check if you can rent and how long for.

### Get a share code to prove your right to rent online

You'll need your date of birth and details of one of the following:

- Your biometric residence permit
- Your biometric residence card
- Your passport or national identity card



### If I don't have my documents what are the consequences?

Occupation of a rental property is conditional on all adult occupants demonstrating a valid Right to Rent prior to the tenancy start date. This can be done at any branch of Pygott & Crone. If any adult occupant fails to present themselves and their original documents proving a valid Right to Rent then all occupants may be denied access to the rental property until this requirement is satisfied.

