

Chapter 18

Subletting

Under the conditions of your lease, you are allowed to rent out your flat to someone else. This is called subletting. You should check your mortgage to see if it has any conditions about subletting.

You will probably need to get your mortgage company's permission before you sublet your flat. You also need to meet certain conditions for the buildings insurance policy, or your insurance premium may increase. These conditions include:

- you must rent out your flat for six months or more;
- the sublet must be managed by a managing agent, who takes a deposit from your tenant to pay for any loss or damage;
- there is an assured shorthold tenancy agreement between you (as the leaseholder) and your tenant or tenants.

If you have any questions about your insurance policy, please phone the Insurance Team on

020 8489 3610.

Registering your sublet

If you sublet your flat, you should tell the Home Ownership Team as soon as possible and they will send you a

registration pack. Your lease says that you must register the sublet with us within one month.

You must give us an address where we can send all letters, bills and notices. It is also important that you give us the names, and phone numbers of your tenants in case we need to contact them in an emergency.

Your responsibilities

Remember, as the leaseholder you will still be responsible for paying us your service charges. Even though you are not living in your flat, the lease is still in your name. You are still responsible for your flat and the way your tenants and their family and visitors behave.

If your tenants do not follow the conditions of your lease, we will take action against you for breaking your lease. This could mean legal action – for example, by applying for an injunction or an order to end your lease.

You should make sure you have a tenancy agreement with your tenant. We suggest you only make a short-term agreement for between 6 and 12 months. This is so that you can get rid of unsuitable tenants if you

need to. We also recommend that you get advice from your solicitor before you make any agreement.

If there are any gas appliances in your property, you must follow the Gas Safety (Installation and Use) Regulations 1998. This means you must make sure that your appliances are safe and well maintained and that a CORGI registered gas engineer carries out a gas safety check each year.

The law says you must give your tenants a copy of the yearly gas safety check record, and also give them a copy before they move in. For more information on gas safety and your responsibilities as a landlord, you can visit the Health and Safety Executive's website, www.hse.gov.uk/gas/index.htm or call their information hotline on 08701 545500.