



# Home Office

## Right to Rent Scheme Update

Changes have been made to the Right to Rent Scheme, to make it easier for landlords and letting agents to carry out checks and simpler for individuals to prove their right to rent. These changes will come into force on 2 November. The Right to Rent Scheme is currently in force in England only.

The changes enable landlords and letting agents to use a new Home Office online checking service, available from 25 November, on GOV.UK, to undertake right to rent checks. Furthermore, the list of documents a landlord or letting agent can accept as proof of right to rent has been updated to include a short UK birth and adoption certificate and documents issued to non-EEA family members under the EU Settlement Scheme.

The legislation and Code of Practice have been updated in line with guidance published in July 2019 for visitor nationals from Australia, Canada, Japan, New Zealand, Singapore, South Korea and the USA (known as B5JSSK nationals). Since May 2019, B5JSSK nationals have been able to use their passport and evidence of arrival in the UK within the preceding six months (physical or electronic copy of ticket or boarding pass) to evidence their right to rent.

Further information can be found on [Landlords: immigration right to rent checks](#) on GOV.UK.

You can [sign up](#) to receive updates about the Right to Rent Scheme on GOV.UK.

Finally, queries about the Right to Rent Scheme can be sent to: [RighttoRentandRighttoWork@homeoffice.gov.uk](mailto:RighttoRentandRighttoWork@homeoffice.gov.uk)



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## **Factsheet:**

The Home Office is introducing a new online right to rent checking service. This is a significant step forward in making right to rent checks simpler and more secure for landlords, letting agents and migrants.

Landlords and letting agents will be able to undertake a right to rent check in real time for non-EEA citizens with a valid biometric resident permit or card and EEA citizens and their family members with status granted under the EU Settlement Scheme. In addition, landlords will also be able to use the online service for those who have leave granted under the new points-based immigration system.

The online service is designed to be simple for landlords and letting agents to carry out the checks. It allows checks to be carried out by video call, and landlords will not need to see documents as the right to rent information is provided in real time directly from Home Office systems. The service is secure and free to use.

The online service works on the basis of the individual first viewing their own Home Office profile. They may then share this information with a landlord or letting agent if they wish, by providing the landlord with a 'share code', which can be used to access the prospective tenant's record. This authorisation represents an important safeguard and means landlords will only be able to view an individual's right to rent information, and no other unrelated personal information.

EEA citizens will continue to be able to demonstrate their entitlement to rent to landlords by showing a valid passport or national ID card until 30 June 2021. Use of the service is voluntary and landlords should not discriminate against those tenants unwilling or not able to use the service.

The Home Office has also made it easier for British-born UK nationals without British passports to demonstrate right to rent by enabling them to use short birth or adoption certificates.

The right to rent Code of Practice and guidance have been revised. Our Codes and guidance are clear that landlords and letting agents should conduct right to rent checks on all adult tenants in a non-discriminatory way.



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## Q & A

### **Why do landlords and letting agents conduct right to rent checks?**

Allowing those without a lawful right to be in the UK to rent property, supports such people to establish a settled life in the UK, rather than to make provision to return to their home country. This creates a significant cost to the public purse, including through the provision of local authority support, and also reduces the amount of housing stock available to those who are lawfully residing in the UK.

Checks remain necessary to ensure the vulnerable are protected against unscrupulous landlords and those who seek to profit from illegal migration.

### **What is the Right to Rent Civil Penalty Scheme?**

The Right to Rent Scheme was launched to prevent illegal migrants from accessing the private rental sector, and to tackle unscrupulous landlords who exploit vulnerable migrants, sometimes in very poor conditions. The Right to Rent Scheme carries a civil penalty of up to £3000 per illegal migrant, unless the landlord or agent can demonstrate that they have carried out a right to rent check to the requisite standard before entering into a tenancy agreement.

### **What is the Home Office online right to rent online service?**

The online service modernises right to rent checks, making them simpler and more secure for landlords, letting agents and tenants. It can be used by migrants with a valid biometric resident permit or card, EEA citizens and their family members with status granted under the EU Settlement Scheme and those whose leave is granted under the new points-based immigration system. It links directly to Home Office data in real time and allows migrants to view clear details of their right to rent, which they may choose to share with a landlord or letting agent.

The service works on the basis of the individual first viewing their own Home Office profile. They may then share this information with a landlord or letting agent if they wish, by providing the landlord or letting agent with a 'share code', which can be used to access the prospective tenant's record. The landlord or letting agent will then be able to view the individual's current right to rent details alongside a high-quality facial image of the individual. The service will also include details of any follow-up check that may be required.

The service is migrant-led. If the individual notices an inaccuracy in their data, they can inform the Home Office to seek support and resolve this before sharing their right to rent details with their prospective or current landlord or letting agent.



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## **Have landlords, letting agents and migrants been consulted on this?**

We have worked closely with landlords, letting agents and migrants in designing and developing the service.

## **What are the key benefits of this new online service?**

- The service simplifies the check and provides clear information about an individual's right to rent;
- It makes it easier for individuals to demonstrate their right to rent;
- It places the individual in control of their information as they can choose to share their online status with their prospective or current landlord or letting agent;
- It is secure and gives tenants and landlords and letting agents access to up to date, real time information about individuals' right to rent;
- It allows individuals to view the information held by the Home Office and provides the opportunity to inform us if they identify a mistake, or seek support should they need it;
- It removes the need for landlords or letting agents to see physical documents and provides them with certainty about an individual's current status, and when a follow-up check is required;
- It allows checks to be carried out via video call;
- It is free and quick to use.

## **If an online check is completed, must a landlord or letting agent carry out a face to face check and copy the tenant's documents?**

No, the online service makes it simpler for landlords and letting agents to carry out the checks. It enables checks to be carried out by video call, landlords and letting agents do not need to see physical documents as the right to rent information is provided in real time directly from Home Office systems. The service is secure and free to use.

## **How does a landlord or letting agent obtain a statutory excuse against a civil penalty using the online service?**

The online service works on the basis of the tenant first viewing their own Home Office profile. They can then choose to share this information by providing the landlord or letting agent with a 'share code' generated by the service. They can tell you the share code or it can be emailed directly from the online service [right.to.rent.service@notifications.service.gov.uk](mailto:right.to.rent.service@notifications.service.gov.uk). The share code will be valid for 30 days, after which a new code will be required to conduct an online check.

Landlords or letting agents must access the '[Check a tenant's right to rent](#)'. The service provides a high-quality facial image, on the profile page, to allow landlords or letting agents to check that the relevant individual is the person to whom the right to



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work details relate. To complete the check, you can either print the profile page or save it as a PDF or HTML file.

You will not have a statutory excuse against a civil penalty if you view or copy the details provided to the individual on their part of the service.

## **Why should British Citizens have to demonstrate their right to rent in the UK?**

Landlords and letting agents must not discriminate when conducting right to rent checks as prescribed in legislation and published guidance. To ensure transparent, non-discriminatory practice, they should conduct the same prescribed right to rent check on everyone, not only those they believe are not British citizens, for example, on the basis of their name, accent, skin colour, or ethnic or national origins.

## **Do right to rent checks apply to the devolved administrations?**

No, the Right to Rent Scheme is currently in force in England only.

## **What checks do I need to do on EEA citizens from 1 January 2021?**

Right to rent checks remain the same for EEA citizens until 30 June 2021. This means:

- EEA citizens can continue to use their passport or national identity card to prove their right to rent;
- Alternatively, they can choose to prove their right to rent using the online service;
- Landlords and letting agents do not need to check whether an individual has settled or pre-settled status under the EU Settlement Scheme;
- Landlords do not need to carry out retrospective checks on existing EEA tenants after 30 June 2021.

Further guidance on right to rent checks after the grace period ends on 30 June 2021 will be issued ahead of that time.