

Tackling illegal immigration in privately rented accommodation – ‘right to rent’

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Summary and Recommendations: As part of the Government’s attempts to cut down on illegal immigration, the Immigration Act 2014 contains a number of measures to restrict access to services for those without a right to remain in the UK.

One of these measures is a new requirement for private sector landlords to check that tenants’ immigration status does not disqualify them from renting a property. As a result, landlords who allow tenants without a so-called ‘right to rent’ to occupy their property will be liable for a civil penalty.

It is recommended that prior to the implementation of the legislation in spring 2015, the housing team brief elected members and private landlords to ensure the new obligations are understood.

New legislation is being introduced which will see landlords face fines if they rent homes to illegal immigrants without checking their ‘right to rent’.

The new law will mean private landlords will have to check the right of prospective tenants to be in the country if they want to avoid potentially being fined up to £3,000.

The right to rent checks are quick and simple, but will make it more difficult for immigration offenders to stay in the country when they have no right to be here.

Landlords will need to see evidence of a person’s identity and citizenship, for example a passport or biometric residence permit. Many responsible landlords already do this as a matter of routine, and most legal renters will have the correct documentation ready to hand. In most cases landlords will be able to carry out these simple checks without need to contact the Home Office.

Copies of the documentation will need to be taken as evidence the checks have been carried out and retained for one year after the tenancy ends. More information about how to carry out a right to rent check is available online at [www.gov.uk](https://www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice) (<https://www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice>), a helpline is also available (0300 069 9799).

A pilot scheme started in the West Midlands on 1 December 2014, following an evaluation of the pilot implementation is anticipated next spring; the Home Office expects to continue with the phased introduction of checks across the UK next year.