



[www.cairds.co.uk](http://www.cairds.co.uk)

**Epsom Sales & New Homes**  
 Phone: 01372 743033  
 Email: homes@cairds.co.uk

**Epsom Lettings & Management**  
 Phone: 01372 731966  
 Email: lettings@cairds.co.uk

**Ashtead Sales & Lettings**  
 Phone: 01372 888 888  
 Email: ashtead@cairds.co.uk

**London office**  
 Phone: 020 7409 4677  
 Email: homes@cairds.co.uk

**Lettings Terms of Business**

To instruct us to act on your behalf, Cairds require that our Terms of Business form is completed, signed and returned to this office as confirmation of your acceptance of our Terms of Business, including commission fees, administration costs, charges and as authorisation that Cairds may proceed with marketing your property to let.

<b><u>FULL MANAGEMENT</u></b> <b><u>14% INC VAT</u></b>	<b><u>RENT COLLECT</u></b> <b><u>12% INC VAT</u></b>	<b><u>FIND TENANT</u></b> <b><u>10% INC VAT</u></b>
Introduction to lettings	Introduction to lettings	Introduction to lettings
Market valuation	Market valuation	Market valuation
Compliance checks	Compliance checks	Compliance checks
Marketing the property	Marketing the property	Marketing the property
Premium listing	Premium listing	Premium listing
Tenant referencing	Tenant referencing	Tenant referencing
Tenancy agreements	Tenancy agreements	Tenancy agreements
Collection of rent and deposit	Collection of rent and deposit	Collection of first months rent and deposit
Arranging inventory	Arranging inventory	Arranging inventory
Rent Processing	Rent Processing	
Chasing rental arrears	Chasing rental arrears	



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Option for rent & Legal cover	Option for rent & Legal cover	
Scheduled property visits		
Right to rent follow up checks		
Renewing safety checks		

**Safety & Compliance Legislation**

As a landlord you must comply with the following legislation,

- Gas safety certificate (installation and use) regulations 1998
- Energy performance certificate - Required by law to market the property
- A safety certificate for portable electrical appliances (PAT)
- In some circumstances an electrical installation condition report (EICR)
- The furniture and furnishings (fire) (safety) regulations 1993
- Electrical equipment (safety) regulations 1994
- Part-P building regulations (electrical safety)
- Building regulations (smoke alarm) 1991
- Management of HMOs (England) regulations 2006
- Housing Act 2004
- Licensing of houses in multiple occupation
- The smoke and carbon monoxide alarm regulations 2015
- The requirement for a safety assessment and suitable remedial action in relation to the Legionella bacteria

That all potential tenants have the right to rent and that the necessary checks have been carried out. (we will undertake these checks as part of our referencing procedure)

If you do not choose our full management service then you have the legal responsibility to ensure that the renewal of any gas safety record is carried out within the statutory time limits.



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### **Keys**

It is your responsibility to supply a full set of keys to the property for each tenant and where we are appointed to manage the property one full set to be held by Cairds.

If keys are not provided 24 hours prior to the commencement we will arrange keys to get cut on your behalf and charged to your rent account.

### **Verification of Identity**

We cannot commence our services without verifying your identity under the Proceeds of Crime Act 2002 and Money Laundering Regulations 2007. You would need to provide us with photo ID and Proof of Residency dated within the last three months.

### **Income Tax**

If you reside abroad we will be responsible by HM Customs and Revenue for payment of any liability which arise on rents collected by us, unless you have obtained an exemption certificate. If you do not hold such a certificate it will be necessary for us to deduct income tax at the prevailing rate. We are able to give advice on procedures but tax advice should be sought from your accountant.

For the additional work involved where a Landlord does not obtain Inland Revenue approval to receive gross rent, Cairds will charge a fee please (see additional fee's)

If you are a UK resident, you are responsible for notifying HM Revenue and Customs of the tenancy and for accounting for the rent by way of income.

### **House in Multiple Occupation (HMO)**

The Landlord must confirm to Cairds, that where a property is a House in Multiple Occupation (HMO) it has been registered as such with the local authority and that the property complies with all relevant regulations.

### **Insurance**

The property (and your contents) should be comprehensively insured to include third party and occupiers risks. Failure to inform your insurance company that the property is let could entitle the insurer to avoid the policy. The policy should also be acceptable to any mortgagee of the property. It is your responsibility to arrange for adequate insurance cover.

### **Head Lease**

Should there be a head lease on your property it will be your responsibility to provide this to the tenant. Cairds will take no responsibility for any clauses within the head lease.

### **Housing Health and Safety Rating System (HHSRS)**



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Under The Housing Act 2004 it is the landlord's responsibility to ensure the property is let in suitable condition. You undertake that the property is compliant in all respects.

### **Tenancy Deposits**

As per current legislation the tenants deposit has to be registered with an approved deposit protection scheme failure to do so can result in serious consequences. Cairds is a member of the Deposit Protection Service, please refer to [www.depositprotectionservice.com](http://www.depositprotectionservice.com).

**OVERSEAS LANDLORDS:** Income from all residential lettings in the UK is subject to income tax. Cairds is required to pay basic rate tax to the Inland Revenue for all overseas landlords unless the Landlord has applied for and been granted self-assessment status, in which case, the Landlord may receive the rent gross and must still account to the Revenue each tax year. If the Landlord is not granted self-assessment status, he will need to apply to the Inland Revenue for a refund of excess tax once his accounts are up to date. The agent is required to complete quarterly returns to submit to the Revenue and the Landlord. For the additional work involved where a Landlord does not obtain Inland Revenue approval to receive rent gross, Cairds will make a charge of £60.00 per quarter. For further information, please refer to [www.inlandrevenue.gov.uk](http://www.inlandrevenue.gov.uk). **Cairds Overseas Landlord ID is NA047234**

### **Change of Address**

You would need to notify us promptly of any change of address so we can comply with the statutory requirements to advise the tenant

### **Early Departure**

Should the tenant leave the property of their own accord prior to the expiration of the tenancy it is your responsibility to take appropriate legal action to recover any rent or damages. Such early departure by the tenant is not our fault nor will responsibility and our full fees be charged subject to abatement if the property is re-let by us within six months of the departure.

### **Termination of our Service**

Our Full Management or Rent Administration may be terminated by three months written notice.

### **Withdrawal Cost**

If you accept a formal offer from a prospective tenant and the tenant has been referenced and passed, then a withdrawal lettings fee of six months will be charged at 10% of the annual rent or £500 (whichever is greater).

### **Legal Services**

We do not provide legal advice. We can offer you Rent and Legal insurance that will be able to assist in all legal matters. Please speak to us in regards to the policies we have on offer.



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### **Interest and VAT**

All fees and charges are subject to VAT. We do not pay interest on monies held on behalf of landlords or tenants. We may charge interest at 2% above Santander bank base lending rate or the County Court rate whichever is the higher on late payments of sums owing to us.

### **Periodic tenancies, renewals and extension fee's**

Upon the tenancy becoming a statutory periodic tenancy or periodic tenancy (this is where the tenant remains in occupation without a new agreement) our fees, calculated as agreed in respect of the original letting, will be due annually in advance within 14 days of invoicing, together with the 'periodic administration fee' as set out in 'Additional Charges'. If the tenancy is extended or renewed by a new fixed term, (whether or not we carry out the negotiations) this will incur a fee, calculated and payable as agreed in respect of the original letting together (if applicable) with the tenancy agreement preparation fee as detailed in 'Additional Charges'.

### **Right to Cancel**

**This applies only to contracts signed off our premises.**

You have the right to cancel this contract at anytime within fourteen days starting from receipt of this notice. If you wish to cancel this contract you must do so in writing and deliver or email (lettings@cairds.co.uk) it to our office. Notice of cancelation is deemed to be served once an official document has been received by us.

### **Summary Charges**

#### **Initial Charges (All charges are inclusive of VAT)**

<b>Tenancy Agreement</b>	<b>£200</b>
<b>EPC (Energy Performance Certificate)</b>	<b>£80</b>
<b>Legionella Risk Assessment</b>	<b>Price on Application</b>
<b>Gas Safety Certificate</b>	<b>£75</b>
<b>Addendum to Tenancy Agreement</b>	<b>£40</b>
<b>Checking Third Party Tenancy Agreement</b>	<b>£50</b>

### **Deposit**

<b>Administration Charge to protect deposit with DPS</b>	<b>£45</b>
<b>Process a claim where we do not provide</b>	<b>£125</b>



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<b>full management</b>	
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### Renewals

<b>Renewal of a fixed term tenancy</b>	<b>£100</b>
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### Additional Charges

<b>Annual Statement of income and expenditure</b>	<b>£50</b>
<b>Tax Administration for non UK residents with no HMRC approval</b>	<b>£40</b>
<b>Annual Tax administration charge for non UK residents with HMRC approval per quarter</b>	<b>£100</b>
<b>Additional Property Inspections/Visits</b>	<b>£45</b>
<b>Arrange a redecoration/refurbishment based on the total net invoice of works</b>	<b>10%</b>
<b>Court Attendances Per Day</b>	<b>£240</b>

### Serving Legal Notice

- **Fixed Term Tenancy – Section 21 (1) b or Section 6a**
- **Serving Notice for a Periodic Tenancy Section 21(4)a**
- **Increasing Rent during a Statutory Periodic Tenancy requiring a Section 13 Notice**
- **Serving Notice where a tenant has defaulted on the tenancy agreement Section 8 Notice.**
- **Increasing Rent during the Statutory Period Tenancy Requires a Section 13 Notice.**

<b>Fully Managed</b>	<b>£60</b>
<b>Rent Collection</b>	<b>£90</b>
<b>Tenant Find Only</b>	<b>£120</b>

### Gas Supply

- The above property does not have gas
- Please arrange a gas safety on my behalf



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- As the landlord I will arrange and provide Cairds with a valid gas safety certificate

### **Electrical Safety**

- As the landlord I can confirm I am satisfied that all wiring and electrical appliances are safe and accept full responsibility.
- Please arrange for an electrician to carry out a full Electrical Installation Condition Report

### **Smoke Alarms and Carbon Monoxide Alarm**

- As the landlord I can confirm that there are working smoke alarms on each floor of the property and carbon monoxide alarms where applicable.
- Please arrange for the necessary smoke alarm and carbon monoxide alarms to be fitted at my expense.

### **Clean**

- The property will be cleaned to a professional level
- The property will be cleaned to a domestic level

### **Inventory Check In**

- Please organize an inventory/check in at my expense.
- I do not require and inventory check in and take full responsibility for that decision in the event of a dispute of damage to the property.
- I can confirm I will make my own arrangements for the inventory check in

In the event of a party introduced by the Agent (or any person or body corporate associated with that party) subsequently purchasing the Property, whether before or after entering into a Tenancy Agreement, commission shall be payable to the Agent on completion of the sale at the rate of 1% of the sale price, plus VAT.



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**Full Management Service (including VAT)**

**Advance .....%      Monthly .....%**

**Rent Administration Service (including VAT)**

**Advance .....%      Monthly .....%**

**Find Tenant Service (including VAT)**

**Advance .....%**

**Agreed Renewal Fee .....%**

Property Address:
Landlord/Owner Name:
Owner Address:

Mobile:
Landline:
Email:

Full Name:	Signed:	Date:
Full Name:	Signed:	Date:





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Cairds:	Signed:	Date:

#### BANKING DETAILS

Account Name:	Bank Name:-
Account Number:-	Sort Code:-

Please allow a maximum of 3-4 working days from the rent due date for funds to appear in your account.

By signing this contract and tenancy agreement provided by Cairds you are confirming you are the sole owner/s of the property as recorded at the Land Registry.

#### **GDPR & Privacy Preferences**

Cairds GDPR - Privacy Policy is set out on [www.cairds.co.uk](http://www.cairds.co.uk)

This privacy notice sets out how we will process personal data we collect from or about you, or which you provide to us. Please read this notice carefully to understand why data is being collected and what we do with that data.

Our website and services may contain links to independent websites which are not provided by us. Such independent sites are not under our control, and we are not responsible for and have not checked and approved their content or their privacy policies. We may change the privacy notice from time to time by amending this page.

For the purpose of the Data Protection Act 1998 and General Data Protection Regulation EU 2016/679, the data controller is Mr S A Caird - Cairds (Epsom) Limited is a company registered in England under company number 07048853 whose registered address Maria House, 35 Millers Road, Brighton, BN1 5NP