

Last updated: 22/01/2021

From time to time we receive questions from lenders and requests to complete Letting Certificates. While OpenRent specialises in creating legally sound tenancies in line with industry best practice, the online nature of our service means we cannot in every case give all the assurances requested by the lender, nor complete such Certificates. The following frequently asked questions are designed to address the most common questions we have been asked, including those on the Letting Certificates we have received.

Our hope is that this clarification, combined with direct documental proof from the landlord to meet the remaining requirements, will be a sufficient substitute for a Letting Certificate.

1. Is OpenRent affiliated to a reputable trade body?

- Yes – we are a member of the Property Ombudsman for Lettings with membership number D7723. If necessary you can verify this at <http://www.tpos.co.uk/> using the “Find a Member” search.

2. Will the letting be in the form of an Assured Shorthold Tenancy?

- Yes – if our Rent Now process is used the following points will apply. Once the process is complete, the landlord will be sent a receipt of payment by OpenRent which will constitute evidence that the Rent Now process was used.
 - o Lettings will be created in the form of an AST, with a minimum duration of 6 months and maximum duration of 2 years.
 - o The tenancy agreement states that the tenancy cannot be assigned or the property sublet.
 - o The tenancy agreement gives the tenant notice that the tenancy can be terminated under Ground 2 Schedule 2 of the Housing Act 1988.
 - o The tenancy agreement does not give the tenant notice that the tenancy can be terminated under Ground 1 Schedule 2 of the Housing Act 1988.

3. Will any deposit taken be held in an approved Tenancy Deposit Scheme?

- Yes – if our Rent Now process is used any deposit will be protected in the My Deposits Custodial Scheme. Once the deposit has been protected by OpenRent, it will be transferred to the landlord’s My Deposits account, placing them in control and allowing them to manage its repayment at the end of the tenancy.

4. Will the property be let to students or DWP recipients?

- Our system requires the landlord to decide which applicant(s) to accept. We always recommend that all applicants are comprehensively referenced before being accepted for the tenancy and we advise on suitability where required. If a lender has any requirements of this nature we suggest that the landlord provide copies of the completed referencing reports to demonstrate that these have been met.

5. Can OpenRent confirm that the buildings insurance remains valid?

- While holding a valid landlord insurance policy is one of OpenRent’s terms of use, we do not systematically verify that each landlord’s buildings insurance policies remain valid. We suggest that the landlord provide copies of the relevant documents to demonstrate that any such requirement has been met.

6. Can OpenRent certify that the landlord’s consent and the consent of any superior landlord has been obtained, and that ground rent/service charge payments are up to date?

- Within our Rent Now process the landlord will sign the tenancy agreement, thereby providing consent to let.
- The tenancy agreement requires the landlord to confirm that all necessary consents have been obtained, including from superior landlords. We do not systematically verify that this consent has been obtained, beyond asking the landlord to agree to this clause. We suggest that the landlord provide copies of the relevant documents to demonstrate that this requirement has been met.
- We do not systematically verify that ground rent/service charge payments are up to date. We suggest that the landlord provide copies of the relevant documents to demonstrate that this requirement has been met.