

Guide to different types of agreement

Most tenancies in the UK are Assured Shorthold Tenancies. However, if you share a property (or part of a property) with the landlord that you will have a different type of agreement and this means you have different rights and responsibilities*.

Lodgers (Excluded occupiers)

If you live in the same home as your landlord AND share facilities such as bathrooms and/or kitchen you are likely to be a lodger or exclude occupier.

What this means for you:-

- The landlord does not have to provide a written agreement
- If they do provide a written agreement it can be for a set time OR periodic
- If you pay a deposit it will not be covered by tenancy deposit protection rules
- The landlord must still check you have a right to rent in the UK
- The landlord cannot put up the rent unless the agreement says so or you agree
- The landlord can ask you to leave by giving reasonable notice
- The landlord does not have to get a court order to evict you
- If the landlord loses their home you have to leave as well
- The landlord is responsible to keep the home in good repair
- In some cases the landlord should provide a gas safety certificate annually

Licences (Occupier with basic protection)

If you live in the same property** as your landlord BUT DO NOT share facilities, you are likely to have a licence or be a occupier with basic protection.

What this means for you:-

- The landlord does not have to provide a written agreement
- If they do provide a written agreement it can be for a set time OR periodic
- If you pay a deposit it will not be covered by tenancy deposit protection rules
- The landlord must still check you have a right to rent in the UK
- The landlord cannot put up the rent unless the agreement says so or you agree

This document was last amended on 31 July 2018 and was considered accurate at that time.

Changes to legislation which occurred after this date will not be reflected in the content.

This document should not be consider comprehensive, nor should it take the place of legal advice where this is required.

- If you pay rent weekly the landlord must give you a rent book
- The landlord can ask you to leave by giving you a notice to quit
- If you do not leave the landlord must get a possession order from the court
- If the landlord loses their home you have to leave as well
- The landlord is responsible to keep the home in good repair
- The landlord needs to provide a gas safety certificate each year

*This guide does not include social lettings, hostels or temporary accommodation, or student hall of resident owned by Universities)

** This definition refers to converted buildings and not purpose-built blocks.

If you are unsure about the type of tenancy you have or are considering taking up you should contact CAB or Shelter or seek other legal advice.

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