

APPLIES TO: ENGLAND  
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## Right to Rent immigration checks

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The lettings helpline is available to members with individual queries: [propertymark.co.uk/members.html](https://propertymark.co.uk/members.html)

# Right to Rent checks overview

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HOME OFFICE GUIDE

## Context

Since 1 February 2016, under the Immigration Act 2014, all landlords of private rented accommodation in England have been required to carry out Right to Rent checks for new tenancy agreements to determine whether all adult occupiers (persons aged 18 and over) have the right to live in the UK.

## Eligibility

The law does not apply to children (under the age of 18) living at the property and checks are only required for people who will be using the property as their only or main home. Agents need to conduct checks on all prospective adult occupiers (those 18 years and older) not just the tenancy holder.

Right to Rent checks do not apply in Wales, Scotland or Northern Ireland. However, agents will need to conduct Right to Rent checks for property in England, even if the agency is based outside of the country.

**NB: Under the Act the Home Secretary has the power to enable the rules to be extended to Wales, Scotland and Northern Ireland.**

## What agents need to do

Agents must conduct a Right to Rent check before they rent to a prospective tenant to ensure the prospective tenant has a legal status in the UK and are therefore allowed to rent.

**NB: Right to Rent checks must be carried out by private landlords; people with a lodger; people who are sub-letting a property or agents appointed by a landlord to make Right to Rent checks.**

The landlord may, in writing, agree with an agent who is responsible for conducting checks. The agent can then carry out the checks and where necessary, make a report to the Home Office. The agent must also report back to the landlord. If the agreed responsibility lies with the agent, so will the liability if initial and any follow-up checks are not conducted.

**NB: Any occupier who sub-lets all or part of their accommodation to a person for money is classed as a landlord under the law and liable for penalty. However, the sub-letter can ask their landlord to accept responsibility for conducting checks and this agreement should be made in writing.**

The Terms of Business must state the responsibilities of the agent and landlord regarding the management of a tenancy. If an agent's Terms of Business state they will undertake reference checks on the tenant, the agent will become liable for the Right to Rent checks. Clauses which attempt to remove the liability for Right to Rent checks will not remove liability.

## The changes

Since its introduction, there have been several changes to the legislation covering different groups and circumstances such as COVID-19, European Economic Area (EEA) nationals and the use of Identity Verification Technology.

On 6 April 2022, a new Code of Practice came into force with revised lists of acceptable documents. Biometric residence permits and cards are no longer valid and now need to offer their immigration service eVisa share code in place of a hard copy document. The new Code of Practice paves the way for the introduction of identity service providers (IDSPs).

Additional minor changes were announced in November 2023 following the enactment of the Immigration (Restrictions on Employment and Residential Accommodation) (Codes of Practice) (Amendment) Order 2023. This largely affected the maximum penalties that could be charged to landlords in the case of a breach of relevant Right to Rent Regulations. These changes apply to all right to rent checks from 22 January 2024.

## What does this mean?

Since 1 October 2022, agents and landlords must carry out the prescribed checks as set out in the guidance in one of three ways:

- a manual Right to Rent check applicable to all citizens
- a Right to Rent check using IDVT via the services of an identity service provider (IDSP) but only for British and Irish citizens.
- a Home Office online Right to Rent check for all non-British and non-Irish citizens (eVisa).

**NB: Conducting any of these checks will provide landlords and agents with a statutory excuse which is a defence against a civil penalty.**

### No documentation

Landlords must contact the Home Office Landlord Checking Service if a tenant cannot provide the necessary documents. Once a request has been submitted to the Home Office Landlord Checking Service, a Positive Right to Rent Notice (PRRN) will be issued if the potential tenant is able to rent in the UK. A record of the response must be kept to protect against a civil penalty. The excuse through this method lasts 28 days from the expiry date specified within the PRRN. This 28 day period does not include weekends or bank holidays.

## Enforcement

Landlords and agents who can show they have correctly conducted an initial Right to Rent check, and any follow-up check have a statutory excuse against a penalty. For not carrying out checks in the proper manner, agents will be liable for a criminal or civil penalty depending on the circumstances.

**NB: Agents can be liable for either penalty for not meeting their legal requirements of conducting Right to Rent checks on behalf of a landlord. It should be made clear within the agent's business terms who is responsible for the initial check and any follow-up checks for those with a time-limited Right to Rent.**

### **Criminal penalties**

If it can be shown that a landlord or agent knows or has reasonable cause to believe they are renting to a person who does not have the Right to Rent, the landlord or agent could face an unlimited fine or up to five years in prison.

Instances where an offence is committed includes:

- The tenant does not have permission to enter or stay in the UK
- The tenant's permission to stay has expired
- The tenant's documents are incorrect, or it is reasonably apparent that they are false

It should be noted that the criminal penalty is only for the most serious cases and not meant for agents and landlords who have made a mistake when complying with the Right to Rent requirements.

### **Civil penalties**

When a tenant without the Right to Rent is found to be renting by officials visiting the property, agents and landlords will need to demonstrate that they carried out a Right to Rent check. If the agent or landlord cannot demonstrate that Right to Rent checks were conducted, they may be served with a Referral Notice. This notice will confirm that the Home Office is considering the liability for a civil penalty and will also show the case will be considered including the possible outcomes.

**NB: NB: There will be an opportunity to present information and evidence of a statutory excuse against the penalty, such as evidence the checks were conducted or to establish who is the liable party. Once the evidence has been considered, the Home Office will either issue a Civil Penalty Notice or a No Action Notice, with an explanation of the decision.**

A No Action Notice informs the agent or landlord that no action will be taken against them. Once received, the party responsible for carrying out Right to Rent checks must do so on potential and existing tenants as required.

**NB: Renting to someone who is on the notice is a criminal offence since the notice makes it clear that the person in question does not have the Right to Rent. During any future enforcement visit, it will not be possible to rely on the statutory check an agent previously carried out to avoid a civil penalty. Taking steps to end the tenancy agreement, even if the tenant still lives in the property, is allowed.**

A Civil Penalty Notice will include an amount that has to be paid, how to pay and the date in which the payment should be made. The amount of time provided is 28 days from the date the Civil Penalty Notice is given.

Agents and landlord can object in writing to the Home Office within 28 days of the date specified in the notice. If that date has passed, the right to object is lost. Appeals can also be made to the County Court within the same time.

The financial penalty depends on if the breach related to an occupier of a private tenancy or lodger in any and if the breach was the first or a repeat offence. Penalties increased from 22 January 2024.

## Maximum penalty post 22 January 2024:

- First Breach: Category A (lodgers in a private household) £5,000.
- First Breach: Category B (occupiers in rented accommodation) £10,000.
- Subsequent Breach: Category A (lodgers in a private household) £10,000.
- Subsequent Breach: Category B (occupiers in rented accommodation) £20,000.

In all instances, the financial penalties will be issued per individual where a right to rent check wasn't conducted and no statutory excuse was established.

## Further information

Home Office: Landlord's guide to Right to Rent checks

<https://www.gov.uk/government/publications/landlords-guide-to-right-to-rent-checks/landlords-guide-to-right-to-rent-checks-6-april-2022-accessible-version#annex-b-digital-identity-verification---guidance-for-landlords-and-identity-service-providers-idsp>

Home Office: Code of practice on right to rent: Right to Rent Scheme for landlords and their agents February 2024:

[DRAFT Code of practice on right to rent: Right to Rent Scheme for landlords and their agents – November 2023 \(publishing.service.gov.uk\)](#)

Home Office: Code of practice for landlords avoiding unlawful discrimination

[Code of practice for landlords: avoiding unlawful discrimination when conducting 'right to rent' checks in the private rented residential sector: 6 April 2022 \(accessible version\) - GOV.UK](#)

Home Office: Checking your tenant's right to rent

<https://www.gov.uk/check-tenant-right-to-rent-documents/how-to-check>

Home Office: Right to rent checks: a guide to immigration documents for tenants and landlords

<https://www.gov.uk/government/publications/right-to-rent-document-checks-a-user-guide/right-to-rent-checks-a-guide-to-immigration-documents-for-tenants-and-landlords-accessible>

## Manual Right to Rent checks

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### Context

Under the Immigration Act 2014, agents should establish who will live in the property and Obtain, Check and Copy one or more original documents that demonstrate the Right to Rent in the UK for all adult occupiers in the presence of the holder.

Checks should be carried out in the presence of the holder to ensure the documents match and there are no obvious causes for suspicion such as photographs that are an unsatisfactory likeness.

**NB: In circumstances where a tenant is arranging their tenancy from overseas, it is recommended that the tenancy be accepted in principal and that the checks are conducted in person once they arrive in the UK.**

### What you need to do

#### STAGE 1

Establish who will live in the property. **Obtain, check and copy** one or more original documents that demonstrate the Right to Rent in the UK for all adult occupiers for that property in the presence of the holder.

When conducting checks landlords and agents must consider:

- the documents are originals and belong to the tenant
- their permission to stay in the UK has not ended
- the photos on the documents are of the tenant
- the dates of birth are the same in all documents (and are believable)
- the documents are not too damaged or do not look like they've been changed
- if any names are different on documents, there are supporting documents to show why, such as a marriage certificate or divorce decree

Acceptable documents include a UK passport and a permanent residence card or travel document showing indefinite leave to remain. The full list of documents can be found on page 63 of the UK Government's Landlord's guide to right to rent checks:

<https://assets.publishing.service.gov.uk/media/671616188a62ffa8df77b403/Landlords+guide+to+Right+to+Rent+checks.pdf>

When carrying out the checks agents must ask for and be given original documents from List A or List B of the acceptable document list. Securely store copies of all documents throughout the tenancy and for at least one year afterwards.

**NB: In circumstances where a tenant is arranging their tenancy from overseas this is more challenging. One course of action is to do checks by Skype and agree the tenancy subject to an ID check on arrival.**

No further checks are required if the person doesn't have any restrictions on their right to stay in the UK (such as if they are a British or Irish nationals with the right to be in the UK indefinitely).

If a tenant referencing agency is used, agents will still need to see original documents and make copies. Clear versions or electronic records of the documents and record the date when this was done should be kept on file.

**NB: Checks should be carried out in the presence of the holder to ensure the documents match and there are no obvious causes for suspicion such as photographs that are an unsatisfactory likeness.**

If the tenant's permission to stay in the UK is time limited, another Right to Rent check will have to be made. Right to Rent checks on those with a time-limited right to rent must be made no sooner than 28 calendar days before the start of a tenancy.

**NB: Agents should record any dates regarding occupants who have a time limited right to be in the UK (which will be on their passport visa, passport stamp or eVisa). Note that biometric residence cards are no longer an accepted form of proof of right to rent.**

## STAGE 2

Where the initial check shows that a person has the right to be in the UK for a limited time, that person can rent, but a follow up check must be conducted.

In the case of Let Only tenancies agents need to inform the landlord of any need for follow up checks and keep evidence of this communication.

**NB: Follow up checks must be carried out just before the expiry of date of the tenant's right to be in the UK or 12 months after the original check.**

## STAGE 3

If the follow up check shows that the person no longer has the right to be in the UK a report must be made to the Home Office using: <https://www.gov.uk/report-immigration-crime>

**NB: The report must include the full name and address of the occupier, the date they first took up occupation plus copies of their documents when the initial Right to Rent check was initially carried out.**

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## Adjusted Checks no longer accepted

Adjusted checks were introduced on 30 March 2020 as part of COVID-19 measures to reduce face-to-face contact but ended 30 September 2022. They allowed agents and landlords to conduct Right to Rent checks remotely, such as allowing the tenant to submit a scanned copy of their original documents or arranging a video call for the tenant to show their original documents.

**NB: This is no longer an acceptable form of checking a tenant's right to rent, checks must now be done in person or using the eVisa share code.**

# Using an identity service provider (British and Irish citizens only)

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HOME OFFICE GUIDE

## Context

In 2021, the UK Government announced that they would enable employers and landlords to use certified Identity Service Providers (IDSPs) to carry out digital identity checks. For the property sector, the purpose of this was to improve the ability of landlords to carry out identity and Right to Rent checks for individuals who fell outside of the Home Office online services.

## What does this mean?

From 6 April 2022, landlords have been able to work with IDSPs to carry out digital identity checks on behalf of British and Irish Citizens who hold a valid passport or an Irish passport card. IDSPs carry out the checking process on behalf of agents and landlords, verifying the tenant's identity and that the passport they have issued belongs to them. However, using an IDSP is not mandatory.

## Eligibility

Conducting a Right to Rent check through an IDSP provides a continual statutory against a civil penalty only when verifying the identity of British and Irish Citizens passport holders.

## What you need to do

Once the services of an IDSP have been contacted and paid, it is the responsibility of agents and landlords to obtain evidence that the IDSPs have carried out their checks correctly. Once satisfied, agents and landlords are still required to review that the details provided by the IDSP, (such as the date of birth) match the information provided by the potential tenant.

**NB: Landlords and agents must maintain a copy of the identity check conducted by the IDSP for the duration of the tenancy and for one year after the tenancy has come to an end. The copy must then be destroyed.**

Landlords and agents do not need to conduct any follow up checks on the identity of the tenant as long as it is reasonably believed that the IDSP carried out their checks in accordance with Home Office guidance.

## What you need to be aware of

IDSPs use Identity Document Validation Technology (IDVT) to carry out identity checks. This technology creates a digital copy of a physical document (IDVT output) which includes a photograph and biographic detail of the tenant. Agents and landlords carrying out the check will need to satisfy that the tenant matches the details provided by the IDVT output which can be done in person or via video call.

IDSPs are required to follow a set of standards and rules for all identity and attribute service providers, known as the UK Digital Identity and Attributes Trust Framework. As of March 2023, the framework is in an early alpha version and continues to be reviewed.

**NB: While using an IDSP is not mandatory, the Home Office recommends that agents and landlords use a certified IDSP, which have been certified that they meet the requirements laid out in the UK digital identity and attributes trust framework.**

## Enforcement

If verification checks are not carried out in a way that meets the requirements of the UK Digital Identity and Attributes Trust Framework, the landlord will not have any protections against a civil penalty.

### Further information

Home Office Guidance: Digital identity certification for Right to Rent

<https://www.gov.uk/government/publications/digital-identity-certification-for-right-to-work-right-to-rent-and-criminal-record-checks/digital-identity-certification-for-right-to-work-right-to-rent-and-criminal-record-checks>

UK Government: Digital identity document validation technology guidance

<https://www.gov.uk/government/publications/digital-identity-document-validation-technology-idvt>

# FACT SHEET

## eVisas and the Home Office online checking service

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### Context

The Home Office launched its online checking service in November 2020. This service allows landlords to validate if a prospective tenant is allowed to rent in England. On 6 April 2022 changes to existing rules regarding the use of biometric cards were introduced, as part of the Home Office's wider digitisation strategy and an effort to improve efficiency while reducing their reliance on paper-based systems.

### The changes

From 6 April 2022, holders of Biometric Residence Cards and Biometric Residence Permits known under the broad term of "biometric cards" can no longer evidence their Right to Rent using these cards.

From 31 December 2024 all biometric residence permits have expired. They were phased out and replaced by an online eVisa. If a tenant still has an expired biometric residence card they should keep it to help them apply for an eVisa or other travel documents in the future.

### What you need to do

#### Home Office Online Service/ Landlord's Checking Service

The Home Office online service provides the ability for landlords to check a prospective tenant's Right to Rent if the tenant has applied for an eVisa. The tenant can use the service to generate a 9-character long share code which can be passed onto the landlord or agent, who will then enter the code and the tenant's date of birth into the checking service and it will give access to their right to rent information.

The share code is valid for 90 days from the point of issue.

The share code should begin with the letter "R" indicating that it is a right to rent code. Other codes can be generated to prove right to work or study, for example, but these do not prove an individual's right to rent and therefore only the share code beginning "R" should be used for this check.

**NB: If the prospective tenant does not have a share code, agents and landlords still need to ask for original documents and cannot accept biometric cards.**

If the tenant does not have the right documents, the landlord's checking service can be used which will check with the Home Office if the tenant still has permission to rent.

Check a tenant's right to rent in England: <https://www.landlords-request-a-check.homeoffice.gov.uk/start>

If you have problems accessing these forms or need help completing them, call the Landlords' Helpline on 0300 790 6268. Monday to Thursday, 9am to 4:45pm Friday, 9am to 4:30pm.

### EU and EEA citizens

Since 1 July 2021, EU, EEA and Swiss citizens have had to evidence their rights in the UK in the same way as citizens from other countries, this includes their right to rent. They can do this using either their online immigration status (eVisa) or with a physical immigration document.

There is no requirement for landlords to carry out a retrospective check on EU, EEA and Swiss citizens who entered into a tenancy agreement before 30 June 2021.

**NB: This does not apply to Irish passport holders who can continue to enter and live in the UK.**

Even if an EU or EEA citizen initially only has 6 months of length of leave to remain, agents and landlords cannot refuse to provide a tenancy of more than 6 months on these grounds. During this period, applicants may achieve a longer residence status, so it is vital that a follow-up check is conducted. Conducting the initial Right to Rent check creates a statutory excuse against penalty for a period of 12 months or the length of the leave to remain, whichever is longer.

### If the tenant has no right to rent

Landlords are able to serve a notice to quit under Section 8, ground 7B – No right to rent. This is a mandatory eviction ground, meaning that the court must order possession on ground 7B where the Home Office has notified the landlord that one or more, but not all, of the tenants or occupiers do not have a right to rent. The minimum notice period for ground 7B is two weeks.

Ground 7B does not apply where none of the tenants or occupiers have a right to rent.

Where no one has a right to rent the assured tenancy is converted to a tenancy that is excluded from protection under the Protection from Eviction Act 1977. The landlord can serve a 28 days' notice on a prescribed form.

### Electronic Travel Authorisation (ETA)

From 2 April 2025, everyone who comes to the UK (except Irish citizens) will need an [electronic travel authorisation \(ETA\)](#), unless they have an eVisa proving their right to rent, study and/or work. An ETA grants access to the UK for up to 6 months for tourism, visiting family and friends, business or short-term study.

# FACT SHEET

## Ukrainian nationals

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UKRAINE SPONSORSHIP SCHEME

### Context

As a response to the conflict in Ukraine, the Home Office introduced several schemes in 2022 that would allow Ukrainian nationals to enter, live and work in the UK.

### The changes

The original schemes granted permission to live and work in the UK for a period of three years, in November 2024, the UK Government introduced the Ukraine Permission Extension Scheme. This allows Ukrainian Nationals who successfully applied to a previous scheme to extend their stay in the UK by 18 months.

### What does this mean?

When conducting Right to Rent checks, landlords will have to ensure that Ukrainian nationals have been approved through the scheme. Once their original status has expired, landlords or agents will have to verify if the tenant has successfully applied to the Ukraine Permission Extension scheme.

### What you need to do

The Ukrainian tenant must apply to the extension scheme within the 28 days before their current status expires. They must do this using the online eVisa system and provide a share code to the landlord or agent proving their right to continue to live in the UK.

The landlord or agent will be able to use the share code to see the status of the tenant's eVisa application, as long as the application was made within 28 days of their previous status expiring then it should show the application as pending. The tenant continues to have the right to rent while their application is showing as pending or in progress.

If the tenant misses the 28 day deadline they may lose their right to rent and work, unless they can show that they had a good reason for missing the deadline.

If the agent or landlord wishes to check the status of a particular application they can contact the Landlord Checking Service on 0300 790 6268. Monday to Thursday, 9am to 4:45pm Friday, 9am to 4:30pm.

## What you need to be aware of

Ukrainian nationals can be granted access to enter the UK without attending an overseas Visa Application Centre to submit biometrics. If they enter the UK through this method, they will be issued with a permission to travel letter. This letter cannot be considered evidence of Right to Rent.

Ukrainian nationals will be able to enter the UK without a valid Ukrainian passport. When doing so, they will have to provide their biometric information at a Visa Application Centre and be provided with an entry clearance vignette. They will still have to use the Home Office online eVisa service to prove right to rent.

If a tenant has been granted an extension through the Ukraine Permission Extension scheme, their eVisa will be updated to show their application was successful.

### Further information

GOV.UK: Information on the Ukraine Sponsorship Scheme

<https://www.gov.uk/guidance/apply-for-a-visa-under-the-ukraine-sponsorship-scheme>

GOV.UK: Homes for Ukraine: record your interest

<https://www.gov.uk/register-interest-homes-ukraine>

GOV.UK: Applying to the Ukraine Permission Extension Scheme

<https://www.gov.uk/guidance/applying-to-the-ukraine-permission-extension-scheme#full-publication-update-history>

GOV.UK: Apply for a visa under the Homes for Ukraine Sponsorship Scheme

<https://www.gov.uk/guidance/apply-for-a-visa-under-the-ukraine-sponsorship-scheme#full-publication-update-history>

# FACT SHEET

## 'Windrush' undocumented Commonwealth and long-term settled non-Commonwealth citizens

APPLIES TO: ENGLAND  
PUBLISHED: 2 JULY 2021  
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### Context

Under the British Nationality Act 1948, citizens of the United Kingdom and its colonies were given the right of settlement in the UK. Many citizens of UK colonies immigrated to the UK between 1948 and 1970. In total, nearly 500,000 people moved mainly from the Caribbean to the UK, who became known as the Windrush generation.

During this period, many of those immigrating did not require and often were not provided with documents upon entering the UK since they had a legal right to enter. Those who had immigrated were granted automatic citizenship once their countries of origin gained independence, but they did not receive nor were asked to provide documentary evidence to remain.

This caused an issue when, in the early 2010s, many members of the Windrush generation received letters from the Home Office, telling them that they had no right to live in the UK. With many of the Windrush generation having no or little documentation, conducting right to rent checks was difficult and required reform.

### The changes

On 24 May 2018, a dedicated Windrush Scheme was announced to make it easier for those affected to access support and the ability to gain documentation that would prove their rights to remain in the UK. This would provide those who had come to the UK before the end of 1988 and had lived there since to obtain the documents they needed to prove their Right to Rent.

### Eligibility

The current Windrush Scheme covers:

- Commonwealth citizens who settled in the UK before 1973.
- Children of the Windrush generation who joined their parents before they turned 18.
- Children born to the Windrush generation in the UK.

**NB: Non-commonwealth citizens who settled in the UK before 1973 and those who had arrived between 1973 and 1988 with an existing right to be in the UK have also been provided indefinite leave to remain.**

## What you need to do

The same procedures that apply to all prospective tenants apply to those who are members of the Windrush generation.

## What you need to be aware of

Due to the current situation of members of the Windrush generation and non-commonwealth citizens who have been living in the UK long-term, they may not have the required documents to prove their Right to Rent in the UK.

If there is any uncertainty if a prospective tenant does not qualify for settlement in the UK, Landlords should contact the Home Office Landlord's checking service on 0300 069 9799 or by checking your tenant's right to right: <https://www.gov.uk/check-tenant-right-to-rent-documents/how-to-check>

Prospective tenants who do not have their required documents should contact the Home Office on 0800 678 1925 or email: [commonwealthtaskforce@homeoffice.gsi.gov.uk](mailto:commonwealthtaskforce@homeoffice.gsi.gov.uk)

### Further information

Home Office: Right to rent checks for long-resident non-EEA nationals and Windrush generation  
<https://www.gov.uk/government/publications/right-to-rent-checks-long-resident-non-eea-nationals-and-windrush-generation/landlords-right-to-rent-checks-on-long-resident-non-eea-nationals-and-windrush-generation>

# Overseas students

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## Context

When renting to an overseas student in the UK, Right to Rent checks are required to ensure that the student has leave to remain. The same rules for biometric residency permits apply, however there are some circumstances which are unique to students that agents and landlords will need to be aware of.

## Eligibility

As with all other tenants, Right to Rent checks must be conducted on all students, including British citizens. The type of check conducted depends on the citizenship of the student and how long they intend to stay in the UK.

## What you need to do

### Short-term study

Students studying on courses up to six months can enter the UK as a visitor. Nationals of an EEA country, Australia, Canada, Japan, New Zealand, Singapore, South Korea or the USA entering the UK for short-term study, see the section on EEA citizens.

**NB: For all other international students, each student should have a visitor endorsement or vignette in their passport. A manual check will need to be made to confirm these are present and valid.**

### First time students from overseas

Students who are studying for the first time will have been issued with an endorsement in their passport. They will then have to collect their Biometric Residence Permit once they arrive in the UK.

A Right to Rent check can be conducted either online once the student has received the Biometric Residence Permit or by manually checking the endorsement in their passport. When doing a manual check, it is vital that it is conducted before the endorsement expires. Conducting the manual check provides a time-limited statutory excuse for 12 months.

**NB: If a manual check was conducted, it is good practice to conduct an additional check through the Home Office online service as this will provide a statutory excuse for the duration of the student's immigration permission.**

## Returning students with 'Leave to Remain'

This applies to students with Biometric Residence Permits/Cards, EU Settlement Status or status under the points-based immigration system. These students must use the Home Office online service. This can be conducted online via live video link whilst the student is still abroad.

**NB: For students with time-limited right to rent, the Right to Rent check must be undertaken no more than 28 calendar days before the start of the tenancy. This will apply to most students.**

## What you need to be aware of

There will be instances when a student is overseas, and it is not possible to conduct a Right to Rent check before drawing up the tenancy agreement. In this instance, it is possible to carry out a Right to Rent check before the prospective tenant occupies the property.

A tenancy agreement can be agreed in principle, with the Right to Rent check carried out at a later date in the presence of the tenant.

**NB: When renting a property to multiple students, checks must be conducted for each student and the agent or landlord must confirm the number of adults living in the property. If students are moving into the property at different times, Right to Rent checks can be conducted on each person before they move in.**

When subsequent changes have been made to a tenancy agreement that has been agreed in advance of students moving in, which grants the right of occupation to one or more new adult tenants, a Right to Rent check must be carried out again. This includes existing tenants who have already been checked regardless of their nationality.

**The lettings helpline is available to members with individual queries: [propertymark.co.uk/members.html](https://www.propertymark.co.uk/members.html)**