



# Home Office

## Right to rent checks updated guidance factsheet

### **Guidance on conducting right to rent checks on nationals of Australia, Canada, Japan, New Zealand, Singapore, South Korea and the USA who have entered the UK through eGates as visitors.**

Nationals of Australia, Canada, Japan, New Zealand, Singapore, South Korea and the USA may enter the UK using eGates and will not have their passports endorsed by a Border Force Officer on arrival. Those coming for more than six months will have a visa and will receive a biometric residence permit after arrival. Those entering as visitors do not require a visa and will not have UK stamps placed in their passport, but will have a right to remain in the UK for six months and are entitled to rent property for this period.

#### Visitors

We have expanded the acceptable evidence list for citizens of these countries to include an original or copy of:

- a boarding pass, or an electronic boarding pass for air, rail or sea travel to the UK;
- an airline, rail or boat ticket, or e-ticket;
- any type of booking confirmation for air, rail or sea travel to the UK; or
- any other documentary evidence that establishes the date of arrival in the UK.

The evidence of arrival in the UK within the last six months, together with a copy of the person's passport, should be retained by the landlord, including the date the landlord checked these documents, as evidence they have acted in the proper manner. A copy can be a hardcopy, for example a photocopy, or an electronic copy such as a screenshot.

We are seeking Parliamentary approval to amend the Code of Practice to reflect this change as soon as possible. Until the changes are made, we will not seek to impose a civil penalty or take prosecution action in cases where landlords have complied with this guidance.

The updated guidance can be found on [gov.uk](https://www.gov.uk).

## Frequently asked questions

### **What is right to rent?**

The Right to Rent scheme was introduced in 2016 to restrict immigration offenders from accessing the private rental sector in England. Landlords can check prospective tenants have a legal right to rent by conducting simple document checks. By carrying out checks, landlords ensure they would not be liable for a civil penalty.

### **How do I conduct a right to rent check?**

To conduct a right to rent check, you will need to:

- check which adults will use your property as their main or only home;
- ask them for original documents that prove they can live in the UK;
- check their documents to see if they have the right to rent your property;
- check each tenant's documents are genuine and belong to them, with the tenant present; and
- make and keep copies of the documents, record the date you made the check and when you need to undertake a further check if their right to stay in the UK is time limited.

Further information about how to conduct a check is available on [gov.uk](http://gov.uk).

### **Do the checks apply to holiday accommodation?**

If the letting is for less than three months, and not extended, then it is holiday accommodation and there is no need to conduct right to rent checks.

### **What if a tenant wants to rent for more than six months?**

Those coming to live in the UK for more than six months will have a visa in their passport and will collect their biometric residence permit post arrival, providing them with evidence to stay in the UK for more than six months. Landlords should ask to see these documents when conducting a right to rent check.

### **Do I need to check their visa?**

Visitors coming to the UK for up to six months from one of the listed seven nationalities are not required to have a visa, they have a right to remain in the UK for six months and are entitled to rent property for this period.

### **If I enter a tenancy agreement with a visitor from one of the listed seven nationalities, could I receive a civil penalty or prosecution?**

A landlord will be able to establish that the individual has a right to rent in England by checking and keeping a copy of the individual's passport together with evidence of their date of arrival in the UK. Where the checks are undertaken in the correct manner as described in the guidance, the Home Office will not seek to serve a civil penalty or take prosecution action.