

Right to rent checks

Your landlord must carry out an immigration check before you move into a property to make sure you have a right to rent.

Who has a right to rent

You have a right to rent if you:

- are a British or Irish citizen
- have leave to remain in the UK
- are on a work, student or spousal visa
- have refugee status or humanitarian protection
- have settled or pre-settled status under the EU settlement scheme

When your landlord must carry out checks

The right to rent check must be done before the tenancy starts. If your leave to remain has a time limit, your landlord must carry out a follow up check after 12 months or when your leave ends if this is later.

How to show you have a right to rent

You can prove your right to rent online if you have settled or pre-settled status under the EU settlement scheme, an eVisa, or a biometric residence card or permit. You can get a share code on GOV.UK to give to the landlord. You have to use the online service if you have a biometric card or permit.

Your landlord can also check the original document if you don't have digital evidence or don't want to use the online service. For example a passport or residence document.

The landlord needs to see the documents of all adults who are going to live in the property.

You can find the rules on what documents you can use on GOV.UK. Search for 'right to rent document checks'.

Factsheet

Discrimination

Landlords and agents must not unlawfully discriminate when carrying out right to rent checks. For example if they refuse your tenancy application because they assume you have no right to rent based on your race, nationality or accent.

You can complain to a redress scheme if a letting agent discriminates against you.

If you do not have the right to rent

A landlord or agent cannot offer you a tenancy if you do not have a right to rent. They are breaking the law if they do.

Your landlord must tell the Home Office if you do not pass a follow up check because your right to rent has come to an end.

Eviction if you do not have a right to rent

Your landlord might be able to end your tenancy if a follow up check shows you have no right to rent. If someone in the home has a right to rent and others do not, your landlord must follow the normal process to end your tenancy. Usually this means giving you notice and applying to court for an eviction order.

Your landlord might be able to evict you without a court order if no one in the home has a right to rent and the Home Office has sent a notice to the landlord.

You can get further advice from england.shelter.org.uk/housing_advice, a local Shelter advice service or local Citizens Advice.

If you have nowhere to sleep tonight, are at risk of harm or losing your home within the next 2 months, call Shelter Helpline on 0808 800 4444 for advice and information on your options. Calls are free from UK landlines and main mobile networks.

