

Checking your tenant's right to rent

1. Who you have to check

You must check that a tenant or lodger can legally rent your residential property in England.

Check with the Home Office [if the tenant is a Commonwealth citizen](#) but does not have the right documents - they might still have the right to rent in the UK.

Before the start of a new tenancy, you must check all tenants aged 18 and over, even if:

- they're not named on the tenancy agreement
- there's no tenancy agreement
- the tenancy agreement is not in writing

Check all new tenants. It's against the law to only check people you think are not British citizens. You must not discriminate against anyone because of where they're from.

[Sign up for email updates](#) about the right to rent policy.

If the tenant is only allowed to stay in the UK for a limited time, you need to do the check in the 28 days before the start of the tenancy.

You do not need to check tenants in these types of accommodation:

- social housing
- a care home, hospice or hospital
- a hostel or refuge
- a mobile home
- student accommodation

You also do not need to check tenants if they live in accommodation that:

- is provided by a local authority
- is provided as part of their job (known as 'tied accommodation')
- has a lease that's 7 years or longer

Read the [landlords' code of practice](#) to find out if you need to do any other checks instead.

2. How to do a check

You can either:

- check your tenant's original documents
- view your tenant's right to rent online if they have a 'share code'

If you rent your property to someone who does not have the right to rent in England, you can [get a fine of up to £3,000 for each tenant or be sent to prison](#).

How to check original documents

- 1 Check which adults will use your property as their main home (your 'tenants').
- 2 Ask them for original documents that prove they can live in the UK.
- 3 Check their documents to see if they have the right to rent your property.
- 4 Check that each tenant's documents are genuine and belong to them, with the tenant present.
- 5 [Make and keep copies](#) of the documents and record the date you made the check.

Which documents can be used

If the tenant is a British or Irish citizen, they can usually prove their right to rent with:

- a British passport (current or expired)
- an Irish passport or passport card (current or expired)
- a certificate of registration or naturalisation as a British citizen

They may be able to use a combination of other documents.

You can check a British or Irish citizen's physical documents yourself or use [an online identity service provider \(IDSP\)](#) to check them.

If the tenant is not a British or Irish citizen, they can usually prove their right to rent with their [original immigration documents](#).

Find out [which documents prove someone's right to rent and how to check them](#).

You cannot accept biometric residence cards or permits. If your tenant has one, ask them for a share code instead.

What to look for

You need to check that:

- the documents are originals and belong to the tenant
- 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

If the tenant is not a British or Irish citizen, you'll also need to check that their permission to stay in the UK has not ended.

How to check with a share code

You can [view a tenant's right to rent in England with a share code](#) if your tenant:

- has a biometric residence card or permit
- has [settled or pre-settled status](#)
- applied for a visa and used the 'UK Immigration: ID Check' app to scan their identity document on their phone

Ask your tenant to give you their share code.

If your tenant can prove their right to rent using an accepted, [original document](#), you cannot insist they use the online service instead.

British and Irish citizens cannot get a share code. You'll need to check their original documents instead.

Keeping a record of an online right to rent check

If your tenant's share code is valid, you'll be taken to your tenant's profile page.

You'll need to:

- save a record by printing out the profile page or saving it digitally as a file
- record the date you made the check
- keep this information for the time your tenants rent from you and for one year after
- make sure you follow [data protection law](#)

Check if the property is used as the tenant's main home

A property would usually be a tenant's only or main home if:

- they live there most of the time
- they keep most of their belongings there
- their partner or children live with them
- they're registered to vote at the property
- they're registered with the doctor using that address

If the tenant does not have the right documents or a valid share code

If the tenant does not have the right documents or a valid share code, you must [use the landlord's checking service to request a Home Office right to rent check](#).

The service can tell you if the tenant still has the right to rent - for example, if:

- the Home Office has their documents
- they have an outstanding case or appeal with the Home Office
- the Home Office told them they have 'permission to rent'

You'll get an answer within 2 working days.

You'll need the tenant's Home Office reference number to use the service.

Do not rent to someone in England if all of the following apply:

- they do not have the right documents
- they do not have a valid share code
- the Home Office right to rent check tells you they're not allowed to rent

Get help with a check

Call the landlord's helpline to get help with a check.

Landlord's helpline

0300 790 6268

Monday to Thursday, 9am to 4:45pm

Friday, 9am to 4:30pm

[Find out about call charges](#)

You must follow the landlord's code of practice on [illegal immigrants and private rented accommodation](#).

3. Making copies of the documents

When you copy the documents:

- make a copy that cannot be changed, such as a photocopy or a good quality photograph
- for passports, copy every page with the expiry date or applicant's details (such as nationality, date of birth and photograph), including endorsements, for example a work visa or Certificate of Entitlement to the right of abode in the UK
- make a complete copy of all other documents
- record the date you made the copy

Keep copies of the tenant's documents for the time they're your tenants and for one year after.

Make sure you follow [data protection law](#).

If your tenant does not have any documents, you must [check if they're allowed to rent your property](#).

4. Follow-up checks

You must do a follow-up check to make sure your tenant can still rent property in the UK if there's a time limit on their permission to stay.

You can [get a fine](#) if you do not do a follow-up check and your tenant's permission to stay ends.

Do the follow-up check just before the date that's the later of:

- the end of your tenant's permission to stay in the UK
- 12 months after your previous check

You do not have to do a follow-up check if there's no time limit on your tenant's permission to stay in the UK.

If your tenant fails a follow-up check

You must [tell the Home Office](#) if you find out that your tenant can no longer legally rent property in England after doing a follow-up check.

You could be fined or sent to prison for up to 5 years if your tenant fails a follow-up check and you do not report it to the Home Office.

5. Agents and subletting

You can ask any agents that manage or let your property to carry out the check for you. You should have this agreement in writing.

If a tenant sub-lets the property without you knowing, they're responsible for carrying out checks on any sub-tenants. They will be liable for any [civil penalties](#) if they do not do the check correctly.

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