



Brookland Estates
Property Management

eBOOK – Joint and several liability



Joint and Several Liability

Tenants also need to be aware that everyone named on the tenancy agreement is considered ‘jointly and severally liable’.

This means that each tenant is fully responsible for all the conditions of the agreement i.e. each tenant is responsible for the full amount of the rent or the full cost of any damages, not just their share.

So if one tenant were to leave, the remaining tenants would need to cover the remaining share of the rent. In student lets this can cause problems, so make sure all parties are fully aware at sign up.

This also applies to guarantors – this can cause problems, again in for example student properties – as one student’s parents will be liable for any debts or damage of all the students. There is no way around this and the best way is to explain how rare it is that any guarantor is expected to cover all bills – in reality it will be a number of guarantors responsible for covering perhaps a small amount of damage or any missing rent. If they don’t wish to guarantee then the only option is upfront rent payment.