



RESIDENTIAL LICENCES FACTSHEET

Most rented accommodation is let on tenancies, and these fall into 3 main types:

- Regulated Tenancies (started before January 1989) – long term security
- Assured Tenancies – long term security
- Assured Shorthold Tenancies – minimum 6 months security

These tenancies offer the tenant security, providing the terms of the tenancy agreement are met. A tenancy gives the tenant a legal interest in the land and property.

Licences, otherwise known as licence agreements, are different. A licence gives someone only the permission to occupy the premises. The occupant only has the consent from the landlord to occupy the premises for a period of time, and the occupier has no legal interest in the land or property. Providing “reasonable notice” is given, the landlord of accommodation let on licence has the right to enter the occupants home, e.g. for cleaning.

Hotels, hostels, lodging (letting a room in your home), holiday lettings, some Houses in Multiple Occupation (HMOs), employees of a business living on the premises, and some shared sheltered housing homes are let on licence agreements. Licence agreements apply to accommodation where the licensee occupies only part of a dwelling. For example, a block of self-contained retirement flats would be let on tenancies, whereas individual rooms in a house with shared kitchen and/or bathroom would often be let on licences.

Licensees have less security of tenure than tenants, and they can be asked to leave at any time providing they are given 4 weeks written notice. In some cases, a landlord requires a Court possession order to evict a licensee.

If you have been offered a licence agreement to occupy accommodation that you would want to occupy for the foreseeable future, ask questions of the landlord before making a decision, especially:

- What services do they provide, and during what days/hours?
- Are there any restrictions on the use of communal areas or length of time you might spend away from the accommodation?
- Would you be able to live there if your health should deteriorate, and your care needs increase?
- Under what circumstances would the landlord enter your home?
- Would there be any restrictions to your lifestyle – visitors, music, hobbies, pets, etc?
- What are the charges?

If the landlord is an Almshouse, ask if they comply with the standards of almshouse management set by The Almshouse Association, Billingbear Lodge, Carters Hill, Wokingham, Berkshire RG40 5RU (tel : 01344 452922)