



Home Office

Right to Rent Scheme COVID-19 Adjusted Checks Update

We announced on 12 May 2021 that the temporary adjustments would end on 20 June 2021. This date has now been delayed.

Following the UK Government announcement on 14 June 2021 to delay lifting the remaining lockdown restrictions until 19 July 2021, we have decided to push the date back for the resumption of physical document checks to 1 September 2021. This will ensure landlords have sufficient time to put measures in place to enable face to face document checks.

From 1 September 2021, you must check the prescribed documents as set out in the right to rent code of practice and the landlord's guide, published on GOV.UK at: <https://www.gov.uk/government/collections/landlords-immigration-right-to-rent-checks>. This means that when carrying out a document check you must be in possession of the original documents. You can no longer accept a scanned copy or a photo of original documents, as this will not provide you with a defence against a civil penalty.

Alternatively, where applicable you can use the Home Office online right to rent service via <https://www.gov.uk/view-right-to-rent>, which does not require you to see or check the individual's physical documents. You can carry out a check via video call using this service as right to rent information is provided in real time direct from Home Office systems - the tenant must give you permission to view their details in the form of a share code.

This service can be used by those with a current Biometric Residence Permit or Card, status under the EU Settlement Scheme, or the points-based immigration system.

Landlords cannot insist individuals use this service or discriminate against those who choose to use their documents to prove their right to rent.

There is no requirement to carry out retrospective checks on those who had a COVID-19 adjusted check between 30 March 2020 and 31 August 2021 (inclusive). This reflects the length of time the adjusted checks have been in place and supports business during this difficult time.

You will maintain a defence against a civil penalty if the check you have undertaken during this period was done in the prescribed standard manner or as set out in the COVID-19 adjusted checks guidance. However, any individual identified with no lawful immigration status in the UK may be liable to enforcement action.

Further information can be found on GOV.UK:

<https://www.gov.uk/guidance/coronavirus-covid-19-landlord-right-to-rent-checks>

You can [sign up](#) to receive updates about the Right to Rent Scheme on GOV.UK.



Home Office

Finally, queries about the Right to Rent Scheme can be sent to:
RighttoRentandRighttoWork@homeoffice.gov.uk

Q&A

Q. Why are you ending the temporary adjusted right to rent checks on 31 August 2021, rather than 20 June?

We are committed to supporting landlords and tenants during this pandemic. The ending of the COVID-19 adjusted right to rent checks on 31 August 2021 is in response to the UK Government's announcement on 14 June 2021 to extend the date for the easing of lockdown restrictions and social distancing measures. Ending the temporary adjusted checks on 31 August 2021 ensures landlords and letting agents have sufficient notice to put measures in place to enable face to face document checks.

Further information about working safely during COVID-19 can be found on GOV.UK

<https://www.gov.uk/government/publications/how-to-stop-the-spread-of-coronavirus-covid-19/how-to-stop-the-spread-of-coronavirus-covid-19>

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/offices-and-contact-centres>

Q.1 Will I be liable for civil penalty if I have only undertaken an adjusted check?

You will maintain a defence against a civil penalty if the check you have undertaken between 30 March 2020 and 31 August 2021 (inclusive) was carried out in the prescribed manner or as set out in the COVID-19 adjusted checks guidance published on gov.uk <https://www.gov.uk/guidance/coronavirus-covid-19-landlord-right-to-rent-checks>

Should a tenant with a time-limited right to rent require a follow-up check after 31 August 2021, you must ensure the follow-up check is undertaken as set out in the right to rent code of practice and the landlords guide to right to rent checks available on GOV.UK at <https://www.gov.uk/government/collections/landlords-immigration-right-to-rent-checks>

Q.3 Can I carry out an adjusted check on a tenant before 31 August 2021 if their tenancy begins on or after 1 September 2021?



Home Office

Yes – the temporary adjustments to right to rent checks will remain in place until 31 August 2021. However, landlords should ensure the security & integrity of their right to rent checks. You may wish to consider if there are opportunities to safely carry out standard right to rent checks as set out in [the right to rent code of practice and the landlord's guide](#) in advance of the temporary measures coming to an end. Particularly where a tenancy agreement does not start until on or after the 1 September 2021.

Q. What if my tenant does not have any or current documentation?

You should use the [Landlord Checking Service](#) if a prospective or existing tenant cannot provide any prescribed documents. This is available on GOV.UK at <https://eforms.homeoffice.gov.uk/outreach/lcs-application.ofml>

During this difficult time, you must take extra care not to draw conclusions about an individual's right to rent.

Q. Does the criminal offence remain in force?

It remains an offence to knowingly let property to an illegal migrant.