# DCLG logo

# Banning letting agent fees paid by tenants

# Consultation paper questions

Please indicate whether you are responding to this consultation as a:

1. Tenant
2. Landlord
3. Letting Agent
4. Other interested party

**All respondents should answer the questions in** [**Part A**](#partA)**.**

**Only those responding as tenants should respond to the additional questions in** [**Part B**](#partB)**.**

**Those responding as landlords should respond to the additional questions in** [**Part C**](#partC)**.**

**Letting agents should respond to the additional questions in** [**Part D**](#partD)**.**

## Part A – Questions for all respondents

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| **Question 1** | **Yes/No + Answer** |
| Do you think that the transparency measures introduced in the Consumer Rights Act 2015 have helped to drive up standards and improve competition? Please include reasons. |  |

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| **Question 2** | **Yes/No + Answer** |
| Do you agree that the ban on letting fees should also include a ban on letting fees charged to tenants by landlords and third parties? Please include reasons. |  |

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| **Question 3** | **Yes/No + Answer** |
| Do you agree that all letting fees, premiums and charges to tenants that meet the general definition of facilitating the granting, renewal or continuance of a tenancy should be banned with the exception of:   * The rent; * A refundable deposit; * A holding deposit to take the property off the market whilst reference checks are undertaken; and * In-tenancy property management service charges that directly relate to an action or service carried out at the request of the tenant or as a result of the tenant’s actions?   If no, please list any fees, charges or premiums aside from those listed above that you think an agent, landlord or third party should be permitted to charge |  |

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| **Question 4** | **Yes/No + Answer** |
| Do you think that refundable deposits, payable at the outset of a tenancy, should be capped? If yes please indicate the level of the cap. |  |

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| **Question 5** | **Answer** |
| How can Government best support the sector to expand or develop new approaches to minimise the financial burden on a tenant at the outset of a tenancy? For example, enabling tenants to pay their deposit in instalments over the first few months of the tenancy or using a line of credit approach where an agreed deposit amount is blocked on a tenant’s credit card. |  |

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| **Question 6** | **Yes/No + Answer** |
| Do you think holding deposits, to ensure that a property is taken off the market, should be capped? If yes please indicate the level of the cap. |  |

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| **Question 7** | **Yes/No + Answer** |
| Agents may occasionally provide bespoke, non-standard services to tenants at the top end of the market, for example, when arranging a property for someone currently living aboard who is relocating to the UK. Do you think there are premium parts of the market where a different approach to handling letting fees may be warranted? |  |

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| **Question 8** | **Answer** |
| What do you think will be the main impacts of the ban on letting fees paid by tenants? Please include any unintended consequences that you believe may arise. |  |

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| **Question 9** | **Yes/No + Answer** |
| Do you agree that the ban on letting fees should be enforced by Trading Standards? If not, how do you believe the ban should be enforced? |  |

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| **Question 10** | **Yes/No** |
| Would you support greater data sharing on rogue agents and landlords across organisations in the letting sector? |  |

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| **Question 11** | **Yes/No + Answer** |
| Would you support the introduction of a lead enforcement authority for letting agents to develop advice, standards and guidance and to share information? Please include reasons. |  |

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| **Question 12** | **Answer a) b) c) and/or d)** |
| Do you think that the penalty for non-compliance with the ban on letting fees for tenants should be (please tick all that apply):   1. a civil penalty of up to £5,000 in line with the penalty for non-compliance with the requirement to belong to a Government-approved redress scheme or non-compliance with the transparency requirements of the Consumer Rights Act 2015; 2. a civil penalty of up to £30,000 in line with the civil penalty for committing a banning order offence; 3. a banning order offence under the Housing and Planning Act; or 4. Other (please list)? |  |

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| **Question 13** | **Yes/No + Answer** |
| Do you think further action is needed to regulate the letting and management agent sector in addition to the ban on letting fees paid by tenants? What additional action do you think should be taken to regulate the sector? |  |

## Part B – Additional questions for tenants

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| **Question 14** | **Yes/No** |
| Do you consider that letting agent fees are clearly and transparently displayed? |  |

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| **Question 15** | **Yes/No** |
| Were you aware of letting fees at the outset of your interest in a rental property either through your own research or through your landlord or agent? |  |

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| **Question 16** | **Answer** |
| What letting agent fees were you charged during your most recent rental? Where possible please include a breakdown of the fees charged. |  |

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| **Question 17** | **Yes/No** |
| Have letting agent fees ever affected (a) your ability to move to a new rented property or (b) your decision to use an agent? |  |

## Part C – Additional questions for landlords

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| **Question 18** | **Yes/No** |
| Do you consider that letting agent fees charged to landlords are clearly and transparently displayed? |  |

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| **Question 19** | **Answer** |
| What fees does your agent (if you use one) charge you for letting or management services, in addition to commission charged? |  |

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| **Question 20** | **Yes/No** |
| Do you know how much your agent (if you use one) charges to your tenants in letting fees? |  |

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| **Question 21** | **Answer** |
| If you are a self-managing landlord, what letting fees do you charge to your tenants? Where possible, please give a breakdown of the fees charged. |  |
| **Question 22** | **Yes/No + Answer** |
| Would increased letting agent fees affect your decision to use an agent in the future? Please include reasons. |  |

## Part D – Additional questions for agents

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| **Question 23** | **Answer** |
| What letting fees do you charge to tenants? Where possible please give a breakdown of the services and fees charged. |  |

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| **Question 24** | **Answer** |
| What letting fees do you charge to landlords? Where possible please give a breakdown of the services and fees charged. |  |