

Enquiries to: Private Sector Housing Intel and Enf.
Direct line: 0151 233 3055
Email: privatesectorhousing.intel@liverpool.gov.uk
Our ref: XXXXX



Name of recipient
House number / name
Street name
City
Postcode

Date:

Ref:

Dear xxx,

Tenant Fees Act 2019
Retainer Fees
Summer Rents
Reduced Summer Rent

As part of a Nationally funded project, we will be carrying out compliance work in Liverpool and neighbouring Authorities to monitor compliance within the student rental sector with particular regard to the 'retainer fee' element of Assured Tenancy Agreements, (ASTs), in the student Houses in Multiple Occupation, (HMO), sector.

Liverpool City Council and partners have received several referrals from students and guarantors about the retainer element in tenancy agreements within this sector. This is the fee typically charged for the period between the end of one academic year and the start of the next, when essential maintenance is often carried out.

Whilst only a court or tribunal can ultimately determine the nature of any payment and its compliance with the Tenant Fees Act, our immediate concern is that these fees may not meet the requirements. It could reasonably be argued that this type of payment is, in effect, a holding deposit, and would therefore be subject to the controls of the Tenant Fees Act or may in effect amount to prohibited fees.

Guidance in relation to Tenant Fees Act is available via this link,

<https://www.gov.uk/government/publications/tenant-fees-act-2019-guidance>

Given these concerns, our work will include, but not limited to, seeking clarification from agents and landlords on the use of such retainer fees, advising the sector on these issues, monitoring market practices and working with partners to address concerns raised by

Liverpool City Council Head office: Cunard Building, Water Street, Liverpool, L3 1AH 0151 233 3000

liverpool.gov.uk

Enquiries to: Private Sector Housing Intel and Enf.
Direct line: 0151 233 3055
Email: privatesectorhousing.intel@liverpool.gov.uk
Our ref: XXXXX



tenants. We may need to consider appropriate compliance or enforcement action in accordance with our statutory duties.

(See details in Guidance link).

We are aware that the market for 2026-27 Academic Year properties will be active during winter months and as such we are taking this opportunity to advise Agents and Landlords to ensure retainer or similar required fees are compliant with Tenant Fees Act 2019.

If you do have any questions concerning any of the points raised in this letter I can be contacted using details provided.

Yours sincerely,

Gary Baskott
Trading Standards Officer
Private Sector Housing Intelligence and Enforcement Task Force

Liverpool City Council Head office: Cunard Building, Water Street, Liverpool, L3 1AH 0151 233 3000

liverpool.gov.uk