

Rent in Advance: When Can You Accept Payment

Landlord FAQ

Q: Can I accept rent before the tenancy agreement is signed?

A: No. There's an absolute prohibition on requesting, inviting or accepting any rent before the tenancy agreement has been signed by all parties.

Q: What if my tenant offers to pay early?

A: It doesn't matter who suggests it - accepting rent before the agreement is signed would still be a breach, even if the tenant volunteers to pay.

Q: When can I first request rent?

A: Once the agreement has been signed by all parties and the tenancy is therefore 'entered into', you may request and accept the first month's rent - including during the period between signing and the tenancy start date.

Q: What's the risk if I get the timing wrong?

A: Accepting rent before signing is a breach that can lead to penalties, so make sure your rent collection process doesn't request or take payment until the agreement is fully signed.

Q: What should I do if I'm not sure when I can legally take payment?

A: Contact your local Winkworth office before setting up rent collection for a new tenancy.