Consumer Rights Act 2015

2015 CHAPTER 15

PART 3

MISCELLANEOUS AND GENERAL

CHAPTER 3

DUTY OF LETTING AGENTS TO PUBLICISE FEES ETC

83   Duty of letting agents to publicise fees etc

(1) A letting agent must, in accordance with this section, publicise details of the agent's relevant fees.

(2) The agent must display a list of the fees—
   (a)   at each of the agent's premises at which the agent deals face-to-face with persons using or proposing to use services to which the fees relate, and
   (b)   at a place in each of those premises at which the list is likely to be seen by such persons.

(3) The agent must publish a list of the fees on the agent's website (if it has a website).

[F1(3A) Subsection (3C) applies to an agent who—
   (a)   is carrying on letting agency work in relation to a dwelling-house in England, and
   (b)   advertises the dwelling-house on a third party website as a dwelling-house which a landlord is seeking to let on a tenancy.

(3B) Subsection (3C) also applies to an agent who, on a third party website, advertises letting agency work carried on by the agent in relation to dwelling houses in England.

(3C) The agent must ensure that—
   (a)   a list of the agent's relevant fees is published on the third party website, or

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(b)   there is a link on that website to a part of the agent's website where a list of those fees is published.**]**

(4) A list of fees displayed or published in accordance with subsection (2) **[**^{F2}, (3) or (3C)**]** must include—

(a)   a description of each fee that is sufficient to enable a person who is liable to pay it to understand the service or cost that is covered by the fee or the purpose for which it is imposed (as the case may be),

(b)   in the case of a fee which tenants **[**^{F3}or contract-holders**]** are liable to pay, an indication of whether the fee relates to each dwelling-house or each tenant **[**^{F4}or contract-holder**]** under a tenancy **[**^{F5}or occupation contract**]** of the dwelling-house, and

(c)   the amount of each fee inclusive of any applicable tax or, where the amount of a fee cannot reasonably be determined in advance, a description of how that fee is calculated.

(5) Subsections (6) and (7) apply to a letting agent engaging in letting agency or property management work in relation to dwelling-houses in England.

(6) If the agent **[**^{F6}is required to be a member of a client money protection scheme for the purposes of**]** that work, the duty imposed on the agent by subsection (2) **[**^{F7}, (3) or (3C)**]** includes a duty to display or publish, with the list of fees, a statement **[**^{F8}that—

(a)   indicates that the agent is a member of a client money protection scheme, and

(b)   gives the name of the scheme.**]**

(7) If the agent is required to be a member of a redress scheme for dealing with complaints in connection with that work, the duty imposed on the agent by subsection (2) **[**^{F9}, (3) or (3C)**]** includes a duty to display or publish, with the list of fees, a statement—

(a)   that indicates that the agent is a member of a redress scheme, and

(b)   that gives the name of the scheme.

(8) The appropriate national authority may by regulations specify—

(a)   other ways in which a letting agent must publicise details of the relevant fees charged by the agent or (where applicable) a statement within subsection (6) or (7);

(b)   the details that must be given of fees publicised in that way.

(9) In this section—

"client money protection scheme" means a scheme which enables a person on whose behalf a letting agent holds money to be compensated if all or part of that money is not repaid to that person in circumstances where the scheme applies;

"redress scheme" means a redress scheme for which provision is made by order under section 83 or 84 of the Enterprise and Regulatory Reform Act 2013.

[^{F10}"third party website", in relation to a letting agent, means a website other than the agent's website.**]**

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F2 Words in s. 83(4) substituted (1.6.2019) by Tenant Fees Act 2019 (c. 4), **ss. 18(3)**, 34(1); S.I. 2019/857, reg. 3(q)

F3 Words in s. 83(4)(b) inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **35(2)(a)**

F4 Words in s. 83(4)(b) inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **35(2)(b)**

F5 Words in s. 83(4)(b) inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **35(2)(c)**

F6 Words in s. 83(6) substituted (1.6.2019) by Tenant Fees Act 2019 (c. 4), **ss. 19(a)**, 34(1); S.I. 2019/857, reg. 3(r)

F7 Words in s. 83(6) substituted (1.6.2019) by Tenant Fees Act 2019 (c. 4), **ss. 18(4)**, 34(1); S.I. 2019/857, reg. 3(q)

F8 Words in s. 83(6) substituted (1.6.2019) by Tenant Fees Act 2019 (c. 4), **ss. 19(b)**, 34(1); S.I. 2019/857, reg. 3(r)

F9 Words in s. 83(7) substituted (1.6.2019) by Tenant Fees Act 2019 (c. 4), **ss. 18(5)**, 34(1); S.I. 2019/857, reg. 3(q)

F10 Words in s. 83(9) inserted (1.6.2019) by Tenant Fees Act 2019 (c. 4), **ss. 18(6)**, 34(1); S.I. 2019/857, reg. 3(q)

Commencement Information

I1 S. 83 in force for specified purposes at Royal Assent, see s. 100(2)(b)(5)

I2 S. 83 in force at 27.5.2015 for E. in so far as not already in force by S.I. 2015/965, **art. 2(a)**

I3 S. 83 in force at 23.11.2015 for W. in so far as not already in force by S.I. 2015/1904, **art. 2**

Changes to legislation:
There are currently no known outstanding effects for the Consumer Rights Act 2015, Section 83.