

Tenant finding service: 6% of rent (Inc VAT)

We find you a tenant and organise the tenancy agreement, leaving you with the day to day running of the let.

Tenancy Setup & Administration Service

- No Let, No Fee
- Personal Service
- Open and transparent fees with no setup fees, free marketing and no hidden cost.
- Home visit and consultation
- Free valuation & landlord marketing guidance pack (comparable report included)
- Agree on the market rent and find a tenant in accordance with the landlord guidelines
- Free property staging & dressing for photography (inc moving furniture, general clean up to make the property presentable)
- Professional photography & 360 3D virtual tours (unlimited pictures) with room measurements taken
- Detailed property descriptions professionally written for marketing purposes
- Provide guidance on compliance with statutory provisions and letting consents
- Market the property and advertise on major portals, blue-chip companies & global network of 80,000 working professionals
- Erect board outside property in accordance with Town and Country Planning Act 1990
- Enquiry, viewing & landlord feedback management
- Carry out accompanied viewings (as appropriate)
- Advice on non-resident tax status and HMRC (if relevant)
- Solicit good quality offers from potential tenants and forward to Landlord/s
- Agree any tenancy conditions / special requirements (with additional clauses including any break clauses agreed)
- Produce and execute a comprehensive Tenancy Agreement (tenancy agreements are fully up to date with current consumer legislation and created by Pain Smith Solicitors)
- Collect and remit initial rental and deposit payment from the Tenant
- Agree on the collection of any shortfall and payment method
- Deduct any pre-tenancy invoices
- Make any HMRC deduction and provide a tenant with NRL8 (if relevant)
- Household utility switching service (transfer of council tax & utilities into the tenant's name)
- Key cutting management
- Tenant check-in at the start of the tenancy
- Placement of smoke alarm/s & carbon monoxide check (alarms tested, documented & signed by the tenant at check-in)
- Provide tenants and landlords with a welcome pack, booklets, manuals & any guidance documents required by law
- Electronic e-signing and filing facilities

Tenancy Reference Service

- Tenant interview
- Fully reference Tenant/s & Guarantor/s
- Identification check & Right to Rent checks - valid visa check - (required as part of legislation)
- Full credit history check - (which will highlight any CCJ's & Bankruptcies),
- Voters roll confirmation - (if the subject is not located on the current voter's roll, we will ask for proof of address)
- Locate information - (which may reveal undisclosed addresses which we can then search)
- Managing agent / Landlord reference/s
- Proof of income / Income reference/s

Tenancy Compliance Services

- Provide copy of the Government's "How to Rent" leaflet
- Local authority compliance check
- Organising landlord void utility management
- Organise safety certificates (i.e. Gas Safe, Energy Performance, Electrical Safety etc)
- Organise risk assessments (i.e. Legionella, Fire Assessment, HHSRS Homes Fitness for Human Habitation 2018 etc)
- Organise AIIC inventory and property check-in condition report
- Organise furniture, staging, dressing & appliances
- Organise portable appliance testing (PAT)
- Organise property cleans (domestic or professional)
- Organise locksmith services
- Organise rent guarantee & tenant eviction protection insurance
- Organise home emergency cover
- Organising prepayment meter cards and keys
- Placement of smoke alarm/s & carbon monoxide check (Document signed by the tenant at check-in)
- Money laundering compliance
- GDPR - General Data Protection Regulation compliance

Rent collection service: 8% of rent (Inc VAT)

We find you a tenant and collect monthly payments on your behalf, leaving you to maintain the property.

Rent Collection Service

- Our fees are taken monthly, no upfront cost
- ARLA qualified property managers
- 24/7 Online landlord portal for Information (You can view statements, invoices, make a maintenance request and more)
- Monthly, annual statements & property portfolio statements
- Security deposit held & registered with a government-authorized scheme
- Provide the tenant(s) with the deposit certificate and prescribed information within 30 days of start of a tenancy
- Collecting rent and paying into designated account promptly
- Pursuance of tenant arrears and servicing of appropriate notices
- Debt control and recovery
- Deducting and paying any regular outgoings on your behalf, if required
- Submission of non-resident landlords' quarterly receipts to HMRC
- To remit and balance the financial return to HMRC quarterly – and respond to any specific query relating to the return from the landlord or HMRC
- Annual property appraisal
- Deposit return process
- Process rent guarantee & tenant eviction protection insurance claims
- Court attendance
- Contract negotiation, amending and updating terms and arranging a further tenancy and agreement
- Preparing and executing all renewal tenancy documentation
- Rent review service

Rent Review Service

- Review rent in accordance with current prevailing market condition and advise the landlord
- Negotiate with tenant
- Direct tenant to make payment change as appropriate
- Update the tenancy agreement
- Serve Section 13 Notice if the tenancy is on a rolling monthly basis

Rent Collection Compliance

- We are members of the Propertymark client money protection (CMP) scheme
- CMP Scheme reimburses landlords, tenants and other clients should Harvey W James misappropriate their rent, deposit or other client funds
- Propertymark will reimburse landlords and tenants who are out of pocket up to £15 million per year with a maximum award of £50,000 per individual claim

Technology: Advance Rent Collection Platform

Our platform enables Harvey W James, tenants and landlords to see when rental payments are due and when they have been paid and moreover track each payment through the system until it arrives in the landlord's account via Harvey W James client account.

- Real-time data – plugged directly into the banking system, so balances are real-time and accurate
- One solution - combining portfolio management, accounting and banking
- Incoming payments - The system assists with automatic identification and allocation of incoming payments.
- Tenants will always get a receipt when paying rent into a client account and landlords will always get their statements on being paid.
- Trusted payments: Agents' client money and deposits are safe in an audited client environment
- Invoices & statements - Tenants and owners receive automated invoices and statements.
- Cloud-based: Access from anywhere at any time and on any device. All team members see the same live information and are protected by the same bank-grade security
- Express rent payments to landlord/s (Payments are made within 1 working day either at 5pm or 10pm after receipt of cleared funds, less our agreed fees and expenses into your nominated bank or building society account.
- Owners statement of account will be sent automatically on the 1st of each month.

Full Management Service: 10% of rent (Inc VAT)

We find you a tenant and collect monthly payments on your behalf and provide a comprehensive and hassle-free service. Whatever you or the tenant need, we take care of it.

Full Management Service

- Our fees are taken monthly, no upfront cost
- ARLA qualified property managers
- Keyholding service
- 24/7 Emergency helpline
- 24/7 Advanced online repairs and maintenance tool
- Setup emergency repairs float
- Arranging repairs and maintenance
- Arrange routine repairs and instruct approved contractors or landlords preferred contractor
- Annual property health check
- Dealing with matters related to managing agents/concierge for leasehold properties
- Two annual property inspections by an AIIC inventory clerk (detailed report outlining any issues with property or tenant)
- Property visits / waiting at the property
- Dealing promptly with payment of service charges and ground rent
- Tenant check-in and sign off on the inventory report
- Completion of legal notices (Section 8, 10, 231, 48, Deed of Surrender etc.)
- Rent guarantee protection and tenant eviction management
- Home emergency management
- Portfolio management
- Management while the property is vacant in-between tenancies
- Snagging management for new build properties
- Right to Rent management (ensuring visas are valid during the tenancy term)
- Tenancy checkout service
- Advising on deposit deductions

Tenancy Checkout Service

- Agree with tenant check out date and time appointment
- Instruct inventory provider to attend
- Negotiate with landlord and tenant any disbursement of the security deposit
- Return deposit as agreed with landlord and tenant to relevant parties
- Remit any disputed amount to Scheme for final adjudication
- Unprotect security deposit
- Instruct contractors; obtain quotes; organise repairs/replacement/cost of any broken or missing items

Contractor Compliance Service

- Arranging access and assessing costs with contractor
- Ensuring work has been carried out in accordance with the specification of works
- Retaining any warranty or guarantee as a result of any works
- Obtaining more than two contractors quotes
- Price guarantee, landlords receive the best possible prices
- Harvey W James does not add surcharges to third-party contractors' invoices, neither do we claim any referral fees back

Technology: Advance Repair Reporting Platform

Our repairs platform makes reporting repairs easy for both agents and tenants. Simple and accurate reports through a picture-based system, with translation into English from over 40 languages. No more lengthy, confusing phone calls. Tenants use their PC, mobile, or tablet to easily report their issues or receive online guidance to solve issues themselves.

- Guides tenants to help them fix simple issues themselves
- Creates detailed reports for agents and contractors
- Translates tenant repair requests from 40+ languages
- Reactive repair reporting
- Works order management
- Contractor management
- Planned maintenance
- Automated reminders & feedback collection
- Complete audit trail
- Free contractor app (helping contractors manage jobs on the move and ensuring full visibility at all time)
- Before any job is closed, tenants are asked for feedback on how contractors are performing

Full Management Service: 10% of rent (Inc VAT)

Sample Calculations

- ★ **10% Full management**
- ★ **Fees payable throughout the initial fixed term**
- ★ **No upfront fees**

Full management @ 10% (collected monthly)

- Calculation based on i.e. 12-month tenancy and rent @ £1000 per month
- $£1000 \times 10\% = £100$, therefore, £100 deducted from the rent each month
- $£1000 - £100 = £900$ paid to Landlord monthly

Total Service Fee of £1200 paid to Harvey W James payable throughout the initial fixed term*

- No upfront cost
- 12-month contract. Our fee (i.e. £1200) will be due if you decide to terminate our management services during the initial fixed term tenancy.
- Renewal at 8% monthly thereafter rolling contract
- 3-month notice period applies to end management services - £1200 will still be due to Harvey W James

****Charges are based on minimum tenancy term of 12-months.**

Rent collection service: 8% of rent (Inc VAT)

- ★ **8% Rent collection**
- ★ **Fees payable throughout the initial fixed term**
- ★ **No upfront fees**

Rent collection @ 8% (collected monthly)

- Calculation based on i.e. 12-month tenancy and rent @ £1000 per month
- $£1000 \times 8\% = £80$, therefore, £80 deducted from the rent each month
- $£1000 - £80 = £960$ paid to Landlord monthly

Total Service Fee of £960 paid to Harvey W James payable throughout the initial fixed term

- No upfront cost
- 12-month contract. Our fee (i.e. £960) will be due if you decide to terminate our management services during the initial fixed term tenancy.
- Renewal at 6% monthly thereafter rolling contract
- 3-month notice period applies to end management services - £960 will still be due to Harvey W James

****Charges are based on minimum tenancy term of 12-months.**

Tenant finding service: 6% of rent (Inc VAT)

Lettings @ 6% (One off Letting Fee)

Calculation based on i.e. 12-month tenancy and rent @ £1000 per month

- Letting Service: $£1000 \times 12 = £12000$ (gross rent premium)
- $£12000 \times 6\% = £720$ Upfront Cost

Total Service Fee of £720 paid to Harvey W James

- Upfront Cost
- Annual fixed charge
- No Annual renewal charges

****Our charges are based on minimum tenancy term of 12-months.**

Commission Refunds & Tenancy Renewals

Commission Refunds

- If the tenancy is terminated before its full term, we will refund commission paid by the Landlord on a pro-rata basis subject to a minimum fee of £1250 (Inc VAT) for our letting Service. The refund will apply from either the termination date, resulting from notice served by the tenant, or the earliest date at which the tenant could legitimately vacate in accordance with any provision of a break clause in the tenancy agreement. The date applied will be that which represents the greatest period of occupancy. The refund is only payable where the property is re-let by us and is paid once the new letting undertaken by us has commenced. Where the Landlord terminates the tenancy before the full term or does not comply with their obligations under the tenancy agreement, no refund is payable.

Tenancy Renewals

- Letting Service – 0%
- Rent Collection – 6%*
- Full Management – 8%*

*(2% reduction in the event that the tenancy continues for a greater period than the original term – minimum tenancy term of 12-month applies)

Inventory Price Guide for Flats and Houses

If Service Selected

Inventory & Check-In Condition Report

Check Out Report

£125 (Inc Vat)

£100 (Inc Vat)

Studio – 5 Beds

Paid by Landlord at Check-In

Paid by Landlord at Checkout

- ★ **Inventories** – AIC comprehensive report compiled at the start of the tenancy, detailing the condition and contents of the property, including digital photographs. An essential document for any tenancy.
- ★ **Mid Tenancy Inspections** - A visit to the property during the tenancy to outline any potential problems – give peace of mind. A report with digital photographs is provided.
- ★ **Check Outs** – (A fully comprehensive report carried out at the end of the tenancy, cross-referencing the original inventory, detailing the exact condition of the property. This allows the Landlord and Tenant to finalise the release of the deposit. When negotiating deposit disputes, both an inventory and a check out are vital.
Most landlords ask Harvey W James to employ external inventory companies to produce an inventory for their property before the property is let. The checkout report forms an important part of how the return of the tenant/s security deposit is arranged. Please feel free to get in touch if you have any questions about this process.

★ **Discount Packages Available / N.B. Third party contractors employed by Harvey W James LTD**

Cleaning Services for Flats and Houses

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Quote on Request

- ★ **Cleaning services available** – Regular cleaning / One-off Cleaning / Carpet cleaning / End of Tenancy Cleaning / Holiday Rental Cleaning / Upholstery Cleaning / Window Cleaning / Conservatory Cleaning / Oven & BBQ Cleaning / Curtains and Blinds Cleaning / After Builders Cleaning / Gutter Cleaning
- ★ **Equipment** – The cleaning company shall provide all cleaning supplies and cleaning equipment necessary to carry out the service. The client must provide hot running water, electricity and sufficient light at the premises where the service takes place.

The One-Stop Shop for All Home Services

- ★ **Gardening** – Garden Maintenance / Garden Clearance / Lawn Care / Tree Surgery / Pressure Washing
- ★ **Tradesman** – Locksmith / Handymen / Builders / Plumbers / Electricians / Painter & Decorators / Furniture Assemblers Carpenters / Tilers / Renovation and Refurbishment / Plastering and Wall Boarding / Floor Sanding / Kitchen Fitting / Bathroom Fitting
- ★ **Waste Removal** – House Clearance / Building Waste Disposal / Furniture Disposal
- ★ **Pest Control** – Mice / Rat / Bed Bug / Cockroach / Wasp / Bird / Fumigation / Pest Disinfection / Other
- ★ **Appliance Repairs** – Cooker, Oven, Hob and Hood / Fridge and Freezer / Dishwasher / Washing Machine and Dryer / Tumble Dryer - Get a local electric appliance repair service with 1-year guarantee
- ★ **Removals & Storage** – Home Removals / Storage Service / Furniture Collection and Delivery / Packing Service / Moving Supplies / International Removals / Furniture Assemblers

Notices & Service Guide

Other costs to consider

- EPC Energy performance certificate - £35
- Gas safety certificate - £35
- Annual Boiler Service & Gas safety certificate - £70
- EICR Electrical installation condition report with certificate - £75
 - Fuse box supply and fit with certificate - £300
 - Supply & Fit - Bathroom light (IP rated) - £50
 - Gas pipe earth bond - £40-£50
- Portable appliance testing - £30
- Emergency lights certificate - £40
- Smoke & heat detector certificate - £40.00
- Fire risk assessment - £150.00
- Fire alarm safety certificate - £60.00
- Legionnaires & Human habitation risk assessments - £25 (free service for managed properties)
- Professional deep clean - quotation on request
- Additional property inspections with a detailed report by an AIIC inventory clerk - £35
- Non-Resident/ overseas landlords annual accountant return - £350
- Smoke alarm (supply & fit) - £20
- Carbon monoxide alarms (supply & fit) - £25
- Rent guarantee protection (no excess): 6-month policy - £134 / 12-month policy - £198
- Home emergency cover (no excess): Gas & Electric – From £8.00 pcm
- Key cutting services (including fobs and other devices)
 - Key copying service will be charged at £15.00 (one-off cost for our time to duplicate additional sets) + Key cutting charges
 - Key posting service by recorded delivery to the UK home address only will be charged at £15.00 (one-off cost for our time)
 - Key collection or drop off service will be charged at £15.00 per hour (our 'by time' rates are: £15.00 for the first hour and £7.50 for any half-hour thereafter)
- Property visits / waiting at the property / Other timed duties - £15 per hour
- Lock change - £30 (labour per lock + cost of replacement lock)
- Domestic appliance repair - £35 (fixed labour/diagnostic callout charge)
- New-build snagging survey & report - £250
- Instruction/Withdrawal Guidance - If you instruct us to proceed with the proposed tenancy and subsequently withdraw such instructions, you agree to meet the costs of the expenses incurred by the tenant and a contribution towards our advertising costs of £300 inc VAT.
- Deposit dispute: If we have to submit a dispute to the DPS (whether raised by you or the tenant) to collate and complete the necessary administration - £60 (up to 4 hours allocated and £15 for any hour thereafter)
- If we have to attend court on your behalf as a witness, we will charge a fee - £120
- Non-Resident Landlord Scheme - Quarterly tax return by Harvey W James (No advice) - £60 per return
- Personal fixed fee all-Inclusive buy to let accounting package for UK & Overseas Landlord – £350 per Annum
- We will levy a supervision charge of 10% (subject to a minimum amount of £300 inc VAT) on to the cost of any protracted refurbishment or building works e.g., when we are required to meet other people at the property.
- Property licensing application handling service
 - Selective licence application - Local Authority Compliance Check & 1-hour consultancy (up to 5 tenants) (excluding licence application fee): £195
 - Additional licence application - Local Authority Compliance Check & 1-hour consultancy (up to 6 tenants) (excluding licence application fee): £295
 - Mandatory HMO application: Harvey W James does not manage HMO properties
 - Floor planning service - £50
- Additional fees will be payable for dealing with referrals to the rent assessment committees or any other Court or Tribunal proceedings or for protracted correspondence on your behalf. You will be charged at an hourly rate of £90. If you decide that specialist solicitors should be instructed you will also be responsible for their fees and any other expenses incurred in dealing with such matters.

Landlord Services & Fee Guide

HARVEY W. JAMES

LETTINGS AND PROPERTY MANAGEMENT

1. Services provided by Harvey W James

Harvey W James has a legal obligation to act in the best interests of the landlord and are not permitted to create a conflict of interest between our client and the tenant. A reasonable degree of guidance and sympathetic support will be provided to tenants of a managed property who are being harassed or victimised or are the target of persistent anti-social behaviour.

Harvey W James is a letting agent and property management company employed to guide our Landlord client. We provide our client with guidance on tenancy agreements, landlord legal responsibilities, general knowledge about tenancies and best practices. Harvey W James is a facilitator through which an agreement is made between a landlord and tenant for the rental of a residential property.

Our general duties: Advising clients about the letting process, setting up viewings and showing potential tenants around the property, selecting responsible, reliable tenants, preparing tenancy agreements, arranging inventories, checking tenant references, meeting landlords and advising on rents, arranging for maintenance to be carried out, working with builders, cleaners and suppliers, collection of rent and carrying out routine property visits.

Important Notice: Please note that it is the Landlord's responsibility to ensure their legal obligations are met.

N.B. Subject to the landlord service level agreement. Our landlord terms of business can be found on our website under the landlord section.

2 Landlord Target Market

Our main function is to provide solutions which save time, automate tasks and simplify processes to deliver the same high levels of service, despite an ever-increasing workload.

Our landlord target market is catered mainly for; -

- Private individuals
- Landlords that understand that it is their responsibility to ensure their legal obligations are met.
- Landlords that understand that they are involved in the decision-making process throughout
- Landlord approval before any action taken i.e. repairs, renewals etc
- Harvey W James working in partnership with our Landlords

Harvey W James does not provide an end-to-end solution/service that alleviates the landlord's legal responsibility.

TIP: Premium letting agencies like Foxtons, Knight Frank, Savills etc are much better suited for landlords who do not want any involvement with their property.

3 Agency Services offered to Landlords

- **Tenant-find only:** We will market the property, show prospective tenants around, check references and draw up tenancy agreements. Collect the first month's rent and deposit. You can pay extra for an inventory and check-in on moving-in day.
- **Tenant find + rent collection:** We will offer the same services as tenant-find only, but we will also collect the rolling weekly or monthly rent payments.
- **Full management:** Full management offers the same services as tenant find + rent collection, and we will also manage the day-to-day running of the property while a tenant is living there, including repairs and maintenance, and returning the tenant's deposit once we have made sure the inventory is still all there and nothing's been damaged

We will follow up on missed rent payments and offer contract renewals and reassess rent prices based on market changes, renegotiating rent rates with existing tenants where needed.

With a full management letting service, to be clear for example, 'full management' to Harvey W James means that we will carry

out any emergency repairs without checking with landlords first. (very rare and will only happen if this is a true emergency)

NB. Please note: the responsibility and liability of a property ultimately comes down to the landlord, even if they use Harvey W James to manage their property.

4. Tenant Fees Act - Schedule of fees

The Tenant Fees Act 2019 came into force on 1 June 2019. From that date, it is illegal for landlord & letting agents to charge fees to tenants apart from a small number of exemptions that are referred to as 'permitted payments'.

NB The ban on tenant fees applies only in relation to tenancy agreements and licenses signed on or after the 1 June 2019.

4.1 Relevant Person

The Act refers to a tenant or a 'relevant person' which includes a prospective, current or a former tenant or licensee.

NB: A tenant or relevant person also includes a guarantor or anybody acting on behalf of the tenant.

4.2 Permitted Payments

The Tenant Fees Act prevents landlords and their agents from requiring tenants to make any payment as a condition of granting, renewing or continuing a tenancy apart from:

- Rent
- Utilities and council tax
- Security deposits
- Holding deposits
- Default fees
- Fees for changing a tenant or ending a tenancy early

4.3 Prohibited payments

- Administration fees
- Application fees
- Set up fees
- Referencing fees
- Credit checks
- Guarantor fees
- Permitted occupier fees
- Right to Rent fees
- Contract negotiation fees
- Inventory charges
- Saturday move-in fees
- Check-in fees
- Check-out fees
- Renewal fees
- End of tenancy fees

4.4 Holding Deposit (per tenancy) — One Week's Rent

This is to reserve a property. Please Note: This will be withheld if any relevant person (including any guarantor(s) withdraw from the tenancy, fail a Right to-Rent check, provide materially significant false or misleading information, or fail to sign their tenancy agreement (and/or Deed of Guarantee) within 15 calendar days.

4.5 Security Deposit (per tenancy)

- **Under £50,000 Per Year:** Five weeks' rent. This covers damages or defaults on the part of the tenant during the tenancy.
- **Over £50,000 Per Year:** Six weeks' rent. This covers damages or defaults on the part of the tenant during the tenancy.

4.6 Unpaid Rent

Interest at 3% above the Bank of England Base Rate from Rent Due Date until paid in order to pursue non-payment of rent. Please Note: This will not be levied until the rent is more than 14 days in arrears.

4.7 Lost Key(s) or Other Security Devices

Tenants are liable to the actual cost of replacing any lost key(s) or other security device(s). If the loss results in locks needing to be changed, the actual costs of a locksmith, new lock and replacement keys for the tenant, landlord any other persons requiring keys will

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be charged to the tenant. If extra costs are incurred there will be a charge of £15 per hour (Inc. VAT) for the time taken replacing lost key(s) or other security device(s).

4.8 Variation of Contract (Tenant's Request)

£50 (Inc. VAT) per agreed variation. To cover the costs associated with taking landlord's instructions as well as the preparation and execution of new legal documents.

4.9 Change of Sharer (Tenant's Request)

£50 (Inc. VAT) per replacement tenant or any reasonable costs incurred if higher. To cover the costs associated with taking landlord's instructions, new tenant referencing and Right-to-Rent checks, deposit registration as well as the preparation and execution of new legal documents.

4.10 Early Termination (Tenant's Request)

Should the tenant wish to leave their contract early, they shall be liable to the landlord's costs in re-letting the property as well as all rent due under the tenancy until the start date of the replacement tenancy. These costs will be no more than the maximum amount of rent outstanding on the tenancy.

4.11 Overpayments made by Error (Tenant's Request)

Banking charges apply should the tenant request a refund of any overpaid monies made to Harvey W James.

Banking charges are calculated below; -

- £0.36 Incoming Service Charge
- Overpaid rent x Banking transaction fee @ 0.007884
- £0.18 Outgoing Service Charge

i.e. $£0.36 + (£1000 \times 0.007884) £7.88 + £0.18 = £8.42$

Please note that Harvey W James does not profit from any banking charges applied.

4.12 Check-In hours

- Monday - Saturday 12pm - 4pm Only
- Sundays & Public Holidays – Closed

NB: Landlords and agents cannot cover costs by charging higher rent for the first month, or any other month.

4.13 Payments

Faster Payments, once sent, cannot be cancelled. It's vital for the applicant/s to double-check the sort code and account number.

Although there is no guarantee that money can be recovered once it's been sent to the wrong place, there are processes in place for a bank or building society to follow that could help you get your money back. If the refund has been misdirected, Harvey W James will make reasonable efforts to recover the funds.

What will the banks do to help with misdirected payments?

- Commence action within a maximum of two working days to identify the recipient customer and notify them.
- Contact the receiving bank with a request to stop the money being mistakenly spent if your bank finds clear evidence of a mistake - this means the money will be returned within 20 working days as long as the recipient doesn't dispute your claim
- Notify Harvey W James within 20 working days of the outcome of its investigation if it can't reclaim your funds immediately - for instance, if the recipient disputes it
- Give you clear and accurate information on your options if funds can't be recovered through the standard process

You are solely responsible for any payment instructions that contain errors. By using the services provided by Harvey W James you accept the risk that a payment may be misdirected during the payment process. You agree that Harvey W James bears no liability to you or others for any such misdirected items through such errors.

4.14 Frequently Asked Questions (FAQs)

Do I have to pay for my reference?

- No, reference fees cover the costs of checks made by a letting agent to gauge whether a prospective tenant will be able to

afford the rent throughout the tenancy. On new tenancies from 1 June 2019, the costs of these checks will be met by the landlord.

What if I want to end my tenancy early?

- Where a tenant wants to leave their tenancy early, the agent is entitled to charge fees. If the tenancy agreement allows for one tenant to leave and another to take their place (a change of sharer) the agent can charge up to £50 (Inc VAT) or their reasonable costs if higher. The agent will have to prove their costs are more than £50 if they charge more. If the tenant wants to leave altogether, the agent can charge their costs in re-letting the property up to the maximum rent still due under the tenancy.

53. Landlord Banking Fees

Banking charges apply to the landlord should there be a need to collect any additional payments from the tenant that exceed the first month's rent in advance & 5-weeks security deposit at the start of the tenancy.

Example case study:

- The landlord has accepted the tenant/s offer to pay the 12-months full rent upfront.

No charge for collecting:

- First month's rent in advance i.e. £2000
- 5-Week Security Deposit i.e. £2307.69
- No banking charges to collect i.e. £4307.69

A charge applied for collecting:

- 11 months full rent upfront of i.e. £22000 (i.e. £2000 x 11)

Banking charge as calculated below:

- £22000 Overpaid rent x Banking transaction fee @ 0.007884
- $£22000 \times 0.007884 = £173.45$
- £173.45 banking fee charged to the landlord for collecting a lump sum payment at the start of the tenancy.

Other misc. banking charges (as calculated):

- Monies collected from the Landlord i.e. to pay an invoice, refund tenant overpaid rent etc
- Monies collected from the Landlord that exceed the first months rent or monthly rent i.e. if the property is managed by us
- Monies collected from the landlord that exceed funds held in the property account (i.e. emergency float)

NB. Please note that We cannot arrange for any repairs etc without first holding cleared funds sufficient to meet the liability. Harvey W James does not profit from any banking charges applied.

53.1 Commission payments / refund

- Our Letting / Introduction Service fees are payable in full for the initial term. Our charges are calculated on a minimum tenancy term of 12-months whether or not the same contains a break clause allowing early termination or parties agreeing a shorter tenancy term i.e. 6-months, or where the tenant has left before the end of the tenancy or your tenant appears to abandon the property.
- If the tenancy is terminated before its full term, we will refund commission paid by the Landlord on a pro rata basis subject to a minimum fee of £1250 including VAT for our Letting Service. *Please note this is only applicable if our fees have been collected in full and in advance for the whole of the initial term.
- The refund will apply from either the termination date, resulting from notice served by the tenant, or the earliest date at which the tenant could legitimately vacate in accordance with any provision of a break clause in the tenancy agreement. The date applied will be that which represents the greatest period of occupancy.
- The refund is only payable where the property is re-let by us and is paid once the new letting undertaken by us has commenced. Where the Landlord terminates the tenancy



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before the full term or does not comply with their obligations under the tenancy agreement, no refund is payable.

53.2 Potential cost to the Landlord for allowing a break clause provision

Where a break clause provision has been written into the tenancy to allow either party the flexibility to terminate their tenancy within the initial fixed term the landlord will be responsible for any new letting fees where the property is re-let by us.

NB. Please note that our lettings fees will still be due to us if we have agreed to collect our letting fees on a monthly basis during the initial term, this scenario usually applies to managed properties.

Managed properties: See example calculation below where our combined fees are collected monthly for the duration of the initial term, our Letting/Introduction fees will be calculated on a pro-rata basis:-

Rent: £1500 PCM	Rent: £1500 PCM
i.e. 12-month tenancy with a 6-month break clause	i.e. 12-month tenancy with an 8-month break clause
Notice Period: 2 Months	Notice Period: 2 Months
Earliest the tenant can vacant: 25/05/2021	Earliest the tenant can vacant: 25/07/2021
Tenancy term: 26/11/2020 – 25/11/2021	Tenancy term: 26/11/2020 – 25/11/2021
Earliest notice can be given by either party: 25/03/2021	Earliest notice can be given by either party: 25/05/2021
Our Letting fee – 6%	Our Letting fee – 6%
£1500 x 12mths = £18000 x 6%	£1500 x 12mths = £18000 x 6%
Fee Due to HWJ: £1080	Fee Due to HWJ: £1080
£1080 spread over 12mths	£1080 spread over 12mths
£1080 / 12mths * 6mths = £540	£1080 / 12mths * 4mths = £360
Remaining fees still to be collected from the Landlord: £540	Remaining fees still to be collected from the Landlord: £360
New letting fees apply, If the property is re-let by us	New letting fees apply, If the property is re-let by us

- Our letting fees are refunded on a pro rata basis subject to a minimum fee paid to HWJ (see our terms of business).
- If our lettings fees are collected monthly (i.e. spread over the over the initial term – see table above) and a replacement tenant is required, the outstanding letting fees will need to be settled in full.

NB. Other charges to consider in addition to our letting / introduction fees: Inventory check-in & checkout costs, void period, utilities & council tax, mortgage payments etc

54. Our details

Harvey W James LTD trade as a Limited company registered at Companies House (Reg. No 11169043)

Registered address: (Stratford Office)

1st Floor, 415 High Street, Stratford, London, E15 4QZ

Office number: 020 3865 1500

Enquiries: info@harveywjames.com

Report Repair Link: <https://harveywjames.fixflo.com>

Our Working Hours:

- Monday - Friday 9:00am - 7:00pm
- Saturdays: 10:00am - 5:00pm
- Sundays & Public Holidays: Closed

Our VAT number: We are currently not VAT registered.

We are members of the dispute and compensation scheme operated by Property Redress Scheme (www.theprs.co.uk) and our registration number is PRS010914

We are members of the Association of Residential Lettings Agent and the National Association of Estate Agents and subscribe to the code of conduct of that organisation. ([click here](#))

Harvey W James is committed to protecting your privacy and maintaining the security of your personal information. We adhere to

the requirements of UK data protection legislation. Our ICO Registration Number is ZA312485 (<https://ico.org.uk/>)

55.1 Our bank details

Bank: Natwest PLC
Account Name: Harvey W James LTD Client A/C
Account Number: 29746434
Sort Code: 50 00 00
IBAN: GB09NWBK50000029746434
SWIFT: NWBKGB2L

