



Do you rent out accommodation?



***Then the Landlords (Good Practices) Act
applies to you.***

Most tenants are happy with their landlord. But sometimes there are problems. The Landlords (Good Practices) Act gives landlords clarity and offers tenants protection. It explains what's allowed and what's not allowed. There are also extra rules to protect labour migrants. If a tenant and landlord cannot resolve an issue, the tenant can report the situation to the municipality. The municipality can take action if needed, for example by issuing the landlord with a fine.

What does the Act mean for landlords?

The Landlords (Good Practices) Act came into force on 1 July 2023. It applies to landlords and rental agencies. The Act sets out rules on financial matters, on drawing up and providing information in writing and on how landlords and rental agencies must behave. It also sets out additional rules for renting to labour migrants.

Financial matters

Under the new law, the maximum **deposit** is two months' basic rent for tenancy agreements entered into on or after 1 July 2023. It also specifies that, if a landlord uses a rental agency, the landlord pays the **mediation fees**. Rental agencies are not allowed to charge mediation fees to tenants. Landlords who charge tenants **service costs** must provide their tenants with an overview of these costs each year. Service costs are costs charged in addition to the basic rent to cover services such as cleaning and lighting communal areas and garden maintenance. Landlords can only charge the actual costs of the services.

Providing important information in writing

Tenancy agreements entered into on or after 1 July 2023 must be in writing. Oral agreements alone are not allowed.

Landlords must also share other **important information** with tenants in writing. This is information that relates to the leasing of the accommodation, such as:

- the fact that the tenant can only use the accommodation in ways agreed with the landlord;
- the fact that the landlord can only enter the accommodation with permission from the tenant. There are some exceptions to this rule. For instance, if there is an emergency;
- information about the various types of tenancy agreement and the related tenant protection and rental price protection;
- who is required to carry out repairs if something breaks (the landlord or the tenant);
- in what circumstances a tenant can approach the rent tribunal or the district court;
- information about the deposit amount and refund of the deposit (if the tenant paid a deposit when the tenancy agreement was entered into);
- details of a point of contact for questions about the accommodation;
- details of the municipal reporting office which the tenant can contact if they cannot resolve an issue with their landlord;
- an annual overview of any service costs charged by the landlord.

If a tenancy agreement was entered into before 1 July 2023, the tenant must receive this information by 30 June 2024 at the latest.

I only have an oral tenancy agreement with my tenant.

Is that allowed?



No, that's no longer allowed

Tenancy agreements entered into on or after 1 July 2023 must be in writing.



Information about how tenants are selected and treated

Landlords are not allowed to **discriminate**, even if they have had a bad experience in the past renting to someone of a particular origin, religion or sexual orientation, for example. To prevent discrimination (conscious or unconscious), landlords must state in writing how they select their tenants. When advertising accommodation publicly, landlords must include information on how tenants will be selected. Landlords must explain to unsuccessful candidates why they have selected another candidate.

Landlords are not allowed to **intimidate** their tenants. Intimidation includes threatening to end a tenancy agreement because a tenant complains. It also includes entering the accommodation without permission from the tenant or shutting off the gas, water or electricity supply. Tenants and landlords should try to resolve any issues together.

Additional rules on renting to labour migrants

The Landlords (Good Practices) Act contains additional rules on renting to labour migrants (people from other countries in Europe who come to work in the Netherlands temporarily). A tenancy agreement entered into on or after 1 July 2023 cannot be linked to an employment contract. Tenants must receive information about renting the accommodation in a language they understand.

If my tenants complain too much, I end their tenancy agreement.

Is that allowed?



I charge two months' basic rent as a deposit.

Is that allowed?



Since 1 July 2023, the maximum deposit a landlord can charge is two months' basic rent.



Most tenants are happy with their landlord

Are your tenants happy?

The Landlords (Good Practices) Act provides clarity about what's allowed and what's not allowed



The maximum deposit you can charge is two months' basic rent*



You can only charge service costs that you actually incur and you must send the tenant an overview of these costs each year



If you work with a rental agency, you must pay the mediation fees, not your tenant



The tenancy agreement must be in writing*



You must share important information with your tenants in writing. This includes information about their rights and obligations



If you are required to have a rental permit, apply to the municipality for one



Even if you are not satisfied with your tenant, you cannot intimidate them or discriminate against them



You have a clear procedure that prevents conscious and unconscious discrimination

If you rent out accommodation to labour migrants, additional rules apply:



The tenancy agreement cannot be linked to an employment contract*



You must share information with these tenants in a language they understand. This includes information about their rights and obligations as tenants

* Only applies to tenancy agreements entered into on or after 1 July 2023

What if there's a problem?

As of 1 January 2024, every municipality has a reporting office for tenants who have complaints or who have questions about the rules in the Landlords (Good Practices) Act. People looking for accommodation to rent can also contact the reporting office. If a complaint is made, the municipality can investigate further and take action, like contacting the landlord or rental agency involved. If the law has been broken, the municipality can issue an official warning and give the landlord or agency an opportunity to resolve the situation. The municipality can also issue fines or even, in the most extreme cases, take over the management of a property.

Permit requirement for landlords

The Landlords (Good Practices) Act allows municipalities to require landlords to have a permit. For example in neighbourhoods where liveability is under pressure. Or if the municipality wishes to set conditions for accommodation, such as on-site accommodation for labour migrants. In municipalities where this is the case, landlords must apply for a permit in order to rent out accommodation.

I rent out rooms in my home to single people only.

Is that allowed?



Yes

If you live there yourself, that's allowed. Landlords must make it clear in advance how tenants will be selected. And they must also explain to unsuccessful candidates why they have selected another candidate.

I hire temporary workers from Bulgaria and I also arrange their accommodation. But if there's no more work for them, they have to leave.

Is that allowed?



No, that's not allowed

As of 1 July 2023, a tenancy agreement for labour migrants cannot be linked to an employment contract.

More information? The Landlords (Good Practices) Act gives landlords clarity and offers tenants protection. For more information, go to www.goedeverhuur.nl
The municipality can help. If a tenant and landlord cannot resolve an issue, the tenant can now report the situation to the municipality.



More information ?

The Landlords (Good Practices) Act gives landlords clarity about what's allowed and what's not allowed. And it offers tenants protection.

For more information,
go to www.goedeverhuur.nl



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This brochure provides a summary of the rules in the Landlords (Good Practices) Act. No rights can be derived from this brochure.

