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by the gothic exterior:
with modern gadgets

ASK THE EXPERTS

The lettings agent

We have been letting out our property for three years while living abroad. Recently, our estate agent informed us that the rent had stopped and the place had been abandoned. We now learn that, although our contract states the rent must be paid via standing order, the tenant cancelled this three months into the tenancy; "random" people used to pay the agent by cheque. We are £10,000 out of pocket for replacing stolen furniture and repairs. Do we have a case against the estate agent?

J Noble, by email

Check your contract to confirm the service the agent was engaged to deliver. The agent could not have prevented a crime, but it has a legal duty to show that its vetting procedures were rigorous. Where references are provided, the agent should try to validate their authenticity. Despite the Tenancy Agreement, the agent can accept payments by other methods, but it should inform you of this. If the agent is a member of a professional body such as ARLA, NAEA or the Property Ombudsman, you can use the relevant complaints procedure. If not, contact your local Trading Standards Officer or the Citizens Advice Bureau. It sounds as if the service was a rent collection only; for absentee landlords, we recommend a full managed service with regular inspections.

✚ *Frank Webster is a director at the Oxford branch of the lettings agency Finders Keepers; finders.co.uk*