

COLLECTION OF PERSONAL INFORMATION BY LANDLORDS

- As a landlord, you want tenants who will care for your property and fulfil their obligations. The pre-tenancy stage is an opportunity to gather information that will help you make your decision.
- However, you need to balance this with the privacy of your prospective tenants. You may only collect information that's necessary for you to decide whether they would be a suitable tenant.
- Collect the minimum amount of personal information necessary to make that decision. For instance, if a credit report shows that an applicant is creditworthy, there's no need to collect their bank statements.
- The Human Rights Act prevents a landlord from discriminating against a tenant based on their age, gender, sexual orientation, nationality, race, employment status, marital status or beliefs. Since you can't use this information to choose a tenant, it's not necessary to collect it.

What information can you collect BEFORE deciding whether someone will be a suitable tenant?

Always justified	<ul style="list-style-type: none"> • Name and proof of identity • Contact information • Name and contact information for current landlord • One or two previous landlords as references • Expected length of tenancy applied for • Whether the applicant has ever been evicted • Pet ownership • Whether the applicant must give notice at their current accommodation • Authorisation to perform a criminal record check • Number of occupants who will live in the unit
Sometimes justified	<ul style="list-style-type: none"> • Personal references - where landlord references aren't available • Current income verification (e.g. pay slips, redacted bank statements) - where satisfactory references aren't available • Authorisation to collect a credit report - where satisfactory references aren't available • Whether the prospective tenant is a smoker - if it's a non-smoking property • Reasons for leaving previous tenancy
Almost never justified	<ul style="list-style-type: none"> • Broad consent to collect personal information from "other sources" • Driver licence number • Credit card information • Nationality, ethnicity, origin or citizenship • Physical or mental disability or illness • Personal beliefs or opinions • Marital and family status • Gender and sexual orientation • Rent paid at previous tenancy • Sports and hobbies • Current expenses • Conflicts with previous neighbour tenants or building managers • Proof of insurance • Languages spoken • Details about current accommodation • Banking history • Employment history • Age • Employment status

What can you collect AFTER you've selected a tenant?

Once you've selected your tenant, you may be justified in collecting additional information that you didn't need at the pre-tenancy stage, such as:

- payment information you'll need to collect rent
- name and number / address of an emergency contact person
- vehicle information, such as vehicle registration number, make and model, if the tenant will be parking on your property
- Name and number of emergency contacts.