

Living at your workplace



Tied accommodation

A lot of people who work in the licensed trade live on the premises. This can cause problems if you lose or change your job, or when you retire. If you leave or lose your job, will you have to leave your home? You may have to leave, but not at once. It's against the law for anyone to harass you, change the locks, or just throw you out. Whether you can stay in your home depends on the nature of your job.

What is the difference between a tenant and Licensee?

A licensee is someone who has a license to occupy a room or home. They aren't protected by the laws that protect tenants, but they may have a contract which gives them extra rights.

Rights of licensees

While landlords must follow the correct legal process to evict a tenant, they only need to give reasonable verbal notice to a licensee. This can be as little as a couple of hours or if a few weeks depending on your circumstances.

Accommodation that comes with your job

You are a service occupant if your home comes with your job, and you must live there to do your job. Tied accommodation means you live in housing that comes with your job.

You might pay rent to your landlord or it may be deducted from your wages. In some cases, you may get paid less because your employer provides you with somewhere to live. If you live in accommodation provided by your employer, you usually have either service occupier or service tenant rights.

If you are a service occupier

Most people who live in tied accommodation are called service occupiers. You are a service occupant if:

- You live in the accommodation to do your job or
- Your employment contract says you need to live in the accommodation to do your job properly

Service occupiers can include:

- Live-in carers or housekeepers
- Hotel or pub employees who live on the premises
- Caretakers or gardeners who live in or near their workplace



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Rights of service occupiers

If you live in tied accommodation your contract should set out:

- The rent you must pay, or the amount taken out of your wages for rent
- How much notice you get if you are dismissed or made redundant
- The notice you must give if you resign

Sometimes you may have a separate agreement that just deals with the accommodation.

If your job ends

Your right to live in your tied accommodation usually ends when your employment finishes. If your employer decides to end your job and accommodation, you may be able to challenge that decision if you disagree with the reasons for your dismissal. You will need to take your case to an employment tribunal.

Your right to challenge the loss of your accommodation depends on whether you pay any rent towards your accommodation.

If you are a service tenant

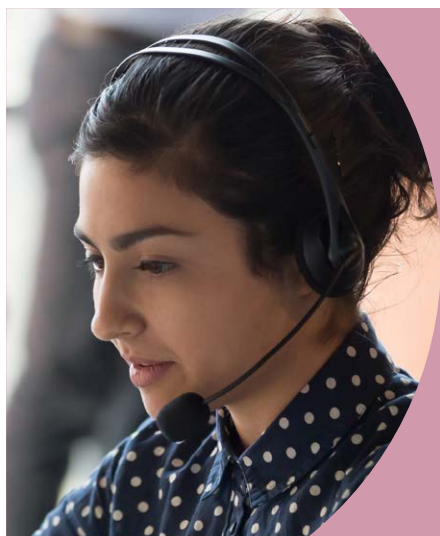
You're usually a service tenant if you choose to live in employer-provided accommodation but your job doesn't depend on you living there. Service tenants have the same rights as most other tenants who rent.

You will probably have an assured shorthold tenancy if you pay rent to a private individual or company.

If you rent your home from a council or housing association, you will probably be a secure tenant or an assured tenant.

Rights of service tenants

If you are dismissed or resign from your job, your employer will probably ask you to leave your accommodation. There are proper eviction procedures that your employer must follow.



The Licensed Trade Charity are available 24/7, if you'd like to talk about your situation, we can help you. Contact us for confidential, free of charge support. If you are experiencing any of the issues covered in this fact sheet, in the first instance call our helpline on:

0808 801 0550

Our Helpline Team will listen without judging and will work with you as best they can to achieve a positive outcome. If you prefer, you can email: enquiries@ltcharity.org.uk or visit our website at www.licensedtradecharity.org.uk, it's full of useful information about the kind of issues we know people who work in the licensed trade face.



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Note: This guide is not exhaustive. It has been produced by the Licensed Trade Charity to provide you with an overview of the issue in question. We are grateful to all specialist organisations who support our charity and are available to you should you be experiencing this particular issue.
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