

Warnings, dangers, scams and other things to know

In terms of rental and tenancy law, we have observed in recent years various dangers, scams or fraudulent practices that we detail here, without being exhaustive, but to warn you in the face of situations with which you could be confronted.

Scam attempts

Scam attempts using fake ads are increasingly common. While large real estate portals like Homegate or Immostreet are particularly good at identifying and removing them, others specializing in small private ads or social networks contain many.

This type of scam consists of a fake online real estate ad to which prospective tenants respond. The advertiser responds quickly by presenting himself as the owner, explains the reasons for the

rent of this property and ask you questions about your personal situation. A few exchanges later, it is question for the interested candidate to proceed to a payment of 1 to 3 months of rent to reserve the good before being able to visit it.

These announcements, in the past easily identifiable, have become more precise: they now display photos corresponding to the reality of the address (taken by criminals from real announcements), mobile numbers or Swiss landlines, and descriptions mentioning local public transport or the proximity of a known place.

Only the rental amounts are rarely objective (a pretty 2 bedroom apartment with a lake view in the center at CHF 1,200.- is probably an advertisement that should not be trusted).

If you're faced with an exchange asking you for a deposit, don't do anything about it, no matter how tempting the offer is. You will not see your money again, and visit absolutely nothing.

Rent scams

Rent scams have appeared in recent years. The criminals manage to pass themselves off as a real estate agency and contact tenants by phone or email trying to confuse the payment of rent. Concrete cases have been reported in the press:

«The tenant of a commercial premises received an email announcing, wrongly, the outsourcing of our accounting in England,» describes a Geneva agency. He was asked to pay his rent into an account in that country. He was suspicious, the scam failed. «The process is sophisticated:» The email, with our logo, was signed with the exact name of the property manager. The trick worked in Lausanne.



«The accountant of a company paid the September rent in Romania with the approval of his director,» relates the boss of a Lausanne authority. He understood his blunder when he was sent a reminder. The loss reached tens of thousands of francs. The fake email was addressed to the accountant himself, with our logo on it, but a signature and a fake phone code.»

So be vigilant if a change of bank details is reported to you by so-called your agency or one of its collaborators, a lawyer, a notary or a trustee, under the pretext of a change of the lessor's account number, " a change of management or the sale of the building. Regardless of how you present it, if in doubt, contact your agency to verify.

The dangers of sharing a f

Implementing a colocation can generate a whole series of problems. If you have to choose to make part of your apartment available to a roommate, you have to choose it carefully. Even if you know the person, it is not useless to ask for the usual documents to check their solvency. Finally, such a project is not done without the agreement of the lessor, it is therefore necessary, above all, to contact him to find out the procedure to follow.

In March 2015, Marin Dimanche recounted the story of a Lausanne woman who shared her apartment with a boy she had met and agreed to host. The reality a few months later was painful when she realized that her roommate had, in her name, ordered more than CHF 80,000 in merchandise online and it was not paid for.

Beyond the certificate of solvency and residence of the person, although this document is not requested by the agencies, specialists recommend in the context of a co-location or a sublet to claim the extract of the criminal record. It is also preferable to have these documents in originals, as they are very easily falsified when it comes to copies.



The difficulties of subletting

Like colocation, subletting presents certain dangers and the choice of the sub-tenant must be made carefully by studying the applications of interested persons, as would a control agency when it chooses a tenant. Do not hesitate to demand the usual documents and information. Be careful to have the most important documents delivered to you in original. Also ask for references and do not hesitate to call the candidate's current management for information.

But before going in search of the right candidate, you must first contact your agency to find out its point of view and under what conditions it will accept your project. Because not only the sublet must be approved by the lessor, but it meets certain standards arising from the Code of obligations and rental rules and uses. The basic principles provide that a sublet must be for a fixed period (generally less than a year) and without capital gain realized at the expense of the owner (the question of subletting furnished and valuing the furniture can make the subject of a discussion with the initial donor).

Failure to comply with these basic rules may be punishable by extraordinary termination with 30 days notice. And there is no point in thinking that a sublet will go unnoticed: the simple fact of adding the name of the sub-tenant on the mailbox is an easily detectable sign that the manager who regularly visits his building will see sooner or later. The concierge is also very aware of who lives in which accommodation and can report it to the management (this is also his role), not to mention the neighbors who can report the comings and goings of people they do not know. So there is no point in ignoring the laws.

The subletting must be concluded in the form of a written contract and the sub-tenant should also ensure that the management is informed and that he can reside in the apartment legitimately.

Airbnb = sublet

A lot of people ignore it or don't even think about wondering about it: putting all or part of your apartment on Airbnb is outright subletting, even if it is for very short periods of time and in such a way. occasional. Few of the few hundred housing units that the platform lists in Lausanne are officially announced to their management. However, we advise you to consult your manager to find out his point of view on the matter.