

New rules for subletting tenancy

On October 1, 2019, new rules will apply to subletting of tenancy. Here we have gathered the most important rules you as a tenant should know about.

Subletting always requires a permit

You always need permission from the landlord, or from the rent board, to sublet your tenancy. If you have not received permission from the landlord or the rent board and still sublet your tenancy, you risk losing the lease and being forced to move out of the apartment.

You may not charge higher rent than you pay yourself

Once you have received permission from the landlord or the rent board to sublet your tenancy, you may not charge a higher rent than the one you pay yourself. If you rent out the apartment furnished, you spend a maximum of 15 percent on the rent. If electricity, broadband or similar is included in the rent when subletting the apartment, you may only charge for the costs that you have yourself.

If you charge a higher rent from your subtenant than you are entitled to, you risk losing your apartment. If the tenancy is subletted without a permit and at too high a rent, you also risk a fine or imprisonment, as it is a criminal offence from 1 October 2019.

You need to stay in the apartment to have a lodger

As a tenant, you may have a lodger in your tenancy. You may charge rent from the lodger but only for the part of the apartment that the resident uses. If you have several lodgers, you are not allowed to charge a rent from the residents who together are larger than what you pay in rent.

The right to have a lodger only applies if you live in the apartment yourself. If you do not live in the apartment, the rules apply to subletting rental apartments and then you need permission from the landlord or the rent board.

Apartment change must be approved

In order to exchange a tenancy for another tenancy, you need permission from the landlord, or from the rent board. Both you as a tenant and the person you want to change the apartment with also need to have lived in the apartment for 1 year in order for the rent board to approve the change.

The Rent And Tenancy Tribunal does not approve the replacement of a tenancy for a condominium or villa.

Selling or buying leases is a crime

It is a crime to sell or buy a rental contract, for example to charge for your tenancy in connection with an apartment change. It is also forbidden to pay a tenant, black broker or other person to get a rental contract. The penalty for selling or buying a lease is a fine or imprisonment.

You must report your registered address

You are supposed to be registered where you live. Since 1 July 2018, it is a crime to provide incorrect information or not to report the registered population data to the Swedish Tax Agency when moving. The penalty is a fine or imprisonment.

Here you can get more information

If you have questions about subletting your tenancy, you can contact your landlord. You can also get more information from the rent board.