



Making homes safe

LANDLORD AND TENANT GUIDE

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Landlords must keep the homes they let out safe and free from health hazards. Here are some issues for landlords and tenants to be aware of.

GAS SAFETY

Landlords are legally responsible for the gas safety of their properties.

They must:

- Make sure gas equipment they supply is safely installed and maintained by a Gas Safe Registered engineer.
- Have a registered engineer do an annual gas safety check and/or service on each appliance and flue, such as a boiler or gas fire.
- Give a copy of the Gas Safety Record to each of the ingoing tenants before they move in and for any subsequent renewals, within 28 days of certification.

Tenants should ask their landlord or letting agent to show them how to turn off the gas supply in case of a gas leak.

WARNING!

If anyone smells gas, feels unwell or suspects a carbon monoxide leak, they should telephone Gas Emergency on 0800 111 999.

ELECTRICITY

Landlords have a legal duty to ensure that their rental property and any electrical equipment provided is safe before a tenancy begins and throughout its duration.

They must ensure:

- The electrical system is safe, e.g. sockets, switches and light fittings.
- All appliances they supply are safe, e.g. cookers and kettles.

Tenants should flag electrical problems as soon as they arise, as well as maintain any electrical items they bring into the house.

Landlords should provide tenants with a record of any electrical inspections.

Tests are recommended to be carried out by a registered electrician at least every five years. Landlords are also responsible for communal areas of a house, block of flats, or an estate that residents use in common with other tenants, like landings and kitchens.

LEGIONELLA

Legionnaires' disease is a pneumonia like infection caused by Legionella bacteria, commonly through the inhalation of small droplets of contaminated water. Landlords must assess and control the risk of exposure of tenants to Legionella.

Control measures can include:

- Flushing out the water system before letting the property.
- Ensuring cold water tanks have a tight lid to stop debris getting into the system.
- Setting control parameters to ensure water is stored at the correct temperature.
- Removing any unused pipework.

Tenants should be kept informed of any control measures, regularly clean shower heads and tell the landlord if problems occur with the water system or if the water is not heating properly.

On returning to the property after a period of absence, tenants should run taps thoroughly.

Records of assessments should be kept and follow up checks need to be carried out periodically.

Further advice is available from the Health & Safety Executive; see www.hse.gov.uk/legionnaires.

CARBON MONOXIDE & SMOKE ALARMS

From 1st October 2015, when properties are occupied by tenants, the landlords must ensure that:

- A smoke alarm is fitted on every floor of the property on which there is a room used wholly or partly as living accommodation and a carbon monoxide alarm in any room where a solid fuel is burnt e.g. wood, coal or biomass.

- Checks must be made by the landlord or letting agent to make sure that each alarm is in proper working order on the first day of the tenancy.

During the tenancy, it is the tenant's responsibility to ensure the alarms work and to change the batteries. Should the alarms become faulty, landlords are responsible for replacing them.



FURNITURE & FURNISHINGS

The Furniture and Furnishings (Fire) (Safety) Regulations 1988* set levels of fire resistance for domestic upholstered furniture, furnishings and other products containing upholstery.

They should pass the 'smouldering cigarette' and 'match flame' resistance test and carry a label confirming this. Generally, items manufactured in the UK after 1990 are likely to meet the required standards and display the appropriate permanent label confirming their compliance.**

If items do not comply they should be removed from the property before it is let.

ELECTRICAL SAFETY

BUILDING REGULATIONS

Except for some types of minor work, if landlords intend to carry out electrical installation work in a domestic property they must either:

- Notify the local authority building control team before work starts or,
- Have it carried out by an appropriately registered electrician or,
- Have the work inspected and tested by a registered third party certifier.

* As amended 1989, 1993, 2010.

** Exceptions apply.

HOUSES IN MULTIPLE OCCUPATION (HMO)

HMOs are usually properties in which unrelated people share facilities such as the kitchen or bathroom.

Large HMOs (more than two floors and more than four unrelated people) need to be licensed.

Check a landlord has obtained a licence by either contacting your landlord, agent or the local council. Licences are generally valid for five years and landlords need a separate licence for each HMO they run.

ADDITIONAL AND SELECTIVE LICENSING

Local authorities can also apply for selective and/or additional licensing of privately rented properties in areas which are experiencing low housing demand and/or suffering from anti-social behaviour to ensure that a minimum standard of property condition and management is met.



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USEFUL CONTACTS

Citizens Advice 03444 111 444

Money Advice Service 0800 138 7777

MORE INFORMATION

ARLA Propertymark tenant guides
propertymark.co.uk/tenants

ARLA Propertymark information for landlords
propertymark.co.uk/landlords

Local Authority gov.uk/find-your-local-council

Gas Safe Register gassaferegister.co.uk

Electrical Safety First electricalsafetyfirst.org.uk

Health and Safety Executive (HSE) hse.gov.uk

SOURCES, PUBLICATIONS AND LEGISLATION

- Building Regulations 2010
- Building Regulations Part P (Electrical Safety)
- Control of Substances Hazardous to Health Regulations 1989;
- Section 3(2) of the Health and Safety at Work Act 1974
- Electrical Equipment (Safety) Regulations 1994
- Electricity at Work Regulations 1989
- The Furniture and Furnishings (Fire Safety) Regulations
- Gas Safety (Installation and Use) Regulations 1998
- Housing Act 2004
- How to Rent Guide
- Landlord and Tenant Act 1985
- Plugs and Sockets etc. (Safety) Regulations 1994
- Smoke & Carbon Monoxide Alarm (England) Regulations 2015

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DISCLAIMER

These notes attempt to summarise complex legal issues but have been written in plain English. Details of where to obtain full copies of relevant legislation have been provided.

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