



SAFETY REGULATIONS

Landlords are required to meet numerous safety regulations when renting out a property. Failure to comply—or improper compliance—can result in unlimited fines and/or imprisonment. As your letting agent, we are here to guide you through the process and help you stay on the right side of the law.

Energy Performance Certificate (EPC)

An EPC with a minimum efficiency rating of E must be in place before marketing the property. If the rating is F or G, improvements are necessary unless the property qualifies for an exemption.

Gas Safety

Before a new tenancy begins, you must provide tenants with a valid Gas Safety Record. This inspection must be conducted by a GasSafe-registered engineer and ensures that all gas appliances, flues, and pipework in the property are safe. Gas safety checks must be repeated annually, with tenants receiving a copy of the new Gas Safety Record within 28 days of each inspection. Keep records for at least two years, even after the tenancy ends, to comply with the Gas Safety (Installation and Use) Regulations 1998.

Flues must be fully accessible for inspection. If any section is concealed behind walls or ceilings, you must install inspection hatches. A boiler may be classified as 'At Risk' and disabled if the engineer cannot inspect the entire flue length. We recommend removing barbecues and patio heaters, as they require separate testing.

If the boiler is located outside the property or in a communal area, you are still responsible for providing a Gas Safety Record to tenants. Obtain it from the freeholder, managing agent, or a publicly displayed copy in the building.

For assured short hold tenancies, you must ensure tenants receive the Gas Safety Record before the tenancy begins. Without proof of this, you may be unable to issue a valid Section 21 notice to end the tenancy.

Electrical Safety

Landlords must provide tenants with a valid and satisfactory Electrical Installation Condition Report (EICR). A 'satisfactory' report indicates no Code 1 or Code 2 faults and no need for further investigation. The EICR must be conducted by a qualified professional and comply with the 2018 IET Wiring Regulations (BS 7671:2018). Reports are valid for up to five years or until an earlier date specified.

Provide tenants with a copy of the EICR within 28 days of the inspection. Any necessary remedial work must be completed within this timeframe (or sooner, if specified), with proof provided to both tenants and the local authority. Penalties for non-compliance include fines up to £30,000 per breach.

We recommend annual Portable Appliance Testing (PAT) for all portable electrical appliances provided in the property, which may be mandatory for HMO-licensed properties.

Ensure new appliances are safe, meet British Standards, and are accompanied by operating instructions in English.

Legionella

Landlords must assess the property for risks of legionella bacteria, especially if it has been unoccupied or contains water systems like open tanks or cooling systems and address any identified risks before the tenancy begins.

Houses in Multiple Occupation (HMO)

Properties classified as HMOs or in selective licensing areas require specific licensing. Landlords must comply with local authority licensing conditions.

Furniture and Furnishings

Any furniture or furnishings supplied must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (amended 1993). This applies to upholstered furniture such as beds, mattresses, sofas, cushions, and nursery furniture.

Items must display compliance labels or other evidence of conformity. Non-compliant items should not remain in the property.

Smoke and Carbon Monoxide Alarms

Under the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022, all rented properties must have:

A smoke alarm on each storey used as living accommodation.

A carbon monoxide alarm in any room with a fixed combustion appliance (excluding gas cookers).

These alarms must be tested and functional at the start of each tenancy.

General Safety

Landlords must meet the Housing Health and Safety Rating System (HHSRS) standards, covering areas like damp, ventilation, security, and fire safety. If improvements are required, a local authority may issue an improvement notice. Non-compliance can impact Section 21 notices.

The Housing Health and Safety Rating System (HHSRS)

The HHSRS allows local authorities to assess housing conditions and enforce minimum standards. Landlords are

responsible for ensuring their property meets these requirements, which cover hazards such as damp, excess cold or heat, pollutants, overcrowding, lighting, noise, sanitation, and fire safety.

Assessments consider the severity of hazards and their potential impact on vulnerable occupants, such as children or the elderly, even if such individuals are not currently residing in the property.

Homes (Fitness for Human Habitation) Act 2018

This Act amends the Landlord and Tenant Act 1985, requiring landlords to provide and maintain properties that are fit for human habitation throughout the tenancy. It addresses issues such as repairs, damp, lighting, ventilation, water supply, and facilities for food preparation.

Tenants can take legal action against landlords who fail to meet these requirements, without needing to rely on local authority intervention.

Section 11 of the Landlord and Tenant Act 1985

Under this Act, landlords are legally responsible for maintaining the property's structure and exterior, as well as ensuring the proper functioning of utility supplies, heating, and hot water systems.

How Can We Help You?

Under our **Management Service**, we can arrange all required tests and checks on your behalf before the start of a tenancy and during its term, as necessary.

If you do not subscribe to our Management Service, we can still assist with individual tests upon request. Charges may apply— please refer to our Terms and Conditions for more details. Note that any further testing during the tenancy will remain your responsibility.

Please email info@acanthacollective.com for more information

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