Chase Evans



Providing peace of mind

A guide to safety regulations - When letting a property there are legal requirements put in place to protect the property and the life and health of tenants. This safety legislation is governed by the courts and as such there are serious penalties, including substantial fines and possible imprisonment, for non-compliance. This guide is not comprehensive but should help you to achieve peace of mind when letting your property.

Gas Safety (Installation and use) Regulations 1998

Regulations stating that it is the duty of any person who owns a gas appliance or pipework installed in the property to ensure that such appliances, pipework and flues are maintained in a safe condition so as to prevent risk or injury to any person.

Gas appliances include any appliance designed to use any mains, propane or calor gas, for the purposes of heating, lighting, cooking or any other purpose for which gas can be used, for example central heating systems, water heaters, cookers and hobs.

Installation pipework would cover all gas pipework, valves, regulators and meters.

Under the legislation, the landlord must ensure that a gas safety check is carried out at intervals of not more than twelve months by a Gas Safe registered engineer.

The engineer is required to inspect all gas appliances and installations, report on any defects and take remedial action as required. The engineer will then complete a report in prescribed form which then becomes the gas safety certificate.

This original certificate must be given to the tenant prior to the start of the tenancy and a copy must be kept by the landlord or agent for a minimum of two years.

Instruction manuals for all appliances must be readily available in the property.

Where we manage a property it is our responsibility to ensure compliance with gas safety regulations. If we do not manage the property, you as a landlord are responsible for ensuring that there is a valid gas safety certificate for the property and that the annual checks are carried out.

A tenancy cannot go ahead without the gas safety certificate in place.

The Furniture and Furnishings (fire safety) Regulations - amended 1993

Regulations making it an offence to supply furniture in the course of a business (including all rented property) unless it complies with 'the cigarette test', 'the match test' and the 'ignitability test'.

These regulations apply generally to all upholstery, upholstered furniture, loose fittings and permanent and loose covers. They do not apply to original furniture manufactured before 1950 unless that furniture has been subsequently refurbished or reupholstered with materials manufactured after 1950.

All furniture manufactured after 1983 should comply with these regulations and carry the labels of compliance. However all furniture should be checked to ensure that it carries the relevant labels. If there are no labels it is your duty to check with the retailer or manufacturer that the furniture complies.

It is illegal to let a property with furniture which does not comply with these regulations and so any furniture without compliance labels or where there is any doubt should be removed.

Fire safety labels are checked by the independent inventory clerks as part of the inventory compilation.

Energy Performance Certificate – EPC and The Energy Performance Rating

Since 1st October 2008 it has been compulsory for all landlords to obtain an EPC before a property can be marketed for rent. The EPC is valid for 10 years and must be made available to prospective tenants.

From 1st April 2018 all properties in the private rented sector will have to have an Energy Performance Rating from the EPC of E or better. Properties with an Energy Performance Rating of F or G will no longer be able to be rented out until improvements are carried out to bring the rating up to E.

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The Electrical equipment (safety) Regulations 1994

These regulations require that all electrical equipment supplied to a rental property is safe and checked on a regular basis by a qualified person.

In essence, as a landlord you are required to ensure that all electrical equipment is safe and will not cause death or injury to people or domestic animals or damage to property. All equipment should be properly insulated and earthed and protected by suitable fuses.

From January 1997 all new electrical equipment must bear the CE mark and be accompanied by instruction booklets and clear working instructions, however this does not override the landlord's responsibility to carry out further checks and to demonstrate that all steps have been taken in accordance with a duty of care to the tenant.

At present the regulations do not define 'regular' checks however basic checks should be carried out by the landlord to ensure: no worn or frayed cables or leads, no visible or accessible wiring, no live parts accessible, correctly fused plugs fitted to all appliances.

Domestic appliances - Cookers, fridge/freezers, washing machines, microwaves etc. should be in good working order and serviced as necessary. All appliances should be provided with suitable instructions and the total appliances as supplied should not be capable of overloading the system.

If there is any doubt about any appliance it should be removed from the premises or repaired by a suitably qualified electrical contractor.

As a total safeguard we would recommend that all appliances are tested by a qualified electrical contractor prior to the commencement of the tenancy and that where there is doubt or suspicion of a fault a more detailed inspection of wiring in the property is carried out.

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

The Building Regulations 1991 made it compulsory for all homes built after 1991 to be fitted with mains operated smoke detectors on every floor. The new Smoke and Carbon Monoxide Alarm (England) Regulations 2015 made it compulsory for all rental properties to have a smoke alarm fitted on every floor of the property with living accommodation and for every room in a rental property that contained a solid fuel burning appliance to have a carbon monoxide alarm fitted. These alarms can be battery operated but must be shown to be in working condition at the start of every tenancy.

It is the landlord's responsibility to ensure that these alarms are present and functioning, however Chase Evans will advise on the necessity of fitting alarms if required and all alarms are tested as part of the inventory check in at the start of a tenancy. During the tenancy it is the tenant's responsibility to check the operation of the alarms and replace batteries as required.

Although gas and oil burning appliances have not been included in this legislation it is anticipated that the Gas Safety regulations will be amended to require installation of carbon monoxide alarms. Chase Evans therefore recommends that carbon monoxide alarms are installed in any room of your rental property that contains a gas or oil burning appliance.



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