

# Safety Regulations

## Gas Safety (Installation and use) Regulations 1998

The Gas Safety Regulations states that it is the duty of any person who owns a gas appliance installed into the property to ensure that such appliances and flues are maintained in a safe condition to prevent risks or injuries to any person.

Gas appliances include any appliance designed to use any mains, propane or 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 would cover all gas pipework, valves, regulators and meters.

Under this 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 to inspect all gas appliances and installations, to report defects and take action if required. The engineer will then complete a report which will become the gas safety certificate. This original certificate must be given to the tenant prior to the start of the tenancy and a copy should be kept by the landlord or agent for a minimum of two years. Landlords must make sure that the instruction manuals for all appliances must be readily available at the property.

Where Blackstones Residential manages 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.

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## 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 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 therefore any furniture without compliance labels or where there is any doubt must be removed. Fire safety labels are checked by the independent inventory clerks as part of the inventory compilation.

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## Energy Performance Certificate – EPC and The Energy Performance Rating

Since 1st October 2008 it has been mandatory for all landlords to obtain an EPC before a property can be marketed for rent. This certificate 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

The Electrical Equipment Regulation 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. 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 and correctly fused plugs fitted to all appliances.

Domestic appliances - Cookers, fridge/freezers, washing machines, microwaves etc. should be in good working condition and serviced as essential. All appliances should be provided with 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 immediately or repaired by a qualified electrical contractor.

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### **The Smoke and Carbon Monoxide Alarm (England) Regulations 2015**

The Building Regulations 1991 has 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 has 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.

The landlord's responsibility is to guarantee that these alarms are present and fully functioning, however Blackstones Residential will advise on the essentiality of fitting alarms if required and all alarms are tested as part of the inventory check in at the start of a 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. Therefore, Blackstones Residential advises that carbon monoxide alarms are installed in any room of your rental property that contains a gas or oil burning appliance.