

Safety First

Some of these regulations are compulsory, with specific legislation and statutory codes to be complied with by landlords - for example, Gas Safety Regulations. In other cases, rules on compliance are less clear cut – for example, electrical checks. Here, no specific legislation applies to enforce regular checks, though in practice, landlords are under an obligation to make sure systems are safe.



Gas Safety (Installation & Use) 1998

A tenancy cannot commence unless all gas appliances, boiler flues and associated pipework are checked and certified as safe by a registered Gas Safe Engineer. This must be renewed every 12 months and we will make every effort to remind you of renewal but if we are not managing the property, then we suggest you make your own arrangements for renewal for peace of mind.

Electrical Equipment (Safety) Regulations 1994 & Part P of Building Regulations 2005.

We recommend an annual inspection of any equipment or appliance that you supply to the property you let, also a five yearly inspection of the main wiring of the property. It is the landlord's or the supplier of the equipment's, sole responsibility should there be an accident or fatality, and they could face prosecution.

Any electrical works carried out on the property should be by a competent electrician who is compliant in Part P of the Building Regulations 2005. Bridges can recommend contractors to carry out the vital checks and take care of any electrical installation or maintenance.

Furniture and Furnishings (Fire Safety) Amendment Regulations 1993.

If you are leaving a property furnished then you are reminded that you are responsible that the items comply with this legislation. The act covers upholstery and upholstered furniture that does not comply and that could be a fire safety hazard.

Fire Safety in General. Fire Safety Order 2005.

The responsible person (landlord) must make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the general fire precautions he needs to take to comply with the requirements and prohibitions imposed on him by or under this Order. The requirement is directed first to business but will also include property owners who rent their premises and in the main includes flats and maisonettes and, without doubt, houses in multiple occupancy.

A risk assessment would be good practice and would demonstrate common law safety in providing safe housing. In the event that there was a fire and no assessment had been made, then you cannot rule out the likelihood of prosecution if you were to be found negligent.

Smoke Alarms and Carbon Monoxide Alarms.

Under current legislation being the Building Regulations 1991, it is the law that all newly-built premises from June 1992 must have mains fitted smoke alarms with battery back-up. Legislation insists that the same criteria apply to a house in multiple occupation. Other properties do not require smoke alarms by law. However, if battery operated smoke alarms are fitted to the premises the landlord must ensure that the alarms are in working order at the start of a tenancy. It is not the law that carbon monoxide alarms are fitted to premises however, we advise all landlords to consider the installation of alarms to protect the tenant and help prevent any legal action being taken against a landlord if a tragedy occurs.

The real answer to this comes with the position you find yourself in when damage has occurred but you are handicapped as you have no written record of the original condition. We like to think of an inventory as an important investment, initially a fixed cost but in future tenancies a small cost to update the original, which, all-in-all will save you money and much anxiety in the future.

