

# LANDLORDS GUIDE

## LANDLORDS OBLIGATIONS AND LEGAL MATTERS.

As a Landlord you have an obligation to provide a safe/secure property for a Tenant, every Landlord must comply with the following:-

- **GAS SAFETY REGULATIONS 1998**

All gas appliances, equipment and pipework must comply with these Regulations which require an annual inspection by a Gas Safe registered approved engineer with copies of the certificate being retained by the Tenant, Landlord and the Landlord's Agent.

The safety inspection must be completed before the Tenant is given access to the property and a copy of the report must be displayed in the property or given to the Tenant within 28 days of each inspection. Failure to comply with these Regulations could result in a fine or imprisonment.

**You cannot delegate obligations in this regard onto a Tenant.**

- **FURNITURE AND FURNISHINGS**

These Regulations set a level of fire resistance that all furniture and furnishings in the property must meet. This includes both new and second hand furniture, unless it was manufactured before 1950. Generally furniture purchased after March 1990 will comply with these Regulations, however, the manufacturers label must be checked to confirm this. If the manufacturers label is missing or damaged and receipt for the item cannot be produced then the item must be removed from the property.

Items covered by these Regulations include:-

- Beds;
- Headboards;
- Mattresses and pillows;
- Sofa beds;
- Sofas, armchairs etc.
- Scatter cushions and seat pads;
- Loose and stretch covers for furniture;
- Children's furniture.

- **ELECTRICAL EQUIPMENT**

These Regulations, although not a legal requirement, are good guidelines for those wishing to rent a property. 'The Landlords and Tenants Act 1985' requires that all electrical insulation within a rented property is safe when Tenancy begins and is maintained to a safe standard. It is an implied term of every Tenancy that the Landlord will 'keep in repair the structure and exterior' of the property and 'keep in repair and proper working order' the installations in the property for the supply of water, gas and electricity and for sanitation, space heating and water.

**Landlords cannot make the Tenant responsible for these repairs.**

- **PORTABLE ELECTRICAL APPLIANCES**

Portable electrical appliances require to be tested because Landlords have a legal duty of care to take precautions against the risk of fire, injury or even death caused from appliances that they have provided. It is therefore in the Landlords best interest to take legal steps to ensure that appliances such as kettles, fridges, washing machines etc are safe and tested regularly.

- **ENERGY PERFORMANCE CERTIFICATE**

When renting a property it is a legal requirement to provide a copy of the Energy Performance Certificate to any prospective Tenant prior to a Tenancy being agreed. A Certificate remains valid for up to 10 years.

- **INSURANCE**

The Landlord is responsible to insure the buildings, and the fixtures/fittings/contents that he or she provides. It is the Tenant's responsibility to ensure their own possessions. Please ensure that you review any existing policies when first deciding to Let your property.

**It is important as a Landlord that when deciding to Let your property that you take the following steps:-**

- If applicable apply for Mortgage Lenders consent;
- Notify your Insurance Company;
- Obtain a Gas Safety Certificate. Any other central heating system should be checked annually and records kept. You must leave Instruction Manuals for all appliances and central heating systems and if these are not available then clear instructions preferably typed are required.