



LANDLORDS RESPONSIBILITIES & LEGISLATION

GAS SAFETY CERTIFICATES

Under the Gas Safety (Installation and Use) Regulations 1998, it is the Landlords responsibility to get a Gas Safety Certificate every twelve months. This must be obtained from a Gas Safe Registered engineer for all pipe work, gas appliances and flues installed at your property.

ELECTRICAL SAFETY STANDARDS

Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 state that private landlords must ensure:

- Electrical safety standards are met when the property is occupied during a tenancy.
- Every fixed electrical installation at the property is inspected and tested at least every five years by a qualified person.
- The first inspection and testing is carried out before new tenancies commencing on or after 1 July 2020 and by 1 April 2021 for existing tenancies.

LEGIONELLA RISK ASSESSMENT

Landlords of residential accommodation have responsibilities for combating Legionnaires' Disease. Health and safety legislation requires that landlords carry out risk assessments for the Legionella bacteria which cause Legionnaires' Disease and thereafter maintain control measures to minimise the risk. Most rented premises will be low risk but it is important that risk assessments are carried out and control measures introduced.

ENERGY PERFORMANCE CERTIFICATE (EPC) & MINIMUM ENERGY EFFICIENCY STANDARD (MEES)

Energy Performance Certificates (EPCs) are a legal requirement whenever a property is built, sold or rented. This must therefore be provided when marketing a property to sell or rent. An EPC contains information about a property's energy use and typical energy costs and recommendations about how to reduce energy use and save money. An EPC gives a property an energy efficiency rating from A (being most efficient) to G (being least efficient) and is valid for 10 years as a rental property. Please be aware that The Energy Act 2011 commits the Secretary of State for Energy and Climate Change to bring into force on 1st April 2018 regulations making it unlawful to market and let properties in England and Wales which do not meet a prescribed minimum energy performance standard (no lower than an E). From 1st April 2020 every property must be an E or better even if your tenant has been living in the property before 1st April 2018.

FURNITURE & FURNISHINGS REGULATIONS

Furniture and Furnishings supplied by the landlord or a managing agent must comply with the Fire Safety Regulations for furnishings and furniture. The furniture and furnishings fire safety regulations must be maintained so as to meet the relevant requirements regarding ignition and fire safety. This is intended to ensure proper fire resistance. Landlord fire safety is enforced by local training standards. These are also requirements imposed in relation to furniture in houses in multiple occupation (HMOs). Furnishings and upholstered furniture supplied by landlords must meet fire resistance requirements. These set levels of fire resistance to domestic upholstered furniture, furnishings and other products which contain upholstery. The relevant regulations are contained in the Furniture and Furnishings (Fire) (Safety) Regulations 1988 as amended by Regulations made in 1989 and 1993. These Regulations are made under consumer protection legislation under the Consumer Protection Act (CPA 87)

SMOKE ALARMS AND CO2 DETECTORS

Following the introduction of The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 it is now compulsory for all landlords to fit smoke alarms in rented homes, as well as offering protection against carbon monoxide poisoning. There must be at least one smoke alarm fitted on each floor of the property and a carbon monoxide alarm must be fitted in any rooms containing a solid fuel appliance (such as a wood burning stove). It is also the Landlord's responsibility to check that the smoke alarms are in working order when the tenancy starts with a potential penalty of up to £5,000 should they fail to comply.

INFORMATION FOR LANDLORDS



CHARLES LOUIS
LETTINGS & PROPERTY MANAGEMENT

INSURANCE

Landlords must ensure that any building and contents insurance cover is adequate for Renting the Property and that the policy covers furnished lettings. Please note: standard household policies usually do not cover lettings. The Agent cannot be held liable for any repercussions arising as a result of failure to observe the above.

MORTGAGED PROPERTIES

Where a property is owned with a residential mortgage, the landlord must ensure that Consent is obtained from the lender to let the property, and provide evidence to that effect to the Agent.

LEASEHOLD PROPERTIES

Where applicable, the Landlord should provide a copy of the head lease agreement to the tenant or to the Agent if managed, so that a copy can be provided to the tenant at the start of the tenancy so that they can comply fully with any requirements that are applicable. Failure to provide the Agent with a copy of this document may result in the Landlord being unable to make a claim for any breach of the head lease agreement.

TAXATION

The Landlord may be liable for tax on rental income and the Landlord should inform HMRC that the Property is let.

NON-RESIDENT LANDLORD (NRL)

HMRC has rules regarding the collection of tax on rental income if the Landlord is resident overseas for a period of more than 6 months in any tax year. If the Landlord falls into this category, it is the responsibility of the Landlord to obtain a tax approval number and provide it to the Agent. Where the property is jointly owned, each owner of the property must provide their own unique approval number. Where an Agent is employed to manage the property, the Agent is legally obliged to deduct tax from the Landlord rental income at the prevailing rate in the absence of a tax approval number. Where a tenant pays rent directly to an NRL, the tenant is legally obliged to deduct tax from the Landlord rental income at the prevailing rate in the absence of a tax approval number. For more information, please contact www.hmrc.gov.uk

RIGHT TO RENT

From February 1st 2016 landlords and agents across England have been required to establish the right to rent of all the occupiers over 18 in their properties when they start a new tenancy agreement. The occupier needs to bring original versions of the necessary documents to prove their right to rent. This is usually a passport and VISA (if applicable). It is also a legal requirement for landlords to carry out a follow up check to confirm that VISAs have been renewed, should the tenant no longer have the right to rent in the UK the landlord is under legal obligation to inform the Home Office. Charles Louis will carry out this check at the commencement of the tenancy but please be aware that if you manage the property you will need to confirm validation of the VISA throughout the tenancy

Open 7 days a week
0161 959 0166

charleslouishomes.co.uk
enquire@charleslouis.co.uk

Find us on

