



## Regulatory Update

### Electrical Safety Standards for Private Rented Properties

Provided by Dixons Commercial Insurance Brokers

#### Quick Facts

- New regulations require that private landlords enlist competent and qualified professionals to conduct electrical safety inspections at least once every five years.
- In the event of electrical issues being discovered, landlords have 28 days to perform any necessary work unless otherwise specified.

In the event that a landlord is found to be non-compliant with the Electrical Safety Standards in the Private Rented Sector Regulations 2020, a fine of up to £30,000 may be imposed.

In June 2020, England implemented new regulations for landlords as it pertains to the safety of electrical systems and equipment. The new Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 include a number of requirements related to inspections, safety standards and having necessary improvements completed promptly.

The government's goal for these regulations was to force negligent landlords to take additional measures in order to keep their tenants safe. Through compliance with these new rules, officials hope to improve the private rented sector across the country and ensure that housing is safe and secure.

#### Requirements

The requirements within the electrical safety standards include the following duties that landlords must adhere to:

- Making sure that [national standards](#) for electrical safety are met
- Ensuring that electrical installations are inspected and tested by a qualified and competent person at least once every five years
- Obtaining a report from the inspector, which contains results and a date for the next inspection

- Providing a copy of the aforementioned report to any existing tenants within 28 days of the inspection or to any new tenants prior to occupancy
- Providing a copy of the report to any local authority within seven days of a request
- Retaining a copy of the inspector's report that can be provided to future inspectors
- Completing any remedial or further investigative work shown by the report within 28 days or less if specified by the inspector
- Supplying written confirmation of the completion of any additional work to tenants and local authorities within 28 days of that work being completed

#### Affected Properties

With the new standards having come into effect on 1st June 2020, they are applicable to any new renters who began occupancy on or after 1st July 2020. The standards will also apply to previously existing tenants starting 1st April 2021. New tenancies are defined as those having been agreed upon on or after 1st June 2020.

Regulations apply to all private tenants who pay rent and occupy a property, including shorthold tenancies and licences to occupy. Furthermore, houses that are rented out by multiple parties and include shared facilities are also subject to the new rules. Click [here](#) for more information on specific types of tenants.

There are certain exceptions for various types of tenants, such as lodgers, tenants with lease agreements of seven years or longer, and residents of student housing and care homes. For a full list of these exceptions, click [here](#).

### Inspections

In order to satisfy the electrical safety standards, the inspections and tests arranged by landlords must be conducted by a competent and qualified professional. The electrical safety industry has established competent person schemes that can help landlords identify appropriate inspectors and testers. However, not all qualified and competent professionals are required to be members of these schemes. This means that landlords can also find a non-member and have them sign a checklist verifying their qualifications.

Standards that must be met during inspections are laid out in the 18th edition of the Institution of Engineering and Technology's [Wiring Regulations](#). Any fixed electrical parts of a property—such as wiring and sockets—must be inspected. Equipment that is permanently connected to electricity will also be inspected.

Specifically, inspectors will be looking for the following potential issues:

- Overloaded electrical installations
- Electric shock risks
- Fire hazards
- Defective electrical work
- Lack of earthing or bonding



The new regulations do not apply to electrical appliances like cookers, refrigerators and televisions, but it is recommended that landlords regularly test any appliances that they provide for tenants. Any records related to these tests should be provided to tenants.

### Reports

Following inspections, landlords will be supplied with reports that will indicate whether or not additional investigative or remedial work is necessary. If not, the landlord should supply copies of the report to tenants and, if requested, local authorities.

The following classification codes will be utilised by inspectors to indicate when additional work is necessary:

- **Code 1 (C1)**—This code means that there is imminent danger and risk of injury. The landlord will be responsible for conducting remedial work.
- **Code 2 (C2)**—This code means that conditions on the property are potentially dangerous and that remedial work must be carried out.
- **Code 3 (C3)**—This code means that remedial work is not required, but that improvements are recommended in order to make the property safer.
- **Further Investigation (FI)**—This code means that landlords are required to carry out further investigative work as soon as possible.

If remedial work or further investigation is deemed necessary, landlords have 28 days to do so. It is also possible that reports will require that landlords perform the recommended work within an even shorter time window. Once the work is finished, landlords must provide written confirmation to tenants and local authorities within 28 days.

## **Fines and Penalties**

In the event that a local authority believes that landlords are not in compliance with the electrical safety standards, they may serve a notice that requires remedial action. If the landlord does not comply with the notice, local authorities can arrange for the necessary remediation to be performed and then recoup related costs from the landlord.

Landlords who are found to be in violation of these regulations may also be subject to fines of up to £30,000. Actions taken by local authorities may be appealed by landlords within 21 days. Depending on the local authorities' decision, landlords may then appeal to the First-tier Tribunal.

## **In Conclusion**

The new electrical safety standards are intended to ensure that private renters are housed in safe environments. The government hopes that the regulations will not create an additional burden for responsible landlords, but will only impact the operations of those who have previously been negligent regarding the safety of their tenants.

For more information, contact us today.

