

## Preparing a House or Flat for Letting

This area requires much attention and most likely some financial outlay. If a landlord is letting a former home then they should be prepared to undertake some work and modifications if necessary. Often a homeowner might be happy to live with, or have got used to the small problems. It might be little things like a dripping tap or a loose carpet on the stairs or possibly bigger things such as damp, lack of ventilation, tired decor, lack of smoke alarms, an inefficient boiler or any manner of other undesirables. Rental properties have specific requirements. Here is a list of the mandatory areas to prepare - we are happy to advise further on any specifics relating to your property.

### Consents-to-let

If the property being let is a leasehold and/or is subject to a mortgage then consents-to-let will need to be applied for. This is because someone else has a stake in your property and there may be restrictions on whether you can let or not. Failure to do this could invalidate your rights. It's worth doing - there may be an extra charge from your bank or they may wish to change the terms of the mortgage since they will regard you as making financial gain from your property instead of simply living in it - a financial adviser could help you here if you feel like the goal posts are being moved by your mortgage provider.

### Fitness Standards

These can be subjective but ultimately landlords can be prosecuted for providing unfit homes. Areas to consider are: damp, internal arrangement, light levels, ventilation, water supply, drainage, sanitation, food preparation areas and disposal of waste water. Remember; tidy and organised homes tend to appeal to tidy and organised tenants. It is in the landlord's interest to ensure their property is at the correct standard. We will refuse to accept instructions from landlords who cannot provide a property with basic, modern fitness standards.

### Gas Safety

The Gas Safety (Installation and use) Regulations 1998 require gas appliances (mains gas and LPG), gas pipework and associated flues to be safe. This is achieved via a mandatory annual check by a Gas Safe engineer. He/she will produce a gas safety record certificate - a copy of this must be supplied to the tenant. The maximum penalty for non-compliance is six months imprisonment and/or a £5,000 fine. The regulations apply to both mains and bottled gas - so, for example, a gas BBQ would need to be safety checked.

### Fire Safety and Carbon Monoxide

As of 1st October 2015 there is a legal requirement for smoke detectors to be fitted on each floor of a rental property. Carbon Monoxide (CO) are also required in every room with



a solid fuel appliance (eg a fireplace). Retrofitting alarms is straightforward - battery powered alarms can simply be attached to the ceiling. Alternatively an approved electrician can hard-wire alarms into the electrical supply in the house - these will still require a battery backup - they can also be radio linked so that the triggering of one alarm triggers them all. Choose a smoke alarm that complies with the British Standard (BS EN 14604:2005) and carries the British Standard Kitemark or LPCB 'Horseshoe' mark. Buy from a reputable supplier - there has been a proliferation of counterfeit electrical equipment hitting the UK market from abroad - do not take any chances with equipment that is potentially life-saving. Install in accordance with the manufacturer's instructions with at least one detector on every level of the house and near to sleeping areas.

The provision of fire extinguishers and a fire blanket could also be considered.

### Coal, Oil and Woodburning Appliances

Landlord and Tenant law requires a landlord to ensure the safety of flues within a rental property - this includes a fireplace chimney. You are therefore advised to have these appliances serviced once a year - for open fireplaces and log/coal burning stoves that means having the chimney swept - a Guild Of Master Chimney Sweeps sweeper will document this and advise on the state of the chimney stack, liner, flue etc.

Furthermore, these appliances can generate Carbon Monoxide (CO) through poor combustion and performance - CO is lethal, silent and odourless. A CO detector will warn against CO and, as of 1st October 2015, their installation in the same room as any solid fuel appliance is a mandatory requirement

### Electrical Safety

The electrical Equipment (Safety) Regulations state that all electrical aspects must be safe. This includes both the property's fixed installation and the portable appliances within it. There is no specific requirement to have an electrician conduct a safety check but doing so would be the best way to prove compliance with the regulations. A registered electrician can be instructed to conduct an Electrical Installation Condition Report (EICR) - this is not only a visual check of

the entire installation but also involves in-depth testing of circuits, wiring, earthing and bonding to ensure that, amongst other things, fuses and circuit breakers will operate correctly. Proudhouse Property Management own an in-house electrical business that can complete this work at a very competitive fee - alternatively you can instruct your own preferred electrician.

Portable appliances can also be tested - recent purchases, still under warranty and with a CE marking can be considered safe - older appliances should be tested. Landlords are advised to reduce the number of portable appliances in the property - even in a furnished property, most tenants will not expect nor need lots of appliances. You are very strongly advised to not provide socket adapters, extension leads or foreign socket converters - furthermore, ensure your sockets are fitted with the correct fuse.

Do not be tempted to rectify any electrical installation - some work is permitted by non-competent persons (mainly straightforward like-for-like replacements of fittings and accessories) but most work is covered by the Building Regulations and needs to be approved by a registered installer or electrician.

### Furniture and Furnishings Fire Safety

Furnished properties need to comply with Furniture and Furnishing (Fire)(Safety) Regulations. This means that upholstered furniture must have a fire-resistant filling and be resistant to ignition - the furniture should be labelled to demonstrate this. The regulations cover the following items: beds, headboards, mattresses, bed bases, sofa-beds, futons, sofas, armchairs, footstools, nursery furniture, garden furniture suitable for use indoors, scatter cushions, seat pads, pillows, padded seats, loose and stretch furniture covers. The regulations do not apply to bed covers (duvets and protectors), curtains, carpets and furniture made before 1950 (provided it has not been reupholstered after 1950). Non compliance is a criminal offence and may lead to a fine of £5000 and or a prison sentence of up to 6 months.

### Energy Performance Certificates

An Energy Performance Certificate (EPC) provides information about a property's energy use and typical running costs. It also gives advice and recommendations on how to reduce energy consumption and save costs. It will apply an energy rating to the property with "A" being the most efficient and "G" the least efficient. An EPC must be available to prospective tenants before the property is marketed for rent. An EPC is valid for 10 years.

An accredited energy assessor will conduct an energy assessment and a list of assessors can be found here:

<https://www.epcregister.com/searchAssessor.html>

An energy survey is not the same as a building survey - it should involve a thorough survey of the property's material structure in the context of energy loss, eg type of construction, thickness of walls, presence of double glazing, presence of insulation etc. The certificate should be available within a few days - speak with your assessor to clarify when it will be available, especially if time is short. Costs vary but start at about £45 for a flat or small house.

### Instruction Manuals and a "House Pack"

Any tenant that moves into a property will need to acquaint themselves with the property, the appliances and services within it and any particular duties, covenants, procedures etc, that they may be responsible for. Never assume that things are self-explanatory or obvious - in the event of a broken appliance due to incorrect use, a landlord has not much of a case against their tenant if an instruction manual was not provided in the first place.

A landlord should collate together all the instruction manuals for all appliances into one pack - it is often possible to download duplicate manuals from the internet if any are missing any. Do not forget garden appliances such as a lawnmower (if one is being provided). It is also prudent for a landlord to provide a list of other useful information and instructions such as when rubbish is collected, sorting procedures for recycling, preferred tradesman. However, lists of special instructions on, for example, how often to clean the bath, Hoover the carpet etc are to be avoided - most tenants will simply find this off-putting. Any specific requests such as pets not being allowed in the house should be made a condition of the tenancy and listed on the AST.



### Legionella

Landlords need to risk assess legionella in their rental properties in accordance with HSE guidelines. The Code of practice document entitled ACOP L8 is available on the internet. We also have a further advice sheet on our website. We can arrange a risk assessment on your behalf or you can, and are entitled, to do this yourself. We will need to confirm your intentions before we undertake letting and management of your property.



*This document was authored by Chris Chambers of Proudhouse Property Management.*

#### **Disclaimer**

**Legal Disclaimer.** This content is not intended to be legal advice or an official source of information. Landlords and/or agents should seek official advice from a relevant professional or official organisation in order to assist them to satisfy their legal obligations.

**Copyright and plagiarism.** The content in this blog article are original material authored by Chris Chambers. Downloading and printing for personal use is permitted. Reproduction in a public forum, e.g. on a website or a link on a social media, must include suitable references and identify Chris Chambers of Proudhouse Property Management as the author.

**Updated: December 2017**