

## NEW Electrical Safety Regulations for Private Rental Landlords

The British Standards Regulations for Electrical Installations in England applying to new tenancies (including renewals) came into force in June 2020, applying to new tenancies from 1 July 2020 and from 1 April 2021 will apply for all existing tenancies. This means that all landlords now have to do what good landlords already do: make sure the electrical installations in their rented properties are well maintained, safe, secure and high-quality places to live, work and raise families.

There are essentially two key duties and a private landlord must:

- ensure that the required standards for electrical installations are met during any period when the residential premises are occupied under a specified tenancy; and
- ensure every electrical installation in the residential premises is inspected and tested at intervals of no more than 5 years or, where the most recent report requires such intervals of less than 5 years, at the intervals specified in that report.

The FIRST inspection and testing conducted by a qualified, competent Electrician should check existing electrics are safe for continued use.

- Must be carried out for new and renewal tenancies
- Must be carried out by 1st April 2021 in relation to an existing tenancy.

ALL Private Rental Premises MUST have a valid test and inspection report completed by a qualified electrician by 1st April 2021. A copy must be given to the tenant within 28 days and to a local authority within 7 days if required.



The inspection will find out if:

- any electrical installations are overloaded
- there are any potential electric shock risks and fire hazards
- there is any defective electrical work
- there is a lack of earthing or bonding – these are 2 ways of preventing electrical shocks that are built into electrical installations

Inspectors use the following classification codes to indicate where a landlord must undertake remedial work.

- Code 1 (C1): Danger present. Risk of injury. The electrical inspector may make any C1 hazards safe before leaving the property.
- Code 2 (C2): Potentially dangerous.
- Further Investigation (FI): Further investigation required without delay.
- Code 3 (C3): Improvement recommended. Further remedial work is not required for the report to be deemed satisfactory.

Existing installations, in accordance with earlier editions of the Regulations may not comply with this edition in every respect. This does not necessarily mean that they are unsafe for continued use or require upgrading however they do need inspected and tested to ensure they are safe.

If further investigative or remedial works are required, these must be carried out within 28 days or less if the report requires it to be less. A written confirmation from a qualified person that the investigative and/or remedial work has been carried out must be obtained. A copy must be given to the tenant AND to a local authority within 28 days.

The most recent report must be given to any new tenant before that tenant occupies the premises and it must also be given to any prospective tenant within 28 days of a request by them; it must be retained until the next test is due and a copy must be given to the person who is carrying out the next inspection.

A breach of the regulations can attract a penalty of up to £30,000 and multiple penalties in the event of a continuing failure to comply.

It is also recommended that landlords regularly carry out portable appliance testing (PAT) on any electrical appliance that they provide and then supply tenants with a record of any electrical inspections carried out as good practice.

The majority of landlords are proactive when it comes to ensuring the safety of their tenants and make a welcome contribution to the housing market.