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HEALTH AND SAFETY

As a landlord, you must keep your rented properties safe and free from health hazards. You must make sure that all gas and electrical equipment in your properties has been safely installed and is maintained. You must also follow fire safety regulations - for example, by checking that tenants have access to escape routes at all times.

Under the Housing Health and Safety Rating System (HHSRS), your local authority may inspect your property for health and safety hazards. If it finds serious problems, you will have to fix them. However, you can reduce the chance of this by carrying out your own checks for potential hazards, like damp. If you are a person licensed by a local authority to let out a property - a 'licensor' - you do not have the same health and safety responsibilities as landlords. However, you are still covered by the HHSRS. These standards are usually checked by your local authority's environmental health team. Your tenants have a duty to use the property in a responsible way - for example, by clearing kitchen sinks clogged of food waste to avoid blockages. They are also responsible for any damage caused by their family or friends.

Tenants should only carry out repairs to a property if they have agreed this with their landlord in their tenancy agreement.

The Housing Health and Safety Rating System (HHSRS) is designed to keep the occupants of buildings safe and well by removing any potential hazards in the property.

Gas Safety Certificate

You are responsible for the maintenance and repair of flues, appliances and pipework which you own and have provided for your tenants use by a Gas Safe Registered engineer. Although there is no prescribed timeframe for these duties, good practice would be the demonstration of regular, annual maintenance checks and subsequent repairs.

You are also responsible for ensuring an annual gas safety check is carried out within 12 months of the installation of a new appliance or flue which you provide and annually thereafter by a Gas Safe Registered engineer. You must keep a record of the safety check for 2 years and issue a copy to each existing tenant within 28 days of the check being completed and issue a copy to any new tenants before they move in.

Fire alarms and fire extinguishers

Local Building Inspectors and Fire Prevention Officers will advise landlords on these aspects.

As a minimum, landlords should remove potentially dangerous appliances and heaters and fit **hard-wired smoke alarms**. From 1 December 2015 Fire Safety regulations have changed. For all new lets, there needs to be hard-wired inter-connected smoke detectors fitted in the hallway of each floor, in the main living area & a heat detector in the kitchen. A fire extinguisher and kitchen fire blanket might also be a wise precaution. **It is now recommended that fire extinguishers should not be used by untrained persons i.e. residents/tenants, therefore do not place them in common areas.** LACoRS recommends fire blankets in kitchen bedsits and a general-purpose extinguisher on each landing in HMO.

An annual safety check (risk assessment) is a wise precaution for any landlord or agent even where it is not strictly required to meet the regulations, ie in single lets. Documenting this on a change of tenancy or on an annual basis will provide adequate evidence of due diligence on the landlord's or agent's part in the event of an incident. Doing this also provides landlords with an opportunity to inspect their tenanted premises and keeps tenants on their toes. **It is also a legal requirement under the fire safety order to periodically review the fire risk assessment.**

Fire Alarms

The building regulations require that all properties built after June 1992 must have mains operated inter-connected smoke alarms fitted on every level of the property.

Older properties also have to comply and landlords must provide at least one hard-wired smoke alarm in the property.

It is important to determine who is responsible for testing and maintaining the smoke alarms - the landlord, agent or tenant. If the agent is to be responsible, this should be noted in the management contract. If the tenant is to be made responsible for this then adequate warnings should be included in the letting agreement or in an additional notice. Also, documents such as the tenancy agreement, the inventory and the appliance operating instruction and emergency procedures information pack given to tenants, should mention the responsibility of the tenant to test and replace batteries in smoke alarms when fitted.

Carbon Monoxide Alarm

All properties with gas appliances must also have a CO alarm fitted as a useful precaution to give tenants advance warning of CO in the property. CO alarms must have a sealed, anti-tamper, long-life battery. CO alarms are fairly inexpensive and can be purchased in most hardware shops. Before purchasing a CO alarm, always ensure it complies with British Standard EN 50291 and carries a British or European approval mark, such as a Kitemark. CO alarms should be installed and maintained in line with the manufacturer's instructions. We would require you to have a CO alarm in your property or we can have one fitted on your behalf.

Legionella's Risk Assessment

Due to changes in legislation, all hot and cold water systems are now subject to a Legionella Risk Assessment and, where applicable, control schemes. Legionella is a bacteria which can cause Legionnaires' disease, a potentially fatal form of pneumonia and is generally contracted by inhaling tiny droplets of water suspended in the air and that contain the bacteria. Left untreated, this can lead to: pneumonia, diarrhea or signs of mental confusion. In a rented property it is the responsibility of the landlord & letting agency; however both the landlord and agent may have equal responsibility and legal obligation. In most residential settings, a simple assessment may show that the risks are low and no further action may be necessary as long as they are being properly managed. However, it is important to review the assessment regularly in case anything changes in the water system.