

# Electrical Safety In Rented Properties

## A Practical Guide For Landlords and Management Companies

As electricians, we are frequently asked to clarify the often confusing regulations relating to electrical systems and appliances in rented properties. We have produced this guide to answer the most common queries we receive from landlords and management companies.

### 1. Which Regulations Relate To Electrics in Rented Properties?

In the UK there are several acts and regulations which impose a statutory duty on landlords to ensure that the electrical equipment which they provide to their tenants is safe for use. The main ones are:

- ◆ The Health & Safety At Work Act (1974)
- ◆ The Consumer Protection Act (1987)
- ◆ The Electricity At Work Regulations (1989)
- ◆ The Landlords and Tenant Act (1985)
- ◆ The Housing Act (2004)
- ◆ Part P of the Building Regulations (2005)
- ◆ The Regulatory Reform (Fire Safety) Order (2005)

There are several items of legislation detailed in the Consumer Protection Act which are particularly relevant.

- ◆ The Low Voltage Electrical Equipment Regulations
- ◆ The Plugs & Sockets Regulations
- ◆ The Electrical Equipment Regulations
- ◆ The General Product Safety Regulations

### 2. What Are The Landlord's Responsibilities?

Even though properties may be rented to tenants for domestic use it is generally accepted that they class as commercial properties since they provide an income for the landlord. Landlords should therefore maintain and inspect properties according to commercial guidelines, such as those in the Electricity At Work Regulations (1989).

Regulation 4(2) of the Electricity At Work Regulations (1989) states:

'As may be necessary to prevent danger, all [electrical] systems shall be maintained so as to prevent, so far as is reasonably practicable, such danger.'

All electrical systems, therefore, should be regularly inspected and maintained in order to aid early identification of faults and safety risks. This is not only to protect the tenants' safety but also to protect the landlord against liability in the event of an accident.

### 3. What Electrical Inspections Should Be Conducted and When?

There are four main types of recommended electrical checks:

- ◆ **Electrical Installation Condition Reports**  
Recommended test: every 5 years
- ◆ **Portable Appliance Tests**  
Recommended test: variable, depending on class of appliance but usually annually in most domestic rented properties.
- ◆ **Emergency Lighting Tests**  
Required in larger properties with communal areas. Recommended test: full test annually, other basic visual and functional tests at regular intervals.
- ◆ **Fire and Smoke Alarm Tests**  
Recommended test: Full test every six months or annually, depending on type of system. Other basic visual and functional tests at regular intervals.

The testing frequencies listed above are those which are recommended by either the Electrical Safety Council or the Institute of Electrical Engineers, however recommended test intervals may vary according to factors such as condition of property or class of appliance.

### 4. What Is An Electrical Installation Condition Report (EICR)?

An EICR is a comprehensive check of all electrical circuits within a property. Before 2012 it was called a Periodic Inspection in the regulations. It may also be referred to as a PIR, Test & Inspection or T&I. An EICR involves testing all electrical systems included in the main fabric of the property; e.g. circuits & fuse boards, sockets & switches. It does not test appliances in the property. All wiring and circuits are checked for damage, signs of misuse, deterioration, indications of faults and non-conformance to regulations. The landlord receives a full report with detailed test readings and any maintenance recommendations. In the event of an accident, electrical fault or insurance claim, this documentation is often vital in proving the property has been adequately maintained and that the landlord has fulfilled their care of duty requirements.

### 5. What If The EICR Reveals Electrical Faults?

Included in the inspection report is a list of any items which require maintenance or upgrading. Items are coded in order of severity and danger. The landlord may then decide to carry out maintenance to all items at once or can choose which items to upgrade according to danger level, time and budget. S.J. Newton Electrical Ltd can provide an estimate for remedial works, if required, and issue any relevant certificates to show that the issues have been upgraded to a safe and satisfactory level.

### 6. What Is Portable Appliance Testing?

Portable Appliance Testing (aka PAT) is a safety check of all appliances in a property. Previously this had only included items which had a plug-top, however **a recent regulation change states that fixed appliances should also be tested.** This is because these were not previously included in any electrical safety checks. Fixed appliances include items such as cookers, hand-dryers, or fridge-freezers which are hard-wired directly into a connection point rather than using a plug-top.

While some companies are only able to test items and mark them with a pass or fail grade, there is a significant advantage to using a qualified electrician for Portable Appliance Testing. If any appliance requires a repair or modification before it will pass a test, a qualified electrician is often able to fix the problem straight away, saving the

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- ◆ Electrical Testing & Certificates
- ◆ Portable Appliance Testing
- ◆ Homebuyer Electrical Reports
- ◆ Appliance Repairs
- ◆ Rewires & Fuse board Upgrades
- ◆ DIY & Appliance Retail Sales
- ◆ TV & Audio System Set-Ups
- ◆ Shower Installations
- ◆ Extra Sockets & Light Points
- ◆ Garden Power & Lighting
- ◆ Commercial Wiring, Including 3-Phase Systems
- ◆ In-Store Small Appliance Repair Service
- ◆ Emergency Light Testing
- ◆ Insurance Reports
- ◆ Heating Installations
- ◆ Smoke Alarm Systems
- ◆ General Maintenance

landlord time, money and inconvenience.

## 7. Why Are These Tests Important?

Like everything, electrical systems and appliances deteriorate over time. Without regular testing electrical faults may occur which are not detected until they cause a problem. If a landlord does not properly maintain the electrics in his or her property then this may result in:

- ◆ Potential accidents or fatalities,
- ◆ Invalid property insurance and insurance claim refusals,
- ◆ A risk of fire or property damage,
- ◆ A risk of being sued by the tenant or injured party for civil damages,
- ◆ A risk of prosecution by the Health & Safety Executive, who can fine up to £5000 per non-conforming item or impose prison sentences of up to six months,
- ◆ Possible manslaughter charges in the event of a fatality,
- ◆ Higher maintenance costs caused by lack of early fault detection.

In many cases, electrical inspections can reveal issues of equipment misuse or unauthorized (often illegal) electrical modifications by tenants. Regularly inspecting the electrics gives the landlord peace of mind that their tenants are

properly caring for the building and are not putting the landlord's property at risk of damage.

## 8. Where Can I Find Further Information?

The Electrical Safety Council produces a range of excellent free leaflets which provide more information for Landlords. These can be viewed or downloaded at the following webpage:

<http://www.esc.org.uk/stakeholder/guidance-for/guidance-for-landlords/>

We hope that this guide has been helpful to you. If you would like any further information about any of the topics covered, or would like advice about electrical checks or maintenance then please contact us on 01626 778955 and we would be happy to help.



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