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PROPERTY
MANAGEMENT

Lettings Regulations for Landlords

Keeping you informed of your legal obligations as a landlord.

Electrical Installations & Equipment

Landlords of private rental properties and houses of multiple occupation are required to have an electrical installation condition report (EICR) carried out and available for the start of a new tenancy and for existing tenancies. This is to comply with the electricity safety standards in the private rented section (England) regulations 2020.

It is a legal requirement for a rental property to have a valid EICR before a new tenancy starts and are typically valid for 5 years from the date of the test. On completion of an EICR being carried out faults that have been identified are required to be rectified within 28 days from the date of the test and need to be undertaken by a Part P registered competent person.

Electrical equipment that is provided by the landlord that is to be used by a tenant at the property, is legally required to be safe to use to comply with the electrical equipment (safety) regulations 1994. It is always best practice to carry out a portable appliance test (PAT) on any electrical equipment provided, as you may be liable if the tenants are harmed from a faulty electrical appliance at the property.

<http://www.legislation.gov.uk/ukxi/2020/312/made>

https://www.rla.org.uk/landlord/guides/responsibilities/electrical_inspections.shtml

EPC

Energy Performance Certificates are needed whenever a property is built, sold or rented. You must order an EPC for potential buyers and tenants before you market your property to sell or rent. An EPC contains information about a property's energy use and typical energy costs and recommendations about how to reduce energy use and save money.

An EPC gives a property an energy efficiency rating from A (most efficient) to G (least efficient) and is valid for 10 years. To let a property your efficiency rating must be between A and E.

<https://www.gov.uk/buy-sell-your-home/energy-performance-certificates>

Fire

The furniture supplied within a rental property must comply with fire resistance requirements as defined within The Fire and Furnishings (Fire) (Safety) Regulations 1988 (as amended).

The regulations apply to beds, headboards of beds and mattresses, sofa-beds, futons and other convertibles, nursery furniture, garden furniture suitable for use in the dwelling, scatter cushions and seat pads, pillows, loose and stretch covers for furniture. They do not apply to furniture made before 1950, bedclothes including duvets, loose covers for mattresses, pillowcases, curtains, carpets and sleeping bags.

<http://www.legislation.gov.uk/ukxi/1988/1324/contents/made>

Gas

The Gas Safety (Installation and Use) Regulations 1998 require a gas safety check to be carried out on every gas appliance/flue. This will ensure gas fittings and appliances are safe to use. A certificate will be supplied by a Gas Safe registered engineer stating a pass or a fail, and the appropriate action will be required should the check fail. The certificate is valid for 12 months and must be provided to the tenants prior to the commencement of the tenancy. We will not allow tenants to move in without a valid certificate.

<http://www.gassaferegister.co.uk/>

Smoke and Carbon Monoxide Alarms

The Smoke and Carbon Monoxide Alarm Regulations 2015 require that a working smoke alarm be fitted on every floor and a carbon monoxide alarm in rooms containing a solid fuel appliance.

If smoke alarms are present, it is imperative that they are maintained. A clause within the tenancy agreement will typically inform the tenants of their responsibility to keep it well maintained and the battery to be replaced when necessary.

<https://www.gov.uk/government/publications/smoke-and-carbon-monoxide-alarms-explanatory-booklet-for-landlords>

Tax and the Non-Resident Landlord Scheme

You may be subject to income tax during the rental period and capital gains when you sell. If you are in any doubt, or you would prefer not to complete your own self-assessment tax return, then we advise that you consult an accountant.

<https://www.gov.uk/renting-out-a-property/paying-tax>

If you reside overseas, we are required by HMRC to comply with the non-resident landlord scheme. Unless the landlord provides a NRL form to HMRC, we will be required to deduct the basic rate of income tax from the rent. We can provide and assist you with the required information. Once HMRC approval is given we will be able to transfer rental income without deductions.

<http://www.hmrc.gov.uk/international/nr-landlords.htm>

<http://www.hmrc.gov.uk/cnr/nrl1.pdf>

Tenancy Deposit Protection

Legislation requires security deposits for Assured Shorthold Tenancies to be registered with a government approved scheme. We can register the deposit on behalf of the landlord. We are members of the Tenancy Deposit Scheme.

<https://www.gov.uk/tenancy-deposit-protection>

<https://www.tenancydepositscheme.com/>

Property Licensing

You may be required to apply for a licence to rent your property. Regulations vary depending on the Borough and style of property.

<https://www.gov.uk/private-renting/houses-in-multiple-occupation>