



# Landlords: Are You Compliant In 2020?

**HoldenCopley**

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# LANDLORDS: ARE YOU COMPLIANT IN 2020?

While there many challenges for landlords in 2020, it is vital that you remain up to date with all compliance matters. At the start of this year, there was a total of 156 pieces of legislation which English landlords must comply with. This amounts to a 32% increase on the 2010 figures, and new guidelines are being introduced regularly.

Therefore, it is no surprise many landlords find compliance a challenging issue, but we are here to assist you.

At Holdencopley, we are more than happy to provide an extensive range of property management services. We ensure you remain fully compliant with all rental property regulations and guidance. If you have any concerns about failing to comply with regulations, and then facing subsequent penalties, we can minimise your exposure to any risks.

The following aspects are helpful to consider in ensuring you are fully compliant in 2020.



# DO YOU NEED A LANDLORD LICENCE?

Selective licencing came into being in 2006 as a way of forcing rogue landlords to adhere to rules and regulations.

Local council authorities have the power to implement a scheme if they experience issues with anti-social behaviour or low standard of housing in a local area.

The scheme requires landlords to follow specific management rules, and if they don't, they can be fined.



# DO YOU CARRY OUT RIGHT TO RENT CHECKS ON ALL TENANTS?

Section 22 of the Immigration Act 2014 requires landlords to verify tenants legally have the Right to Rent in the United Kingdom. This requirement has been in place since February 2016 and landlords who fail to check a tenants' Right To Rent may face a civil penalty.

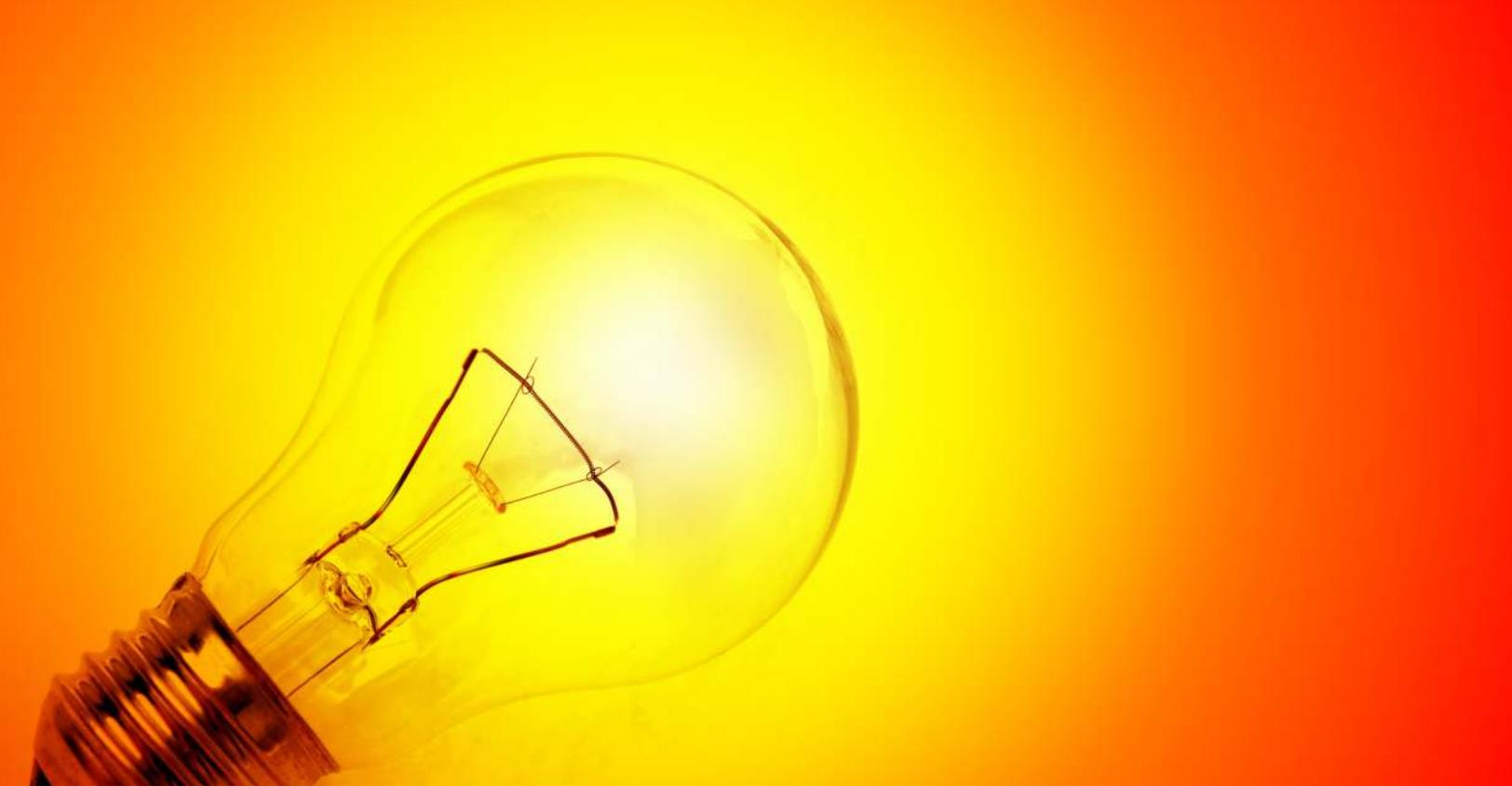


# ARE YOU PROTECTING A TENANTS' DEPOSIT IN A LICENCED GOVERNMENT SCHEME?

Landlords must secure a tenant's deposit in one of the Government approved tenancy deposit protection schemes. There are two primary forms of deposit protection schemes, custodial and insurance.

With a custodial scheme, the tenant passes the deposit to the landlord, and the landlord pays the deposit into the scheme. The deposit is held for the duration of the tenancy, and any deductions are taken from the amount if required when disputes have been settled.

With the insurance scheme, tenants pay the deposit to the landlord, and the landlord pays a premium to insure the deposit.



# DO YOU HAVE AN ENERGY PERFORMANCE CERTIFICATE (EPC) IN PLACE?

Before a tenant moves into the rental property, landlords must provide them with an EPC. This can occur during the viewing process, but it must happen before the tenancy agreement is signed.

The EPC is valid for ten years, but if significant changes have been made to the rental property, a new assessment can take place.

Rental properties must hold an EPC rating of at least an E to be valid for rental purposes. Landlords who fail to comply with this regulation may face a fine of up to £4,000.



# IS THE RENTAL PROPERTY SAFE?

Landlords must ensure their rental property is safe, that the property complies with letting rules and regulations, and that there are no obvious hazards.

The Housing Health and Safety Rating System (HHSRH) is the leading enforcement tool utilised by local councils in assessing and addressing poor conditions in private rented homes.

The hazards which are assessed at a rental property include gas safety faults, electrical safety faults, broken bannisters and frayed carpets. This means landlords must consider a wide range of matters, big and small when letting property.



# HAVE YOU ARRANGED AN ANNUAL GAS SAFETY INSPECTION?

The Gas Safety Regulations of 1998 means landlords must maintain all gas appliances, flues and pipe works in a safe condition. The annual gas safety inspection must be undertaken by a Gas Safe Registered engineer, who will issue a Gas Safety certificate if applicable.

The landlord should retain this certificate until the following test. A copy of this certificate should be provided to the tenant.



# ARE YOU COMPLIANT WITH ELECTRICAL SAFETY REGULATIONS?

As of July 2020, electrical safety regulations, similar to the gas safety regulations, will apply to rental property in England. Landlords must ensure their property is compliant with these regulations. For all new tenancies beginning on or after 1 July 2020, the rental property must hold this certification.

As this is a new piece of legislation, we are more than happy to offer as much guidance in this area as possible. We believe most landlords already undertake a level of electrical safety but for peace of mind, we will ensure you are fully compliant.



# **DO YOU COMPLY WITH SMOKE AND CARBON MONOXIDE ALARM REGULATIONS?**

As of 1 October 2015, landlords must ensure there is at least one smoke alarm on every floor of rental property. Also, when there is a solid fuel source in the rental property, landlords must ensure that there is a carbon monoxide alarm in this room.

The landlord is responsible for ensuring each alarm is in working order on the first day of a tenancy.

Other checks landlords must consider include:

- Have you undertaken a fire safety risk assessment?
- Have you undertaken checks for Legionnaire's disease?
- Do all furniture and furnishings supplied with the rental property adhere to the require standard?
- Have you provided tenants with the latest copy of the "How to rent: the checklist for renting in England" guide?
- Do you need consent to let the property, and if so, do you have it?
- If you are using the service of a letting agent, does the agent belong to a redress scheme?
- Do you hold appropriate landlord insurance?

You don't need us to tell you that having so many regulations to consider makes your role more challenging.

If you need assistance or guidance in managing these regulations, please contact us.

However, we know many landlords are looking for complete peace of mind in compliance, and this is why it makes sense to rely on an industry specialist in these matters.



# CONTACT US

**We offer property management, property to rent and property for sale in Arnold, Woodthorpe, West Bridgford, Hucknall, Carlton, Wilford, Mapperley and throughout the Nottingham area.**

**If you would like to arrange an appointment to help you negotiate the local buy-to-let market, please contact Holdencopley today by calling us on 01158969800 or emailing [steven@holdencopley.co.uk](mailto:steven@holdencopley.co.uk).**



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