

Development and Infrastructure Services

Safety of goods in rented accommodation - landlords/letting agencies

Who the Law Affects

Anyone who lets residential furnished accommodation (such as houses, flats and bedsits, holiday homes, caravans and boats) as a business activity. This includes Letting Agents, Estate Agents and private landlords. Often letting agents as well as landlords are liable if goods supplied with the tenancy are not of the standard required by law.

The supply of goods occurs at the time of the tenancy contract. It is, therefore, essential that property is checked prior to the tenancy to ensure that all goods supplied with the tenancy are of the required standard. A record should be made of the goods supplied as part of the tenancy agreement and of checks made on those goods. The record should indicate who carried out the checks and when they did it.

Please note that it is a legal requirement for all gas appliances to be checked by a Gas Safe registered person every 12 months and for a record of the check to be made given to tenants before they move in.

Furniture *The Furniture and Furnishings (Fire) (Safety) Regulations 1988*

Upholstered furniture included in lettings must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988. These Regulations impose the same stringent standards as apply to new and second-hand furniture in the shops.

The Regulations are applicable to the following:

All types of upholstered seating. This includes chairs, settees, padded stools, pouffes, sofa beds, and padded headboards.

Garden furniture suitable for indoor use.

Furniture in caravans.

Mattresses and padded bed bases.

Scatter cushions, pillows.

The safety provisions require that:

- 1.

How to Tell Whether Furniture Complies - Labelling

You should check to see that a permanent label is present, as this is the best way to show compliance. Most furniture should have a label stating at least the following:

ASTA. The plug does not have to be moulded on but it must have the correct fuse for the appliance.

All sockets (e.g. on mains extension leads), adaptors and similar devices must meet British or European Standards.

Electric Fireguards

The distance between the bars and the strength of the guard are laid down in standards. The fireguard is satisfactory if any vertical bars are 5mm or less apart. Otherwise the guard must not have an opening with:

- a) a major dimension exceeding 125mm, a minor dimension exceeding 12mm and a diagonal dimension exceeding 126mm, or
- b) a major dimension exceeding 50mm, a minor dimension exceeding 20mm and a diagonal dimension exceeding 53mm.

Electric Blankets

We advise you not to supply second-hand electric blankets as their history, usage and condition may be unknown.

How to tell whether Electrical Equipment Complies

You must take all reasonable precautions to ensure electrical equipment is safe and correctly labelled. It is strongly advisable to have the equipment checked by a qualified electrician before the start of each let. It would be good practice to have the equipment checked at regular intervals thereafter. You should obtain and retain test reports detailing the equipment, the tests carried out and the results.

Gas Appliances *Gas Safety (Installation & Use) Regulations 1998.*

There are requirements relating to the installation and use of gas appliances. These are enforced by the Health and Safety Executive. Further information can be obtained by contacting the HSE Safety Advice Line on 0800 300363.

In summary:

Landlords must ensure that gas appliances, including LPG cabinet heaters, are checked for safety including, where relevant, checks on the effectiveness of the flue, the ventilation, gas operating pressure and gas tightness. These checks should be carried out at least every 12 months and records kept of the test dates, defects and remedial action taken. They must also make this information available to tenants, and prospective tenants, and keep records for 2 years.

You should be aware that only businesses registered with Gas Safe should be permitted to carry out installation and maintenance of gas appliances. You should ask to see their current Gas Safe registration certificate or ring Gas Safe on 0800 408 5500 or visit www.gassaferegister.co.uk.

Mobile cabinet gas heaters should only be used in rooms where there is sufficient ventilation.

All gas appliances should be provided with adequate instructions for their safe use. It is illegal to install any fixed fire, space heater or water heater of more than 14 kW input into a

below 14kW it

The HSE enforce the Gas Safety (Installation & Use) Regulations 1998 but Trading Standards enforce the following:

Gas Appliances *Gas Appliances (Safety) Regulations 1995*

Require that all new gas appliances must be safe and come with instructions when sold.

Gas Cookers *Gas Cooking Appliances (Safety) Regulations 1989*

Applies to second-hand gas cookers.

They must:

1. have legible and durable markings on the controls; be marked with the manufacturers or importers name;
2. have adequate pan supports;
3. have tap handles which are easy to operate, but not liable to be turned on accidentally;
4. ignite promptly;
5. have oven doors which seal in hot gases;
6. have instructions for safe use.

They must not have:

1. sharp edges;
2. a casing that gets hot enough to cause injury.

Any hob cover must shut off the gas supply or the cover must have a warning label stating that it does not.

Gas & oil heater Fireguards *The Heating Appliances (Fireguards) (safety) Regulations 1991*

Fireguards on gas fires and oil heaters must comply with British Standards or the European equivalent.

Oil heaters & second-hand gas fires which do not satisfy specific design criteria involving the hearth and installation instructions must be fitted with a guard which:

does not permit a 35mm diameter probe to touch the heated radiants or the flame
has no gap larger than 150 x 35mm and no diameter of a gap larger than 154mm
unless - it is not possible to pass a 12mm diameter probe through the gap or the gap is between vertical rods no greater than 5mm apart
The guard must pass certain strength tests.

Gas Catalytic Heaters *The Gas Catalytic Heaters (Safety) Regulations 1984*

Prohibits the supply of these heaters that contain asbestos.

Paraffin Heaters *Oil Heaters (Safety) Regulations 1977*

Applies to paraffin heaters. Controls cover stability, flame extinction & labelling.

Glazing *Construction Products Regulations 1991; General Product Safety Regulations 1994*

If you are buying replacement glazing you should consider using safety glass in critical locations such as conservatories and doors.

Other Appliances and Equipment *General Product Safety Regulations 1994.*

All equipment and items not covered by specific regulations must comply with the General Product Safety Regulations 1994. You must ensure that all items you supply with the

