



# Private Landlord/Licence Holder Briefing

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020



# Introduction

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 are a new set of regulations that will apply to Landlords of privately rented residential premises to ensure the safety of fixed electrical installations within them. They will apply from 1st July 2020 for all new specified tenancies and 1st April 2021 for all existing specified tenancies.

## What Do I Need To Do?

You will need to ensure that electrical safety standards are met during any period that your property is occupied under a specified tenancy.

- For tenancies granted or intended to be granted on or after 1st July 2020, the installation must be inspected before the tenancy begins.
- For existing tenancies, the installation must be inspected before 1st April 2021.
- The person undertaking the inspection must be competent and be part of the electrical safety industry competent person scheme.

Part of meeting your obligation to ensure electrical safety standards are met is having every electrical installation in your property inspected and tested at intervals of no more than 5 years by a qualified person, or sooner if the inspection report recommends a lesser period.

Once you have your electrical safety certificate you need to keep a copy of the report for your own records, the report will also specify the date of your next inspection and will need to be given to the next qualified person to do an inspection. A copy of the inspection certificate must be provided to:

- an existing tenant within 28 days of it being undertaken
- a new tenant before they occupy the property
- a prospective tenant within 28 days of receiving a request for the report
- the Local Authority within 7 days of receiving a request in writing



## What If the inspection identifies that work is required?

If the inspection identifies that the electrical installation requires work to be undertaken, you need to:

- Complete the work within 28 days, or a shorter period where the inspection certificate requires this.
- Where the work undertaken reveals further issues that require either further remedial work or further investigation, this should be addressed within 28 days (or a shorter period where this is required)
- Obtain confirmation from the person doing the works that they have been completed and the installation is now safe or that further work/investigation is required. This confirmation must be provided to each tenant and the Local Authority within 28 days of the work being undertaken.

## What Happens If I Don't Comply?

If you fail to meet any of your duties as a Landlord such as, not ensuring electrical safety standards are maintained throughout the tenancy, or not having all electrical installations in your property inspected at least every 5 years, you could receive a financial penalty of up to £30,000.

The Local Authority can also arrange for the work to be undertaken and you will need to pay for any costs incurred.

Full landlord guidance from government can be found by [clicking here](#)

## I am a licence holder, how do these Regulations affect me?

The Regulations apply to licence holders and also update The Housing Act 2004 to include the requirements of the Regulations as a mandatory licence condition.

**Licensed properties with tenancies granted on or after 1st July 2020** - licence holders are required to follow the Regulations and provide a copy of the report to the Team once undertaken.

**Licensed properties with existing tenancies** - Licence holders will be contacted in due course closer to 1st April 2021 if a certificate is required.

**New licence applications** - applications for properties who have a new tenancy starting on or after 1st July 2020 will now require a certificate to be included as part of the application. This will extend to all applications from 1st April 2021.

# Frequently asked questions

## I have an existing certificate/report, do I need to get a new one?

**Newbuilds/new installations** - where an existing electrical inspection certificate is available (which is not more than five years old), this can be relied upon until its expiry

**Other properties** - any existing inspection report must be to the 18th Edition of The Wiring Regulations. Landlords are encouraged to contact the inspecting person to ensure this is the case. If the inspection is not to the 18th edition, a new report is required.

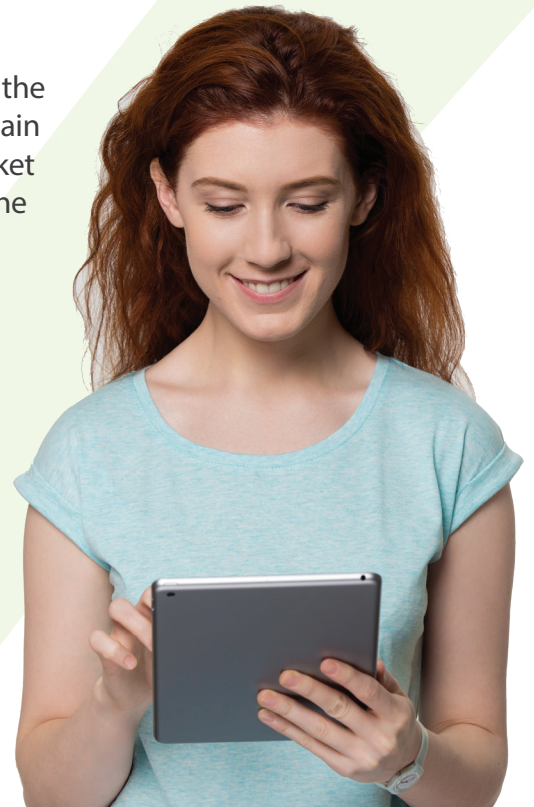
## What is a specified tenancy?

A specified tenancy is one that grants one or more persons the right to occupy all or part of the premises as their only or main residence, provides for the payment of rent (whether at market value or not); and is not an excluded tenancy. Please visit the full Regulations via the link below for the full definition.

## How do I find a qualified and competent person?

Guidance has been produced by the electrical safety industry that covers how landlords can choose a qualified and competent inspector and tester. This includes, but is not limited to:

- Electrical Safety Roundtable
- Registered Competent Person Electrical single mark and register



## Further information

If you have any questions regarding The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020, please email The Housing Standards Team at Hartlepool Borough Council on the details below.

**Properties not subject to licensing:** [privatesectorhousing@hartlepool.gov.uk](mailto:privatesectorhousing@hartlepool.gov.uk)

Alternatively, you can look at the regulations in full to find the answer to your question. Please [click here](#) to view the full regulations online.