

**CHURCHILL**  
estates

A GUIDE FOR

Landlords





# Safety Regulations

We have designed this guide to help familiarise yourself with the legislations and obligations placed on you as a landlord towards your tenant when renting a property. We hope you find the information useful and hope to have the opportunity of working with you.



## Energy Performance Legislation

In accordance with legislation from 1st October 2008 an Energy performance assessment is required for all properties privately rented and a certificate must be in place before viewings can commence. Amendments to the legislation effective as of 1st April 2018 now means all properties privately rented will require a minimum 'E' rating, with properties falling below this standard being unable to be lawfully rented. An Energy Performance Certificate will be valid for a 10-year period under current legislation. To check whether your property has a valid certificate you can find out by visiting - [Find an energy certificate - GOV.UK \(communities.gov.uk\)](https://www.gov.uk/guidance/find-an-energy-certificate).

\*Churchill Estates are able to arrange an Energy Performance Inspection on your behalf at a cost £75.00 Inc VAT.



## Gas Safety (Installation and Use Regulations 1998)

If your property has a gas supply connected, a satisfactory safety certificate must be issued prior to the commencement of the tenancy by an engineer registered on the Gas Safe Register, which in turn is supplied to the tenant(s). It is a legal requirement for the Gas Safe Certificate to be renewed annually. For further information relating to Gas Safety Regulations you can visit: [Landlords - What are your gas safety responsibilities? - Gas Safe Register](https://www.gas-safety.gov.uk/landlords-what-are-your-gas-safety-responsibilities/)

\*Churchill Estates can arrange for annual gas safety inspections to be carried out on your behalf at a cost of £84.00 Inc VAT.



## Electrical Safety Standards Regulations 2020:

As of 1st July 2020, it has become a statutory requirement to provide a satisfactory certificate for the electrical installation of your rented property and applies to all new tenancies commencing from this date. The regulations now apply to all privately rented properties regardless of whether the tenancy had continued as a periodic tenancy. For further information you can visit - [Landlord NICEIC](https://www.niceic.co.uk/landlord-niceic/)

\*Churchill Estates can arrange an Electrical Installation Condition Report (EICR) at a cost of:

- Studio/1 Bedroom/2 Bedroom - £170.00 Inc VAT.
- 3 Bedroom + - £195.00 Inc VAT.

\*All tests are carried out by a NICEIC approved Electrician.





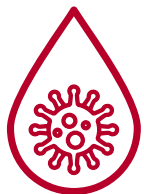
### Furniture & Furnishings (Fire) (Safety) Regulations 1988

All soft/upholstered furnishings supplied must be flame retardant. The regulations apply to beds & mattresses, headboards, sofa beds, futons, nursery furniture, garden furniture (for use indoors), scatter cushions, seat pads, pillows, beanbags, loose & stretch covers for furniture. Compliant items will be labelled. Bed bases and mattresses should carry the label "BS 7177". All other soft furnishings should carry the label "Carelessness causes fire". If these labels are not attached and you cannot provide proof of purchase the item must be removed from the property to comply with the regulations.



### Smoke & Carbon Monoxide Alarm Regulations 2015 (Amended Oct 2022)

Regulations came into effect on 1st October 2015 making it a legal requirement for landlords to supply at least one smoke alarm on each storey of their property and a carbon monoxide detector if the property contains a solid fuel-burning appliance, such as a log or coal burning stove. Amendments to the regulations took effect 1st October 2022 and now stipulates that a carbon monoxide detector is required by law near any combustible appliance including gas boilers, fires and any fuel burning appliance, other than an oven, hob or cooker. The regulations also stipulate that the landlord is responsible to ensure that the smoke and carbon monoxide alarms are present and in working order on the start date of the tenancy and this is something that is checked and noted within the inventory/schedule of condition report and also by a Churchill Estates representative on the start date of the tenancy, to act as evidence of the landlord's compliance with the regulations and for managed properties are tested on the property inspection reports. Churchill Estates will provide a quote for the installation of the required alarms.



### Water & Bacterial Control

The approved code of practice (ACOP) issued by the Health & Safety Executive contains requirements and guidance that applies to residential rental properties. Under the ACOP you must ensure risk of exposure to Legionella at the property is assessed and controlled. Further information is available at

[Legionnaires' disease - Legionella and landlords' responsibilities \(hse.gov.uk\)](https://www.hse.gov.uk/legionnaires/)

Please note the Water Act 2003 allows tenants renting a property for longer than six months to apply for a water meter without the landlord's permission.



### Insurance & Consent

It is a legal requirement that the landlord obtains consent from their Buildings Insurance provider and notifies them of their intention to let so they can advise whether the policy allows for this, or if any additional cover or premium is required. It is also advisable to have contents insurance in place or at least a level of cover involving public liability insurance which may be included within contents insurance with many providers. Consent will also be required from your mortgage lender if you don't already have a buy-to-let mortgage in place. Consent from your Freeholder (if applicable) will also be necessary.



### Utilities & Post

The landlord is responsible for ensuring that meter readings are provided to the relevant Utility Provider and that the relevant Council Tax Authority are informed of the proposed tenants' names prior to the commencement of the tenancy. Although we can offer to assist you, we cannot accept any responsibility in the event of failure to notify the necessary authorities of the change of occupier or the tenant's failure to register the services in their name. The signed tenancy agreement however will prove the responsibility of the tenants' liability during the period of their tenancy. The landlord is also responsible for ensuring that cards/keys for meters are present and free from debt for new tenancies where applicable. We advise landlords to set up mail redirection and to notify important companies, etc of an alternative correspondence address for post. Churchill Estates cannot be held responsible for any implications arising as a result of a landlord not setting up a mail redirection.



### Property Visits

As part of our 'Full Management' service we will arrange for two property inspection reports to be carried out during a typical twelve-month tenancy by an independent third-party to check the performance of the tenant in respect of their contractual obligations which will also contribute towards evidencing how the property is kept for use in the event deductions from the tenant's deposit are necessary. The inspection will also give the tenants the opportunity to raise any issues they may have in respect of maintenance and repairs. A written and photographic report will be prepared (unless your tenant requests not to have photos taken) and sent to you with the clerk's opinion on the condition and recommendations regarding any action or maintenance required. These reports should not be relied upon to confirm any structural defects but may highlight areas that need further investigation.

**\*Should you require additional property inspections to be carried out, these can be arranged at a cost of £48.00 Inc VAT per inspection which can be deducted from your rental account.**



### Rent Guarantee & Legal Protection Cover

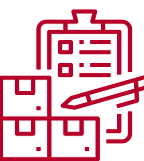
It is recommended for landlords to mitigate their risk in the event that their tenant(s) fail to meet their contractual obligations in respect to rent payments and/or failing to vacate upon the expiry of a notice served to them. There are various insurance policies available with varying levels of cover, Churchill Estates are pleased to be able to offer optional cover with summary details of the policies and their premiums [found here](#).



### Damage Deposit

For Assured Shorthold Tenancies created since 6th April 2007 it is a legal requirement for the tenant's deposit to be protected by a government approved deposit protection scheme. As a member of the TDS (Tenancy Deposit Scheme), the tenant's deposit will be registered into the insured scheme unless the landlord wishes to register the deposit themselves and provide Churchill Estates with details of their scheme.

**Important Note:** Since the Tenant Fee Ban Act was introduced 1st June 2019, there is a limit to the amount that you can ask for a tenancy deposit. The tenancy deposit for new tenancies is capped at 5 weeks' rent, where the annual rent is below £50,000.



### Inventories/Schedule of Condition Reports

It is strongly recommended for the landlord to document and agree with the tenant the condition and contents of the property prior to the commencement of the tenancy. Churchill Estates outsource to a third-party professional inventory company with the charges varying depending on the size of the property as found below. The landlord can supply their own or even source an alternative company to conduct the inspections but failure to produce an inventory/schedule of condition at the start of the tenancy will mean that you will be unable to bring deductions from the deposit if disputed by the tenant.

\*Prices shown are inclusive of VAT\*

Size of Property	Inventory/ Schedule of Condition	Check-Out Report	Inventory Update
Studio/1 Bedroom	£120.00	£65.00	£65.00
2 Bedroom	£135.00	£75.00	£75.00
3 Bedroom	£150.00	£85.00	£85.00
4 Bedroom	£165.00	£95.00	£95.00
5 Bedroom +	Price on Application	Price on Application	Price on Application



### Right to Rent Residency Checks

In accordance with the Immigration Act 2016 it is a legal requirement to check the residency status of tenants confirming their right to rent and remain in the UK. To comply with this legislation Landlords are required to check passports and if necessary, visas/residency cards confirming the legal stay of their tenants. Churchill Estates have adopted an approach of carrying out the relevant checks on their landlord's behalf with proof of necessary checks held on file securely to comply with the Act, however the Landlord is ultimately responsible should there be any error or omission and check for themselves that this is in place and correct.



### Selective Licensing

Your property may be located in an area governed by a selective licensing scheme enforced by the local authority. Such schemes have been introduced to make sure that landlords and letting agents comply with strict guidelines and codes of practice ensuring that the correct documentation is in place for each tenancy in line with the local authority's expectations. These schemes also place a legal duty on the landlord to ensure their property is free from hazards and that the property is managed to a satisfactory standard. Churchill Estates operate to fully comply with the licensing schemes and one of our representatives will be able to advise you of your obligations and costs of the appropriate license required. For further information about property licensing, you can visit: [London Property Licensing](#)

**Churchill Estates can assist with the application for the relevant licence cost of £120.00 Inc. VAT per application.**



### Overseas Landlords

Landlords who spend more than six months of any tax year outside of the UK will be regarded as an overseas landlord with the agent responsible to withhold tax at the current basic rate to then pay to HM Revenue & Customs. To allow Churchill Estates to pay rent without deduction of tax the landlord must complete an NRL1 form in-putting our relevant agency information including our unique registration number **NA053142**. Although HM Revenue & Customs can give approval for rent to be paid without deduction, you will still be responsible for filing your own tax return. It is advisable to seek further advice from a tax expert/accountant. Further information and access to the form can be found by visiting: [Non-resident landlord: application to have UK rental income without deduction of UK tax - individuals \(NRL1\) - GOV.UK \(www.gov.uk\)](#)





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If you are uncertain about anything found within this guide or have further questions concerning your obligations as a landlord all you need to do is get in touch and ask!

We are here to help make your rental experience as smooth as possible.

The Lettings Team

## Get in touch

0208 505 4537

[lettings@churchill-estates.co.uk](mailto:lettings@churchill-estates.co.uk)

[www.churchill-estates.co.uk](http://www.churchill-estates.co.uk)

## Locations

Buckhurst Hill / Chigwell / Highams Park / Leyton /  
Leytonstone / Loughton / North Chingford /  
South Chingford / South Woodford & Woodford Green /  
Walthamstow / Wanstead