

Landlord Guide to Gas Safety

This guide provides a more detailed explanation of the Gas Safety legislation and the responsibilities that it imposes on you as landlord.

The health risks of poorly fitted or maintained gas appliances and flues cannot be underestimated and failure to fulfil your duties as landlord could result in fines of up to £5000 for each offence. If a case is referred to the Crown Court then there is the possibility of receiving an unlimited fine and even a custodial sentence.

Worst of all, failure to maintain appliances correctly could result in a tragic and unnecessary loss of life.

The Gas Safety (Installation and Use) Regulations 1998

These deal specifically with the installation, maintenance and recommended use of gas appliances, flues and associated pipework in domestic and some commercial premises. The Regulations require that such items, whether fixed or portable, that are provided for the tenant must be safe to use. This includes appliances and flues serving 'relevant premises', such as a central heating boiler that although not installed in a property is used to heat it.

Items not covered under the Regulations' safety check and maintenance requirements include appliances owned by the tenant, flues or chimneys that are connected solely to an appliance owned by the tenant and gas appliances used exclusively in an area of the premises designated and occupied for non-residential purposes.

'Relevant Premises'

The duties under the Regulations in relation to the appliances, flues and associated pipework provided for the tenant's use apply to what is termed 'relevant premises'. This means those that are occupied for residential purposes either under a licence, fixed term tenancy or a lease as defined by the Regulations. In practice it covers any lease for a term of less than seven years.

Landlord Duties

As landlord you are required to

- Ensure that gas fittings and flues are maintained in a safe condition at all times. All gas appliances must be serviced in accordance with manufacturers instructions and by a CORGI registered engineer.
- Safety check all gas appliances and flues in rented accommodation within 12 months of being installed and thereafter at least every 12 months by a CORGI registered gas installer.
- Ensure that an annual gas safety check is carried out and that certificate is issued to the tenant for all gas appliances, flues and associated pipework.

- Keep full records for at least 2 years of the inspections of each appliance and flue. These must include records of any defects found and of any remedial action taken.
- Give each new tenant a copy of the safety certificate issued by the engineer before the tenancy commences or to each existing tenant within 28 days of the check being carried out.

Management Responsibilities

As landlord you are ultimately responsible for ensuring compliance with the requirements of the Regulations.

Where we are managing your property then we have a joint legal responsibility with you to ensure that all checks, maintenance and repairs are completed. You can nominate a contractor of your choice or leave us to select from our one of highly recommended local contractors.

If you are managing the property yourself then it is entirely your responsibility to ensure compliance with the Regulations.

If the property is sub-let then the original landlord and the person sub-letting will usually share the legal duties imposed by the Regulations. It is important in such a situation to establish and allocate these duties with the tenant's safety as the number one priority.

Maintenance Requirements

Work carried out on gas appliances, flues and associated pipe work in the premises must be completed by a current CORGI-registered installer. They will carry on them a CORGI Photo Identification card that shows their photograph, registration number, trading title and date the card expires. On the reverse of the card it details the areas of gas work that the installer is qualified to carry out.

If an appliance fails its safety check then the safety record must be updated with the exact nature of the defect and what remedial action was taken. You must ensure that a CORGI-registered installer repairs the defect and that the equipment is safe **before** it is used again. You must **never** use or allow to be used any appliance that you have been told is unsafe until it has been repaired in accordance with the requirements of the regulations.

For further information please call CORGI on **01256 372 200** or visit **www.corgi-gas.com**

In case of a gas emergency contact the National Grid (formerly TRANSCO) on **0800 111999** or visit **www.nationalgrid.com**

Copies of the Gas Safety Regulations can be obtained on-line at **www.hms.gov.uk**