



ARLA
Arbon House,
6 Tournament Court,
Edgehill Drive, Warwick,
Warwickshire, **CV34 6LG**

ADVICE
Find a Gas Safe registered
engineer:
www.gassaferegister.co.uk

LEGAL RESPONSIBILITIES FOR GAS SAFETY FOR LANDLORDS

CONTEXT

Landlords are legally responsible for the gas safety of their properties. The Gas Safety (Installation and Use) Regulations 1998 outlines what landlords must do in order to ensure gas appliances, fittings and flues provided for tenants are safe.

ELIGIBILITY

The law applies to **all landlords across the UK**. It covers fixed as well as portable appliances (gas cookers, gas fires, gas heaters, gas boilers and water heaters) provided by the landlord for tenants' use and flues (chimneys and pipework) they are connected to. The rules are applicable to property rented under either an Assured Tenancy, Fixed Term Tenancy, licence or lease.

NOTE: Gas appliances, fittings and flues in a communal area of a property, but which may be used by tenants also fall under the responsibility of landlords.

If a landlord is using a letting agent, the landlord is ultimately responsible for complying with the rules. The management contract should identify who is to make arrangements for maintenance and safety checks to be carried out and to keep records.

If a property is sub-let the 'original' landlord may retain responsibilities which overlap with those acquired by the person subletting. In these circumstances, the allocation of responsibilities must be clearly set out to ensure that legal duties are fully met, and that the terms of the contract properly safeguard tenant's safety.

WHAT YOU NEED TO DO

Maintain: Landlords must ensure that pipework, appliances and flues are maintained in a safe condition. Gas appliances should be serviced in accordance with the manufacturer's instructions. If these are not available it is recommended that they are serviced annually unless advised otherwise by a Gas Safe registered engineer.



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Check: Landlords must arrange an annual gas safety check on every gas appliance and flue by a registered Gas Safe engineer. Before any new tenancy starts landlords must ensure these checks have been carried out within one year before the start of the tenancy date, unless the appliances in the property have been installed for less than 12 months, in which case they should be checked within 12 months of their installation date.

NOTE: The checks are essential for both mains gas and liquefied petroleum gas (LPG) appliances including hobs and gas fires.

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All registered Gas Safe engineers must carry ID cards (pictured) that identify the appliances on which they are qualified to work. Landlords are strongly encouraged to check the ID card before letting anyone begin work on gas appliances.



	Domestic Gas	LPG	Non-Domestic Gas	LPG
Pipework	31/03/16	31/03/16		
Cooker	31/03/16	31/03/16		
Fire	31/03/16	31/03/16		
Water Heater	31/03/16	31/03/16		
Gas Boiler	31/03/16	31/03/16		
Comb Analysis	31/03/16	31/03/16		

The cardholder is deemed competent only in the categories of work identified by a date.

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NOTE: If a tenant has their own gas appliance that the landlord has not provided, then the landlord is responsible for the maintenance of the gas pipework but not for the actual appliance.

Landlords must make sure all gas equipment (including any appliance left by the previous tenant) is safe or otherwise removed before re-letting.

Record: When the Gas Safe registered engineer has completed the safety check they will provide a Gas Safety record (pictured). Landlords must provide each tenant with a copy of the annual Gas Safety record within 28 days of the check being carried out or provide a copy to any new tenant before they move in.



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Landlords must log the date when the last safety check was carried out and keep copies of each gas safety check for 2 years.

NOTE: The safety record can be in paper or electric format. Landlords can also provide tenants with a photocopy of the record or email it instead.

Make safe: The safety check record will contain details of any gas safety defect identified by the Gas Safe registered engineer. Landlords must ensure that any gas safety defect is rectified by a Gas Safe registered engineer before the equipment is used again. Landlords should keep copies of work done to rectify defects identified by the safety check.

NOTE: It is a breach of the regulations for anyone to use or allow the use of a gas appliance if it is unsafe or they suspect it is unsafe. Turn the appliance off and do not touch it until it has been checked by a Gas Safe registered engineer.

FOR MORE INFORMATION VIEW THE DANGER DO NOT USE FACT SHEET

The contract landlords make with tenants should allow them access for any maintenance or safety check work that needs to be done.

Landlords must take all reasonable steps to ensure checks or maintenance work is carried out, such as by giving written notice to a tenant requesting access to the property and explaining why.

NOTE: Landlords should keep a record of any action in case a tenant does not allow access you have to show what attempts the landlord made.

ADDITIONAL GAS SAFETY STEPS TO TAKE

On 11th March 2015 the Housing Minister announced that landlords would be required to install and check smoke and carbon monoxide alarms in their properties. The Regulations are expected to come into force on 1st October 2015. The regulations for England are in respect of solid fuel burning combustion appliances, it is recommended that an approved CO alarm is fitted for any carbon burning combustion appliance.



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Landlords should make sure tenants know where to turn off the gas and what to do in the event of a gas emergency.

If anyone suspects there is a gas escape they should immediately do the following:

- Call the Gas Emergency number on 0800 111 999
- Open all the doors and windows
- Shut off the gas supply at the meter control valve
- Do not use electrical switches or equipment.

DANGER SIGNS

Gas appliance danger signs can include sooty marks, pilot light that keeps going out, excessive condensation on windows or yellow or orange flames instead of blue

THE IMPACT

Badly fitted and poorly serviced gas boilers, cookers and fires can result in gas escapes, fires, explosions and Carbon Monoxide poisoning.

NOTE: Carbon Monoxide is an odourless, colourless and tasteless gas which is highly poisonous and can kill within hours, or cause serious illness through long-term exposure. Symptoms of Carbon Monoxide poisoning include headaches, dizziness, nausea, breathlessness and loss of consciousness.

ENFORCEMENT

If landlords don't maintain their tenant's gas appliances this could result in loss of life and prosecution including a fine and / or a period of imprisonment up to six months set by the Magistrates Court.

Tenants can make a complaint to the Health and Safety Executive against landlords who won't carry out checks or refuse to provide copies of the gas safety record. In shared houses that are licensed by a council, such as a house in multiple occupation (HMO), tenants can contact their local council who might also take action against landlords.

If the matter is referred to the Crown Court the maximum penalty may be imprisonment (up to 2 years), or an unlimited fine, or both. Furthermore, failure to carry out correct checks can also render property or landlord insurance invalid.

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ADVICE

If anyone smells gas or suspects that an appliance is faulty or dangerous they should contact the Gas Emergency number on 0800 111 999.

The HSE Gas Safety Advice Line 0800 300 363 provides information on gas safety.

Landlords can find a local Gas Safe registered engineer online via www.gassaferegister.co.uk or by calling 0800 408 5500.

FURTHER INFORMATION

Gas Safety (Installation and Use) Regulations 1998
www.legislation.gov.uk/ukxi/1998/2451/contents/made
www.hse.gov.uk/pubns/priced/l56.pdf

Health and Safety Executive
www.hse.gov.uk/

Draft Smoke and Carbon Monoxide Alarm Regulations 2015
www.legislation.gov.uk/ukdsi/2015/9780111133439/contents

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