



The Electrical Safety Standards in the Private Rented Sector Regulations 2020

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

Following on from concerns over electrical faults in the Private Rented Sector the Government reviewed the current legislation that protects tenants from this hazard. The conclusion of the review was to produce The *Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020*. This is a statute that requires the landlord to evidence that the electrical installation in the property has been maintained and is safe.

The legislation places a requirement on landlords to ensure that they have in place an Electrical Installation Condition Report (EICR) confirming compliance with the current British Standard. This demonstrates that the wiring and installations in the property are safe. The wiring will have to comply with the latest regulations, however, these are not retrospective.

Common electrical faults include faulty plugs, faulty electrical leads and faulty appliances. These faults could result in an electrical shock and as a result display symptoms from mild tingling to electrical burns or, at worst, a heart attack or death. The regulations come into force on the **1st July 2020** for **new tenancies** and from the **1st April 2021** for **existing tenancies**.

The landlord of the property will need to provide an EICR by a 'competent person'. A competent person is a person who is registered with an electrical self-certification scheme authorised by the Secretary of State as defined within the current building regulations. And someone who has:

- At least £2,000,000 public liability insurance
- At least £250,000 profession indemnity Insurance
- A qualification covering the current version of wiring regulations BS7671
- A qualification covering periodic inspections, testing and certification of electrical installations
- At least 2 years' experience in carrying out periodic inspection and testing

The main government schemes where a details of the electricians competency are:

- NAPIT: [National Association of Professional Inspectors and Testers](#)
- NICEIC: [National Inspection Council for Electrical Installation Contracting](#)
- ELECSA: [Electrical Contractor Association](#)

- BRE: [Building Research Establishment](#)

Please note that this is not an exclusive list as there are sites that are run by independent bodies detailing which competent scheme electricians belong to.

There are a number of properties that this legislation does not apply to. Excluded tenancies include:

- Providers of social housing
- Where the tenants share with the landlord or member of his family
- Long leases as defined by the Leasehold Reform, Housing and Urban Development Act 1993
- Student Halls of residence
- Hostels and Refuges
- Care Homes
- Hospitals and Hospices

Where the legislation does apply this will mean that the Landlords has to:

- Ensure that an ECIR is undertaken every 5 years
- Ensure that any faults identified on the ECIR are rectified within 28 days
- Provide an ECIR to all new tenancies before occupancy
- Provide an ECIR to all new tenancies within 28 days of testing
- Provide an ECIR to within 28 days if requested by a tenant
- Provide an ECIR to within 7 days if requested by the Local Authority
- Keep a copy of the certificate until the next inspection is due

Duty of Local Authority:

- To ensure the safety of the tenant from Electrical hazards within the property
- Issue legal Notices requiring works where the Landlords has not complied with the legislation
- Undertake works where urgent action is required and there is an imminent danger
- Serve Civil Penalty Notices of up to £30,000 where breaches of legislation are found

The full legislation can be found [here](#):

The Private Sector Housing Team are keen to work with landlords and tenants to ensure that properties in the Private Rented Sector are safe. This team are happy to assist with any queries you may have in this matter. Please feel free to contact the team on: pshousing@dacorum.gov.uk or on 01442 228574

For more information, please contact the Private Sector Housing team by email: pshousing@dacorum.gov.uk or call **01442 228000** and ask for **Private Sector Housing**.