



## **New electrical safety standards for privately rented accommodation (England)**

**The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 came into force on 1 June 2020**

**Do the Regulations apply to residential park homes that are hired out to private tenants by residential park owners/operators for use as a main or only residence?**

Yes, the new Regulations apply.

**What does this mean for park owners/operators acting as a private landlord?**

The duties of a private landlord – including a residential park operator/ owner - in relation to electrical installations are outlined in Part 2 of the Regulations which state that the landlord must:

- (a) ensure that the electrical safety standards are met during any period when the residential premises (the park home) are occupied under a specified tenancy.
- (b) ensure every electrical installation in the residential premises is inspected and tested at regular intervals by a qualified person; and
- (c) ensure the first inspection and test is carried out
  - (i) before the tenancy commences in relation to a new specified tenancy;or
  - (ii) by 1st April 2021 in relation to an existing specified tenancy.

### **What is meant by “at regular intervals”?**

For the purposes of subparagraph (b) above, “at regular intervals” means “at intervals of no more than five years; or where the most recent report under subparagraph (a) above requires such inspection and testing to be at intervals of less than five years, at the intervals specified in that report”.

### **What does this mean for residential park homes that are made available for rent?**

Any residential park home owned by the park and rented out after 1 July 2020 must have an in date Electrical Installation Condition Report which is within the date of the next inspection report.

### **What happens if the Electrical Installation Condition Report on a park home that is now rented out specifies the date of the next inspection?**

Where the electrical inspector has stated a date by which the next inspection must be carried out, the new inspection and condition report must be undertaken before this specified date.

### **How does this affect park owners/operators who own and rent out residential park homes under existing assured shorthold tenancies?**

Government has clarified that the Regulations require landlords to have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at least every five years. The next test will not be due until 5 years have passed from the date of the report, or less if the report specifies a shorter period.

For residential park homes rented out under an existing rental agreement in place before 1 July 2020 then there must be an in-date inspection and condition report in place no later than 1 April 2021. This means that if the report was carried out in March 2018 no action is required until the date specified in the certificate.

### **Is the private rental tenant entitled to a copy of the electrical installation condition report?**

Yes - the Regulations require the private landlord to provide a copy of the report to each tenant within 28 days of the inspection being carried out.

### **What is the position regarding a new tenancy – for example, a tenancy that starts in August 2020?**

All new tenants taking up residence after 1 July 2020 must be supplied with a copy of the most recent report before they occupy the park home. If a prospective tenant asks to see a copy of the most recent electrical condition report in advance of taking up the tenancy this should be provided within 28 days of receiving the request.

## **What happens if the inspection and condition report indicate that further investigative or remedial work is required?**

In this case the park operator (private landlord) must ensure that the further investigative or remedial work is carried out by a qualified person within

- (a) 28 days of the date of the report; or
- (b) the period specified in the report if less than 28 days, starting with the date of the inspection and testing.

The park operator (private landlord) must also:

- (a) obtain written confirmation from a qualified person that the further investigative or remedial work has been carried out and that:
  - (i) the electrical safety standards are met; or
  - (ii) further investigative or remedial work is required and
- (b) supply that written confirmation, together with a copy of the report which required the further investigative or remedial work to each existing tenant of the residential premises within 28 days of completion of the further investigative or remedial work: and
- (c) supply that written confirmation, together with a copy of the report that required the further investigative or remedial work to the local housing authority within 28 days of completion of the further investigative or remedial work.

## **What happens if further work is required?**

The Regulations specify that: Where further investigative work is carried out and the outcome of that further investigative work is that further investigative or remedial work is required, the private landlord must repeat the steps above in respect of that further investigative or remedial work.

## **Under the new Regulations is a park owner/operator who rents out park homes required to provide a fresh electrical inspection report and certificate at the change of each tenancy?**

MHCLG has advised that there is no requirement to have a new inspection on the unit at each change of tenancy. "The certificate remains valid for each change of tenant until the date the next inspection is due as specified in the report." Please note MHCLG have advised that there is no change to the requirements for electrical testing and inspection of privately owned residential park homes.

For more information please contact [info@nccacademy.org.uk](mailto:info@nccacademy.org.uk)