



# **Gas Safety**

**Landlord Legal Update**



## **Introduction for Landlords**

### **Know your gas safety responsibilities and protect your tenants**

As a landlord you should be aware that you are responsible for the safety of your tenants. Your legal duties apply to a wide range of accommodation occupied under a lease or licence, including (but not limited to):

- Residential premises provided for rent by local authorities, housing associations, private sector landlords, co-operatives, hostels.

- Rooms, let in bed-sit accommodation, private households, bed and breakfast accommodation and hotels.
- Rented holiday accommodation such as chalets, cottages, flats, caravans and narrow boats on inland waterways.

The Gas Safety (Installation and Use) Regulations 1998 outline the duties of landlords to ensure gas appliances, fittings and chimneys/flues provided for tenants are safe.

### **Your Responsibilities**

If you let a property equipped with gas appliances, you have three main responsibilities under UK law:



#### **1. Maintenance**

Gas pipework, appliances and chimney/flues need to be maintained in a safe condition. Gas appliances should be serviced in accordance with the frequency given in the manufacturer's instructions. If these are not available, annual servicing is recommended unless advised otherwise by a Gas Safe registered engineer. Any gas appliances owned by tenants are not the landlord's responsibility, however the connecting pipework and flue (if not solely connected to the tenant's

appliance) remains the responsibility of the landlord to maintain.



## 2. Gas Safety Checks

Gas appliances and flues must be safety checked annually by a qualified Gas Safe registered engineer. New regulations introduced in April 2018 allow a landlord to arrange for a gas safety check to be carried out any time from 10-12 calendar months after the previous check whilst still preserving the original check expiry date. Where a gas safety check is carried out less than 10 months or more than 12 months after the previous gas safety check this will have the effect of 'resetting the clock' and the new deadline date will now be 12 months from the date of this latest gas safety check. Landlords are not responsible for safety checks on gas appliances owned by the tenant or any flues that solely connects to tenants own gas appliances.



### 3. Record

A record of the annual gas safety check should be provided to your existing tenants within 28 days of completion, or to new tenants upon the start of their tenancy. If the rental period is less than 28 days at a time you may display a copy of the record in a prominent position within the dwelling. You'll need to keep copies of the record for at least 2 years. If you have benefited from the new regulations allowing flexibility in timing of gas safety checks, records must be kept until two further gas safety checks have been carried out.


#### **Gas Safety Certificates Explained**

Landlords must be able to provide their tenants with an up-to-date Gas Safety record. By law, landlords must have all gas appliances

serviced regularly, normally once a year, by a Gas Safe registered engineer. The Gas Safe registered engineer will provide a Gas Safety record upon completion of the check. The record of a gas safety check must contain -

- A description and location of each appliance and/or flue checked
  - Name, registration number and signature of the engineer who carried out the check.
  - A date on which the appliance and/or flue was checked
- the address of the property at which the appliance and/or flue is installed
  - The name and address of the landlord (or his agent where appropriate)
  - Any defect identified and any action required or taken to fix it
- Confirmation of the results of operational safety checks carried out on the appliances.

**An example of a Landlord Gas Safety Record is set out below. The important points are circled**

LANDLORD GAS SAFETY RECORD												Inspecting Company		Landlord					
Property Address				Certificate No:		Gas Safe Reg. No:		Engineer Ser. No:		Job Type:									
<p>This inspection is for gas safety purposes only with the Gas Safety (Installation and Use) Regulations 1998. Flues have been inspected visually and checked for satisfactory evacuation of products of combustion. A detailed internal inspection of the flue integrity, construction and lining has not been carried out. KEY: VI = Visual Inspection Only, BP = Burner Pressure</p>																			
Appliance Details						Flue Test Details				Safety and Functional Tests									
No.	Owned By Landlord	Location	Make	Model	Gas Council Number	Flue Type	Flue Flow Test	Spillage Test	Flue Condition	Satisfactory Termination	BP Mbar	Gas Rate KW	Working Pressure	Safety Device	CO/CO2 CO2 %	Ventilation	Appliance Serviced	Safe to Use	Notice Issued
1	Yes	Kitchen	Elect	Logic Combi 30	4734857	RS	N/A	N/A	Pass	Pass	N/A	26.6kw	17.5mb	Pass	0.0008	Pass	Yes	Yes NCS	Yes
2																			
3																			
4																			
5																			

Tightness Test		Installation Checks		Smoke Alarms		Carbon Monoxide Alarm	
Test	Result	Test	Result	Location	Power	Result	Result
Initial	Pass	Equipotential Bonding Visible	Yes	Hall Downstairs	240V	Pass	Pass
Final	Pass	Meter Working Pressure	19	Hall Upstairs	240V	Pass	
Meter Installation OK	Yes	Pipe work Installation Satisfactory	No				
Meter Capped	No	Attic Check	N/A				

Issued By	

Defects Found	Actions Taken
Appliance 1 Defects: working pressure drop exceeding 1mb ncs O2 NA CO 79ppm CO2 9.4% unable to determine if pipework sleeved underground unable to determine if sleeve sealed internally	OGHP informed OGHP informed
<p style="text-align: center;">Not to current standard</p>	

The smaller red circle confirms that the tests carried out by the qualified engineer that the gas heating system is safe to use. In the event that a serious fault was detected during the annual gas safety check, our engineers would disable the system until the fault was rectified.

The larger red circle relates to defects. The building regulations in respect of gas change very regularly. It is quite normal to come across installations whereby they don't meet the current building standards but met the standards at the time of the installation, but are safe.

In this example, the defects relate to a 'not to current standard' defect.

It is always good idea to bring an installation up to current

standards, but that will often depend upon whether the work can be undertaken at reasonable cost, or whether any other work is likely to be carried out on the installation in the near future, such as replacement appliance. So, in this particular example, the installation is safe.

As part of the fully managed service, we have procedures in place to ensure landlord gas safety certificates are up to date for all of our properties, every 12 months.

Our internal system is set up to alert us when a gas certificate is expiring, in which we will inform yourselves as the landlord of this. We have a dedicated team of gas safe engineers, who are able to carry these out.

This newsletter is aimed at providing a general overview of the recent legal changes as to how gas safety is handled.

If you have any further queries, or require more information please contact the office on:

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Alternatively, please see some website links below which include further reading.

**Please see below useful Websites:**

<https://www.gassaferregister.co.uk/help-and-advice/renting-a-property/information-for-landlords/>

<http://www.hse.gov.uk/gas/domestic/faqlandlord.htm>

<https://www.gov.uk/private-renting/your-landlords-safety-responsibilities>



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