

# HMO Licensing Newsletter – June 2020



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

Please see latest [Guidance](#) relating to properties that are not subject to HMO licensing. The Local Authorities would expect landlords and agents to send copies of unsatisfactory EICR to our email address [housing@bathnes.gov.uk](mailto:housing@bathnes.gov.uk) and then a written confirmation that the works required have been completed within 28 days from the initial inspection; this could be in form of a Minor Electrical Installation Works certificate. You do not need to send us EICR, if there is no requirement for any additional works - unless we requested it.

Electrical installations must be inspected and tested prior to the start of a new tenancy from 1st July 2020. Checks must be carried out on any existing tenancies by 1st April 2021.

## Safety certificates

Please note that you should still renew gas safety certificates (every year) and Electrical Installation Condition Reports (every 5 years) during the pandemic. If tenants are self-isolating or there is any other reason this could not be possible, we recommend that landlords take all reasonable steps to comply. Evidence of reasonable steps can include keeping copies of correspondence with tenants and tradespeople. Landlords can also keep evidence of the condition of the appliances to show that it is not dangerous during the period in which it was not possible to get the checks done. Please note that landlords can have the annual gas safety checks at their properties carried out any time from 10 to 12 calendar months after the previous check and still retain the original deadline date, as if the check had been carried out exactly 12 months after the previous check. For more information about your obligations, please see the [Guidance for Landlords and Tenants](#) (pp 21-22).

## Evictions ban

The ban on evicting tenants has been extended for a further two months until 23 August 2020. Landlords will not be able to start court proceedings to evict tenants for at least a three-month period, which will remain in place until at least September 2020. New court rules will ensure vulnerable renters will be protected when the suspension of evictions ends.

## The Minimum Energy Efficiency Standard (MEES)

A reminder that since 1<sup>st</sup> of April 2020, landlords can no longer let or continue to let properties covered by the MEES Regulations, if they have an EPC rating below E, unless they have a valid exemption in place. For more information, please check [HERE](#).

Please note that EPC report is valid for 10 years; please check, if yours is still valid, by visiting [www.epcregister.com](http://www.epcregister.com)

## Legionella Guidance – Covid-19

As many properties have been empty for a long period, we advise landlords to follow some steps to avoid any risk of legionella disease when tenants move back. People contract Legionnaires' disease by inhaling small droplets of water (aerosols), suspended in the air, containing the bacteria. Any water remaining in pipes for several weeks could contain legionella bacteria, which would be released during the first few days in the re-occupied property. For more information, check our [website](#).

## Fire door to the kitchen in Mandatory licensable HMO

In a recent case where Bath landlords appealed to the First Tier Property Tribunal against the Council licensing conditions to upgrade kitchen doors to 30 minutes fire resisting construction, the appeal was dismissed and the Tribunal declined to vary the conditions imposed. The Tribunal decided that an appropriate fire door, as described in the Regulations, means a door with fire resisting construction rated as providing 30 minutes protection from fire rather than any other type of door. This applies to all mandatory licensable HMOs including those moving from the Additional licensing scheme since 1<sup>st</sup> of October 2018. The Housing Standards team will accept a solid door to the kitchen only, if all bedrooms in an HMO have fire escape windows (windows lower than 1.1 meter from the floor that have an opening of at least 450mm and the drop to safety is not higher than 4.5 meters). HMO Licensing Standards can be found [HERE](#)

## Tenants return and Covid-19

As some of your tenants need to return to HMOs to collect their belongings, we would like you to remind them about social distancing rules and to make their collection in a safe and managed way, that protects their health, yours and that of the wider community in Bath.

In line with the Government guidance we encourage landlords to enable their tenants to collect their belongings from accommodation in Bath in a way that allows them to follow [THE GUIDANCE](#) (7. Annex A: Staying safe outside your home). This includes, but is not limited to, provisions to allow for social distancing and handwashing. You must also remind tenants that they should not travel if they, or any members of their household, are experiencing COVID-19 symptoms.

## Check empty HMOs

We received complaints from some residents about front and rear gardens, which have become overgrown and are untidy. Please ensure gardens are kept tidy and do not become overgrown. When inspecting properties, please ensure that the gardens are left in good condition, so they do not encourage pests to feed on left over organic matter.

## Inspections starting in June

We are planning to start inspecting empty HMOs. You may soon be contacted by one of our officers to check, if it is possible to visit the property. We will focus on pre-licensing inspections; however we would be also keen to inspect these HMOs that had not been inspected within the last 3 years. We will ensure that we keep a social distance of 2 meters and have PPE ready, to use if needed; we would expect the same from people we will meet. We will ensure that officers are fit to inspect. During the booking and immediately before the inspection they will ask a series of questions to ensure the safety during the visit. Inspections will be cancelled, if those attending have symptoms, even if this is immediately before it is due.

## Duty officer

Our team is now working from home, but we are still contactable and you can phone us on 01225 396444 where you will be transferred to the duty officer. The numbers for duty officers can be found [HERE](#).