

Landlords Responsibility Renting Residential Property.

As landlords you have several responsibilities to comply with current legislation, this document explains what they are and what you need to do to comply.

1. RENT SMART

Under the Housing (Wales) Act 2014, all rented property must be registered, and landlords licensed.

The Presbyterian Church of Wales as custodian trustees are the licensed Landlords. Where properties are not managed by a licensed agent it is a requirement for any person dealing with the management on behalf of the chapels to undertake an approved Rent Smart training course either online or by attendance. Details of training can be found on the following website.

<https://www.rentsmart.gov.wales/en/courses/>

2. RENTAL AGREEMENTS

All property will need to be leased on an Assured Shorthold Tenancy agreement for either 6 or 12 months., an example of which is located within the Appendix.

3. TENANTS DEPOSIT

Its recommended that you take a tenants deposit of 1 months rent, which must be put in a government-backed tenancy deposit scheme (TDP). In England and Wales, the deposit must be registered with either of:

- [Deposit Protection Service](#)
- [MyDeposits](#)
- [Tenancy Deposit Scheme](#)

At the end of the tenancy any disputes in respect of the deposit will be referred to the scheme used and adjudicated by them.

4. ENERGY PERFORMANCE CERTIFICATE. THERMAL EFFICENCY

From April 1st, 2020, Private landlords, of both Assured Shorthold Tenancies will have the legal responsibility to upgrade their properties to meet a minimum Energy performance Certificate (EPC) E rating. Failure to do this can lead to criminal prosecution with a fine up to £5,000.

What steps to take

The property will need an Energy Performance certificate, if you do not have one. A copy of all registered EPC's can be found on

<https://www.epcregister.com/> .

The EPC will show the property rating and will make recommendations of works to improve the rating to E and above, if required, and budget cost.

Certified EPC assessors can be found on the above website.

The law allows the level of expenditure by the landlord to be capped at a level of £3,500 including VAT. The report will most probably include works below this level of expenditure, and these will need to be carried out, for example.

1. Loft insulation.
2. Draft proofing.
3. Low energy light bulbs

Works such as double glazing, wall and floor insulation are likely to exceed the £3,500 cap.

If the 'high cost' exemption applies, the landlord must register this on the PRS Exemptions Register. To support this exemption, the landlord is required to upload copies of 3 quotations from different installers, each showing that the cost of purchasing and installing the cheapest recommended improvement exceeds £3,500 (inc. VAT); and confirmation that the landlord is satisfied that the measure(s) exceed this amount. The exemption will be valid for 5 years; after this time the exemption will expire and the landlord must try again to improve the property's EPC rating to meet the minimum level of energy efficiency. If this still cannot be achieved, then a further exemption may be registered.

Also, the tenant has the right not to give their consent to the works and an exemption can be given on this basis. A letter from the tenant will need to be provided and uploaded to the PRS website.

Funding may be available from the Energy Company Obligation 2018-2022 requirements, which is usually based upon the Tenants financial circumstances including qualifying benefits. More details of this can be obtained from <https://www.ofgem.gov.uk/environmental-programmes/eco>

The works can only be carried out by registered and accredited installers, details on the above website.

5. HEALTH AND SAFETY

Gas: The gas installation must be checked by a Gas Safe engineer annually and at the beginning of a tenancy, a copy must be given to the tenant within 28 days of the check.

Electricity: The installation must be safe, its recommended that the electrical installation is inspected by a NICEIC electrician at the beginning of a tenancy and at 5 yearly intervals thereafter.

Fire: A smoke alarm must be provided on each storey and a carbon monoxide alarm in any room with a solid fuel burning appliance (for example a coal fire or wood burning stove)

If any furnishings and furniture are provided these must be fire safe.

6. REPAIRS, MAINTENANCE

It's the landlord's responsibility to maintain the property and keep it in good order. Any reported defects affecting the tenant must be dealt with in a reasonable period.