



THE CORNWALL
**RESPONSIBLE
LANDLORDS**
SCHEME

Cornwall Rental Standard

The approved housing standard for private
rented homes in Cornwall



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Foreword

Cornwall Council values the important contribution that private landlords and the rented sector makes to meet the housing needs of households in Cornwall.

For many people in Cornwall, home ownership is not a foreseeable option, and for those termed “generation rent” households the only option available is to either stay at home with parents or rent in the private sector.

The private rented sector has grown significantly in the last 10 years however there is a problem within the sector with half of the stock not meeting minimum decency requirements and a high prevalence of excessively cold homes in Cornwall due to the nature of our housing stock.

I believe that striking the right balance between regulation and support will bring about change with improving and good landlords needing support to find the right path through what is a very muddy pool of housing standards and regulations.

It is well reported that we have an ageing population in Cornwall and that fuel costs are on the increase and my real fear is that if we do not improve the rented stock now, it will not be fit for purpose for future populations.

Joyce Duffin CC,
Portfolio holder for Housing and Environment

There are now more privately rented homes than social let homes.

MESSAGES FROM OUR SCHEME PARTNERS:

“The Association of Residential Letting Agents (ARLA) is fully supportive of initiatives aimed at raising professional standards across the private rented sector. We have campaigned widely for more appropriate regulation of letting agents for a number of years and therefore welcome these knowledge-based initiatives”.

“The CRLA welcomes and encourages the initiative to promote good landlords in Cornwall. The amount of legislation and regulation surrounding the private rented sector can be confusing meaning that both new landlords and those with many years of experiencing need guidance and help at times. We look forward to working with our partners in this scheme and seeing an improvement in the standard of accommodation offered to tenants.”

“South West Landlords Association believes in and will help promote Local Authority initiatives which educate landlords, letting agents and tenants. Landlords who know and observe their responsibilities deserve recognition. Good standards of management and repair should be rewarded with good tenants.”



Introduction

The legislation governing housing standards in the private rented sector is complex, wide ranging and in some cases difficult to interpret. As a result landlords and lettings agents regularly and unknowingly fall foul of the law which can result in serious consequences for the tenant, landlord or both.

In 2013 Cornwall Council surveyed private landlords and lettings agents regarding housing standards and almost half of respondents did not know what the Housing Health and Safety Rating System (HHSRS) is, and half did not know what a 'Category 1 Hazard' is or what their responsibilities are in respect of them. If you are reading this and you do not know what the minimum standards are then this document will help you.

Cornwall Council believes that emerging, improving and sometimes good/ professional landlords need to be told what housing standards are in plain English. As a result this document will make little reference to the HHSRS or any legislation underpinning the standards contained within it.

Purpose of this document

The purpose of this standard is not to provide a comprehensive interpretation of minimum legal standards in the private rented sector, but to focus attention on the most serious and prevalent problems that are found in Cornwall.

This standard will inform you how to reduce, or mitigate against the most serious and commonly found deficiencies in our rented housing.

Look out for the 'top tips' boxes which contain useful notes that may help you in dealing with any particular issues.

If you are a landlord registered with the Cornwall Responsible Landlords Scheme, you will be sent regular newsletters keeping you up to date with useful information and standards that are not included in this document. In addition to joining this scheme some members will also belong to a professional residential landlord or agents association and as a result you will have access to a wealth of additional information and advice that we encourage you to make use of.

It is the responsibility of the landlord to ensure that all minimum legal requirements are met.

Note: All works carried out to the property shall be carried out in accordance with any legislative requirements and the necessary Building Regulation Approval and/or Planning Permission and/or Listed Building consent will be obtained prior to the commencement of any work.

To contact **Building Control** you can email them at buildingcontrol@cornwall.gov.uk or telephone **0300 1234 151**.

To contact the **Planning department or the Historic Environment Advice Team** you can email them at planning@cornwall.gov.uk or telephone **0300 1234 151**.

Cornish Rental Standard

All homes should provide a safe and healthy environment for any potential occupiers or visitors. The following standards should be read in conjunction with the guidance notes provided within this document.

Standard No. 1 - Free from Hazards

There are generally six common hazards that are found during inspections which tend to have the greatest effect on occupants in the private rented sector.

The six common hazards are:

1.1 Free from damp and mould

Dwellings should be free from rising and penetrating damp and free from persistent condensation dampness inherent to building design and/ or construction, and be adequately damp proofed. Where defects are present they should be investigated and repairs carried out.

Properties should have adequate provision of natural and mechanical extract ventilation, i.e. a mechanical extractor fan provided to a bathroom.

Where a property has well insulated walls and roof, has double glazing, adequate space heating, and adequate damp proofing and a problem with black mould still exists, it might be the case that occupiers are inadvertently causing excessive moisture production and/ or not ventilating the

property adequately. This can be caused by certain household or lifestyle activities such as not opening windows during times of peak moisture production e.g. when cooking, bathing or drying clothes. Advice may have to be given to households on how damp conditions can be improved, or if significant damage is being caused to the property it may be necessary to discuss the terms of their tenancy agreement.

For further information you may wish to refer to our more detailed guidance contained within this document.

1.2 Adequately heated, fuel efficient and well insulated

The whole of the property should be capable of being heated adequately. As a minimum all individual rooms, including the bathroom and kitchen, should have fixed controllable heating capable of achieving and maintaining an adequate indoor temperature of 19°C throughout the dwelling during cold weather.

The cost in using any heating system should be considered. Affordability may also have a link with damp and mould. The cost will depend on the type of fuel, the efficiency of the heating system and the insulation. Essentially if the heating is considered to be the cheapest available it is more likely that it would be used more often.

As a minimum there should be at least 200mm of loft insulation. If the walls have a cavity (an air gap) it should be provided with insulation, and ideally windows should be double glazed.

For further information refer to guidance on: Adequately heated, fuel efficient and well Insulated



1.3 Safe staircases and prevention from falls

Any internal staircases should have as a minimum at least one handrail, be of non-slip construction (carpet or other materials can be applied to treads), not too steep, and have an even height between treads. Should a fall occur this should ideally not result in coming into contact with any other items likely to cause further injury such as unguarded windows, radiators etc.

Outside steps should be secure and be provided with at least one handrail (dependant on distance) and adequately lit, and edges to decking, or changes in level be protected with suitable guarding.

Windows that are above ground floor level with a low window sill should be provided with a suitable window restrictor that restricts the window being opened greater than 100mm. An adult should be able to over-ride any window restrictor in the event of an emergency.

Ensure all paths are in good repair and are even and do not pose a trip hazard.

For further information refer to guidance on: safe staircases and prevention from falls.

1.4 Hazard - Safe from fire

Dwellings should be provided with adequate fire detection. The minimum (not including Houses in Multiple Occupation, see section below) should be detectors with 10 year lithium-ion (nonreplaceable sealed in) batteries. For properties with a traditional layout mains wired, interlinked, and with battery back-up is strongly recommended.

Depending on the layout of the accommodation there should normally be at least one smoke alarm on each floor level, and these are normal positioned within the hallway and first floor landing.

Suitable fire firefighting equipment should be provided. As a minimum it is recommend that a fire blanket is supplied and fitted to the wall positioned between the exit door and cooker.

Smoke detectors should be regularly tested and a record of the test should be maintained and kept for a minimum period of 1 year.

For further information refer to guidance on: safe from fire.

1.5 Safe from carbon monoxide and electrical hazards

Gas appliances must be checked annually by a Gas Safe registered engineer and a copy of the test certificate provided to the occupant.

A carbon monoxide detector should be fitted in every room that contains a fuel burning appliance. Detectors should be regularly tested and a record of the test kept.

Electrical installations should be inspected by a NICEIC, NAPIT or other suitably qualified electrician at least every 5 years, and visually inspected by a competent person, which could be a landlord, after each change in tenancy.

For further information refer to guidance on: safe from gas and other fuels, and electrical safety

1.6 Free from overcrowding

It is accepted that over time a property can become overcrowded where families can sometimes outgrow the property that they live. What is generally considered unacceptable is a situation where a family moves into a property that is clearly too small.

A dwelling should be adequate for the numbers of people living within it having considered the number and size of any bedrooms. Children over the age of 10 of opposing sexes should not be sleeping in the same room. It is acceptable for children under the age of 16 to share a room if they are of the same gender and of an appropriate age but it is dependent on the size of the room.

For further information refer to the addition guidance on: overcrowding.







1.7 Any other hazards

There are 29 common hazards found within dwellings. Each can be assessed to determine whether they need addressing and help prioritise works. Detailed guidance for Landlords and Housing Professionals can be found by following this link :

<https://www.gov.uk/government/publications/housing-health-and-safety-rating-systemguidance-for-landlords-and-property-relatedprofessionals>

Standard No. 2 – General Conditions

All parts of the property should:

-  Be structurally stable and free from disrepair and in good working order.
-  Have a suitably located bath or shower, wash-hand basin, and kitchen sink, each with a satisfactory supply of hot and cold water - including an effective system for the draining of foul, waste and surface water.
-  Have adequate supplies for water, gas, and electrics – certification for gas (electric if there are any concerns) will be required as verification.
-  Have adequate provision for lighting, heating and ventilation – natural and artificial lighting, water, and extract systems.
-  Ensure any fixtures, fittings and appliances provided under the tenancy are safe to use and in proper working order.
-  Ensure any common parts of the building are well maintained - such as stairways, hallways, if shared with other tenants.

Before a new tenant moves into a property it would be expected that the property would be inspected by the landlord (or someone authorised by the landlord) to assess whether there are any maintenance issues and whether the property complies with this standard.

Where any redecoration is required this would also be expected to have been carried out prior to the new tenant moving in. Subject to allowing for any wear and tear properties that are in a good condition at the start of a tenancy are generally kept in good condition throughout the rental period.



TOP TIP!

If you are unsure how to appraise the condition of the property it is good practice to employ the services of a qualified surveyor to carry out an inspection and produce a report on the overall condition.



Properties that are in a good condition at the start of a tenancy are more likely to be kept in good condition throughout the rental period.

Standard No. 3 – Emergency Repairs

Emergency repairs such as a leaking roof, failed central heating or hot water boiler problem should be attended to as soon as possible but within 24 hours wherever possible. It is important that the tenant should be kept up to date with all developments as they happen.

Provide your tenants with an emergency contact telephone number to report any essential repairs.

It is good practice to show your tenants how to turn off water, gas and electric services i.e. position of meters and stopcocks etc. so that in the case of an emergency, damage can be minimised.

Landlord have the right to 'reasonable' access to carry out repairs, but the tenants permission must be sought with at least 24 hours notice in writing of the need to gain access to the property. The tenant should also be provided with an indication of the time needed to complete repairs.

However, where a tenant and landlord both agree that emergency repairs can start immediately the advance written notice may be replaced by the verbal agreement.

Should major repair or improvement work be required, you should ensure it is properly planned and explained to the tenant. The start of the work, the nature of the work, the likely disruption it will cause and the time it will take should be explained to the tenant well in advance.

If the proposed start date for any works is very inconvenient for the tenant, an alternative start date should, if possible, be agreed.

Standard No. 4 – House in Multiple Occupation (HMO's)

Generally a house in multiple occupation is a house or flat that is occupied by 3 or more unrelated people or where a building contains one or more units of accommodation which are not self contained. HMOs can present greater risks, especially with fire, than those occupied by single households who share facilities.

HMO's present a greater risk to occupiers and require more detailed management in accordance with specific legislation and regulations.

Managers of HMO's must consider the following:

1. HMO's occupied by 5 or more persons require a mandatory property licence. Details can be found on the Cornwall Council website.
2. HMO's must have adequate fire precautions.
3. HMO's must have adequate amenities provision in relation to the number of people living in the property, see further guidance.
4. All Houses in Multiple Occupation must comply with the relevant management regulations.

For further guidance please refer to the guidance section of this document.



Guidance

The following information provides supplementary guidance to the rental standard.

Free from damp and mould

Damp and mould in properties is an increasing problem for many households and is most common complaint received by the council. Condensation is mainly a problem in the winter months (October to April) when the outdoor temperature is at its coldest and ventilation of the dwelling is low.

If you find damp or mould in your property it is important to find out why you have excess moisture in your home. When you know the cause of the damp you can make sure that it is repaired or take steps to limit moisture in the air.

External clothes drying facilities should be provided to discourage tenants from drying clothes indoors. Where this cannot be provided it would be advisable for facilities to be provided in the bathroom.

Heating and insulation

It is a proven fact that a property with a good heating system and a good level of thermal insulation reduces the chances of mould developing due to condensation. It has to be acknowledged that there is a reliance on an occupant using the heating provided to mitigate condensation damp and mould growth.

Heating increases the internal air and surface temperatures above that at which condensation can occur. Heating is recommended to be set or applied to give a low-level background heat, just

putting the heating on first thing in the morning and later in the evening may not be sufficient in controlling condensation.

Insulating those walls to the external sides of the property can assist. Changing the surface finish i.e. from a painted solid wall to a wall that has been covered with foil backed insulated plasterboard can have a huge impact.

Any dampness caused as a result from rising or penetrating damp, however minor it may appear is likely to reduce the thermal properties of that structure, particularly to solid walls, which may be susceptible to condensation problems.

Ventilation

Passive but controllable ventilation is critical to providing movement of air in the home. There should ideally be continuous low level background ventilation that is sufficient to cope with normal occupant moisture producing activities without causing high relative humidity.

Where there is good draught proofing, there may be a need to install trickle vents into replacement windows, insertion of high level air bricks, or other passive ventilation methods.

Mechanical means of expelling moisture laden air from rooms that have peak moisture production must be considered. In particular, suitable mechanical extract ventilation should be provided in kitchens and bathrooms to expel moisture laden air from the property during and after cooking and bathing.

Where condensation remains a persistent problem and all attempts have been made to reduce humidity levels, consideration should be given to the installation of positive pressure ventilation system to mechanically increase the number of air changes within the property. It is a system that is installed in the ceiling of the top floor of a property, usually in the stairwell.



TOP TIP!

Black mould feeds on water. So if you remove the source of this moisture the mould will stop growing. Remove the mould with a proprietary mildew remover and if there is any staining you can redecorate after it is dry.

Adequately heated, fuel efficient and well insulated

Heating provision

Care should be taken to assess the size, construction and layout of each dwelling to determine the type and size of heating that should be provided in the home.

The following are the core principles that you should achieve:

- 🏠 Fixed heating is to be provided to every room in a dwelling
- 🏠 Heating should be controllable by the occupiers and safely and properly installed and maintained. It should be appropriate to the design and layout and construction, such that the whole of the dwelling can be adequately and efficiently heated.
- 🏠 The system shall be capable of maintaining the following internal temperatures when the external temperature is -1°C :

Living room 21°C
Elsewhere 18°C

If a dwelling is situated on the mains gas network, then a **central heating system** is the ideal type of heating to be provided. Radiators should be sited as to ensure even distribution of heat whilst minimising heat loss through walls and windows.

The following controls should be provided to a central heating system:

- 🏠 A suitably positioned room thermostat.
- 🏠 A programmer.
- 🏠 Thermostatic Radiator Valves on all radiators except on the one in the room containing the room thermostat (usually the hallway).



A fixed electrical system which is capable of efficiently heating all parts of the premises will be appropriate, as an alternative to a full gas heating system; subject to the following criteria:

- 🏠 The living room shall be provided with a fan assisted combination storage heater with thermostatically controlled top up convector heater.
- 🏠 The main bedroom, hallway and any other bedroom with a design heat-loss of 600w or over shall be provided with storage heaters.
- 🏠 Small bedrooms where storage heating is deemed inappropriate shall be provided with wall mounted electric panel heaters with timers and electronic thermostats.
- 🏠 The heating shall be fixed and ideally installed on individual circuits and not merely plugged into the nearest socket.
- 🏠 Bathrooms where practicable shall be provided with storage heaters or otherwise with on peak down flow heaters.
- 🏠 All storage heaters shall have automatic charge control and a thermostatically controlled damper outlet.

It should be noted that an electric heating system should only be considered an appropriate heating provision where the premises are well insulated and have a low heat demand due to size and location **or** it is not practicable to install a cheaper fuel **or** the existing electrical storage heating can be improved to a reasonable standard.

It is recommended that all roof timbers are checked for damp, rot or infestation and remedied as necessary.

Insulation

Cavity Wall insulation

Cavity wall insulation should be provided to all walls where there is a cavity using a proprietary method, in accordance with relevant British Standards/Agreement.

Prior to installation an assessment of the wall for suitability for cavity fill is usually carried out in accordance with BS8208 and best practice guides from the Cavity Insulation Guarantee Agency (CIGA)

Solid wall insulation

Solid wall insulation involves adding a layer of insulation to either the inside or the outside surface of the external walls, which reduces heat loss and lowers fuel bills. Internal insulation, known as dry-lining, is where a layer of insulation is fixed to the inside surface of external walls; this type of insulation is best applied when rooms require redecorating and can be installed by a competent DIY enthusiast.

Internally applied thermal insulation isolates the heated interior from the masonry, which will therefore be cold, producing a risk of interstitial condensation behind the thermal insulation; to prevent that, an air and vapour control layer should be applied on the warm side of the thermal insulation

External wall insulation is a thermal insulation system, and has a low resistance plus weather protective finish, such as a render or ventilated cladding. This may improve the look of the home, particularly where existing brickwork or rendering is poor, and will provide long-lasting weather protection.

Further information can be obtained from the National Insulation Association (www.nationalinsulationassociation.org.uk). It should be noted that planning permission might be required if installing externally.

Roof insulation

Loft insulation to pitched roof (Between ceiling joists)

It is recommended that all roof timbers are checked for damp, rot or infestation and remedied as necessary. Supply and fit proprietary quilted or loose fill insulation material to BS 5803. The insulation shall be applied between and across the top of the ceiling joists and to include the loft hatch. The depth of insulation should ideally comply with the current Building Regulations (275mm in 2010). Electrical cables shall be kept above or below the insulation to avoid overheating and should not be sandwiched between the layers of insulation.

Ensure that adequate ventilation (including cross ventilation) is provided to the roof space, the amount determined by the angle of the roof pitch. Where loft insulation is installed any cold water storage tanks in the loft shall be fitted with a lid and sides and top insulated omitting insulation to the underside of the cistern.



Insulate gap below the cistern base by turning up the loft insulation. Include the rising main within the insulated enclosure of the tank. Insulate all cold water pipes to the loft.

Ensure there is adequate cross ventilation to help prevent condensation in the roof.

Habitable roof space to pitched roof (Between or on top of rafters)

Where there is a habitable roof space and you are considering renewing the roof covering, insulation can be provided either by expanded polystyrene boards or insulation slabs fitted between the rafters. The amount of insulation that can be installed will depend upon the depth of the existing rafters.

Where the roof covering is not to going to be replaced, insulation should be installed from below by either:

-  removing the existing ceiling/wall finish and incorporating a rigid/semi rigid board between the rafters and then forming a new ceiling/wall finish with a 50mm air gap or;
-  over-boarding the existing ceiling/wall finish with thermal boarding incorporating a vapour barrier.

Usually the solution will generally be dependant upon depth of the rafters and the available headroom. It should be noted that recovering of the roof usually requires Building Regulation approval.

Insulation to a flat roof

Where the roof covering requires renewal, insulation can be provided by either the use of pre-insulated decking boards which are laid over the existing joists (warm roof), or by installing between the joists (cold roof). The amount of insulation that can be installed between the joists will depend upon the depth of the existing joists. Semi-rigid insulation slabs are generally available from a depth of 50mm, so will be suitable for a joist depth of 100mm.

Adequate ventilation should be provided above the insulation where a flat roof is a cold deck or where the roof is pitched and the insulation is placed between the rafters.

A warm deck method of insulation is generally perceived as the preferred choice due to condensation being less likely to occur which has been a common problem with the cold roof situation.

A high-performance vapour control layer should be bonded or mechanically fixed to the deck with joints sealed in hot bitumen. The new weatherproof covering needs to be finished in white chippings or solar reflective paint to prevent solar deterioration.



TOP TIP!

The Energy Performance Certificate (EPC), more details on page 21, should indicate any shortcomings with regard to insulation. Advice is normally given on how to make the necessary improvements.

Where a flat roof covering is not defective, additional insulation should be installed below the roof covering, using a cold deck solution. This can either be installed by:

Removing the ceilings, fitting insulation between the joists and then reapplying a new ceiling finish with a 50mm air gap or;

Installing a thermal board and vapour barrier to the underside of the existing ceiling finish, provided that there is sufficient headroom.

Please note you may be able to access financial aid for some of the above heating and insulation measures. For further advice refer to the section on Financial Advice on page 33.

Draught proofing

The windows and doors to the property should be well fitting and non-draughty. Consideration should be given to easing and adjusting the windows and doors to ensure that they fit well and to the installation of brush-type draught excluders.








If the windows are in poor condition, they should be repaired or replaced and consideration should be given to installation of new double glazed windows and doors. If it is not possible to renew/replace the windows and the windows remain draughty, consideration should be given to the installation of secondary glazing.

Safe staircases and prevention from falls



Fall and trip hazards are the second most prevalent hazard found in rented homes in Cornwall. There are some simple and cost effective ways of reducing the likelihood of a tenant or visitor to the home falling that where practicable should be implemented.

This includes both inside and outside a dwelling (including common parts of flats) should comply with the following criteria:

-  Treads and risers are an even and consistent size.
-  Ideally there will be two handrails provided on each side of a staircase or set of steps, but if stairs are narrow one rail may be acceptable.
-  Where there is no wall to one or both sides of the staircase balustrades are usually needed to be installed to prevent a fall over the side of the stairs. Balusters should be designed to discourage children from climbing and not be designed like a ladder with no gaps in excess of 100mm. Any guarding should be well constructed (can it support the weight of an adult leaning or falling against it?).
-  Handrails should be continuous along the length of flight and be sited between 900mm and 1000mm measured from the top of the handrail to the pitch line or floor.
-  Handrails should be designed so they are easy to grasp.
-  Stairs should be well lit. This will enable users to appraise their first step onto the stairs, reducing the possibility of a misstep or slip.
-  Headroom on staircases should be a minimum of 2000mm. In some situations, such as loft conversions, where this is not possible the headroom should be 1900mm at the centre reducing to 1800mm at the side.

Falls between levels

Any change in height in a dwelling, be it from a landing, stair-well, garden terrace, garden retaining walls, roof terraces, light/basement well, falls from windows, balconies or other that has a drop in excess of 300mm should be guarded. Guarding should be provided to balconies/

landings/ garden retaining walls/ roof terraces/ basement light wells etc. The guarding should be at least 1100mm high, designed to discourage children climbing and have no gaps in excess of 100mm.

Windows situated at first floor level and above with a low window sill height, or a low under-sill, should have a safety catch fitted to them to reduce the risk of an accident involving a child. The safety catch should be easy to over-ride by an adult in the event of a fire. If the building is listed or in a conservation area permission may need to be sought from the planning department.









TOP TIP!

If the staircase is narrow and handrails may hinder the passage of furniture consider using handrails that are demountable. These are handrails that can be removed easily by removing a few bolts and screws. Often handrails are usually secured such that they are intended not to be removed.

Falls from baths is a common cause of people falling in the home. Many falls can be prevented by ensuring that there is adequate slip resistance provided to the bath surface and where appropriate safety features such as handles and grab rails are incorporated into the design of the bathroom. The floor beneath the bath needs to be level and stable to prevent the bath from 'rocking' when in use.

Falls on level surfaces tend to occur when floor surfaces are in disrepair, are uneven, slippery or are excessively steep.

All level surfaces should:

-  Be properly constructed, maintained and even.
-  Not be excessively steep (consider installing steps and/ or a hand rail).
-  Have no/ minimal trip hazards and/ or projecting thresholds.
-  Have appropriate artificial lighting.
-  Have adequate drainage to any paths or yards.
-  Not be excessively slippery (i.e. untreated timber decking).



TOP TIP!

Window restrictors are generally cheaper than you think and relatively straight forward to install but they can help save a life.

Windows situated at first floor level and above with a low window sill height, or a low under-sill, should have a safety catch fitted to them to reduce the risk of an accident involving a child.

Safe from fire

If you are a landlord of a dwelling that is in single occupation (single household) and it has a well constructed traditional layout of no more than two storeys, then the following guidance will assist you with compliance.






Fire detection and warning

Properties that have a 'traditional layout' ie ground floor hallway, first floor landing with bedrooms accessed from the landing should as a minimum be provided with sealed 10 year lithium ion battery smoke detectors to the ground floor hallway and landing.

It is our aim that all dwellings should have a mains powered fire alarm system (with a battery back-up) of an appropriate grade and type for the size of the property. The system should have interlinked mains powered smoke alarms in the escape route at each floor level. The alarms should be sited to ensure they are clearly heard in all parts of the dwelling, this is particularly important as occupants are most at risk when sleeping.

Why mains powered system and not battery?

-  Battery powered detectors are prone to being tampered with, especially if they frequently activate falsely.
-  Batteries are often taken out of the units, possibly to be used for other devices, or when one sounds to indicate that the battery needs changing which often results in them not being replaced.
-  Mains powered alarms are less prone to failure.

Escape routes

Dwellings of no more than two stories in height that are **not HMOs** and have an a 'traditional layout' have no requirement for a full 30 minute protected route but the escape route from the building should have sound, conventional construction and the route should not pass through another room.

Doors should be close fitting with no excessive gaps (other than at the bottom of the door) especially the door to the kitchen.



TOP TIP!

If you are intending to install mains operated smoke detectors to the hall and landing why not install a heat detector in the kitchen and interlink all three

Emergency escape windows

The use of emergency windows is not a preferred option to achieve egress to a place of safety. In the event that they are a permitted option any window provided for emergency egress purposes should comply with the following:

The window should have an unobstructed openable area that is at least 0.33m² and 450mm high and 450mm wide (the route through the window may be at an angle rather than straight through). The bottom of the openable area should be not more than 1100mm above the floor, and the window or door should enable the person escaping to reach a place free from danger from fire.

Lighting of escape route

Conventional artificial lighting should be available to light the escape route during periods of darkness.

Firefighting equipment

It is good practice to have a wall mounted fire blanket provided to the kitchen, which should be positioned at eye level in an unobstructed location. Fire blankets should be placed between the cooking appliance and the exit. Do not put it above or too close to the cooker, as it may not be possible to reach it in the event of fire.

Fire safety management

All fire detection and fire safety is to be regularly checked and a record of the check is kept on your property management file. It is more dangerous to have a non-working smoke detector in the home than not having one at all because it will provide a false sense of security.

Sprinkler systems

We recommend that you consider installing a water suppression system which will help to protect occupants and your property in the event of a fire occurring.

HMO's, flats and complex or 'non-traditional' layout





Please note if you are a landlord/agent of a House in Multiple Occupation, block of flats or a property with a complex or non-traditional layout please refer to the **LACORS Fire Safety Guidance**. The guidance can be found here: **National_Fire_Safety_Guide** or by typing "**LACORS housing fire safety guidance**" into an internet search engine, or contact one of the Responsible Landlord Scheme partners listed at the end of this document. HMO's, flats and complex or 'non-traditional' layout

When specifying a fire detection system it is necessary to follow the principles of the fire risk assessment. The design and complexity of a fire detection and warning system should reflect the risk presented by the property and the type of occupier.

Safe from gas and other fuels, and electrical safety

Gas safety

You are required to:

-  Ensure each gas appliance and flues are maintained in a safe condition. Gas appliances/ flues should be serviced in accordance with the manufacturer's instructions and are serviced annually by a Gas Safe registered engineer
-  Have all installation, maintenance and safety checks carried out by a Gas Safe registered engineer.
-  Keep a record of each safety check for at least two years;
-  Issue a copy of the latest safety check record to existing tenants within 28 days of the check being completed, or to any new tenant before they move in.



Oil Installations

It is considered best practice to obtain a landlord safety certificate for oil fired equipment installed within a rental property. BS 5410: Part 1 requires

oil fired appliances and equipment to be serviced periodically in accordance with the manufacturer's instructions. Oil storage tanks and oil supply pipework should be checked for general condition and any leaks repaired.

In the event of an incident involving an oil installation, the landlord will need to provide written evidence to confirm that the installation was safe for the tenant to use. It is recommended that all installations are checked annually by a qualified contractor, and that the landlord obtains an annual certificate to confirm that the appliance is safe for the tenant to use.

Failure to service and maintain an oil system is perceived as a failure to protect your tenants from the risk of potential carbon monoxide poisoning.

Solid fuel and wood burning stoves

Any solid fuel or wood burning stoves installed into a house should have been installed by a HETAS registered engineer who has provided safety certification for the system or the system will have been installed with building control consent.



TOP TIP!

LPG (Liquefied Petroleum Gas) appliances also require testing by a gas safe registered engineer; however they should be registered to undertake specific LPG works.



TOP TIP!

Did you know that most carbon monoxide detectors are recommended to be installed on walls, unlike smoke detectors? It is always important to follow the manufacturer's instructions.

Consent will have been sought prior to installation or replacement of a solid fuel appliance and also once the installation was complete. If you do not have a HETAS or building control certificate that proves the appliance is installed to the required safety standards then the appliance must not be used!

All wood burning or multi fuel stoves should be regularly inspected, cleaned and maintained in accordance with the manufacturers' instructions by a suitably qualified contractor, i.e. HETAS. It is good practice that the appliances are serviced annually and a record of the maintenance should be kept on a property management file for two years.

Carbon monoxide detectors

Carbon monoxide detectors should be installed in a property where there is a risk of carbon monoxide poisoning. This would include where any carbon based fuels (gas, oil, coal, wood, etc.) are able to be burnt. Detectors are to be installed, sited and maintained in accordance with the manufacturer's instructions. It is not possible to give specific guidance in this document on the exact location of a detector/s which suits all types of premises and their usage. Further guidance can be found in the British Standard EN 50292 CO Alarm Location, or via <http://www.hse.gov.uk/research/rrpdf/rr847.pdf>

In the event of an incident involving an electrical installation, the landlord will need to provide written evidence to confirm that the installation was safe for the tenant to use.

Electrical safety

It is difficult to determine whether a domestic electrical installation is safe to use or not without having it tested by a suitably qualified electrician

In the event of an incident involving an electrical installation, the landlord will need to provide written evidence to confirm that the installation was safe for the tenant to use. The Council recommends that all installations are checked at least five yearly by a qualified contractor obtaining a Domestic Electrical Installation Condition Report. Thereafter a visual inspection by a competent person should be carried out, ideally at tenancy changes.

A competent person would be someone who has sufficient experience, information, and/or knowledge of what to look for (i.e. damage to the electrical installation) or assess what is acceptable.

Ensure that any Code 1 (danger present) or code 2 (potentially dangerous) deficiencies identified on a Domestic Electrical Installation Condition Report are removed and that the final report states that the electrics are 'satisfactory'.

A record of the checks and safety improvements should be kept on your property management file.

Overcrowding

Ensure there is adequate space for normal household activities to be undertaken safely (i.e. kitchen space/ living space/ number and location of toilets/ number of bedrooms).

When assessing crowding and space, a room of 6.5m² or above will normally be suitable as a single bedroom, and over 10m² the room may be considered acceptable as a double bedroom



TOP TIP!

In deciding whether a bedroom is of sufficient size all you need to do is to consider what furniture

People who share bedrooms should be of an appropriate age, gender and relationship to share



In addition to the size of rooms, the shape and usable space in the dwelling must also be considered

People who share bedrooms should be of an appropriate age, gender and relationship to share

House in Multiple Occupation

What is a House in Multiple Occupation?

Under the Housing Act 2004, if a landlord lets a property which falls into one of the following categories, it is a House in Multiple Occupation (HMO):

- 🏠 A shared house lived in by people who are unrelated and who share one or more bathroom or kitchen facilities
- 🏠 A house divided into bedsits lived in by people who are unrelated and who share one or more bathroom or kitchen facilities
- 🏠 An individual flat lived in by people who are unrelated and who share one or more bathroom or kitchen facilities
- 🏠 A building of self-contained flats that do not meet 1991 Building Regulation standards. This type of premises is however not licensable. (Note last exemption below relating to owner occupation of the flats).

The act provides the following exemptions to what an HMO is:

- 🏠 If it is occupied by only two people
- 🏠 If it is occupied by the owner (and their family if any) and one or two lodgers
- 🏠 If it is occupied by a religious community
- 🏠 If none of the occupiers are required to pay rent or give other consideration in respect of the living accommodation
- 🏠 If the owner or manager is a public body
- 🏠 If the owner or manager is an educational institution
- 🏠 A building of self-contained flats if two thirds or more of the flats are owner-occupied

HMO licensing

The definition of a licensable HMO is changing. Currently a property must have 3 or more storeys, however, from 1st October 2018 the storey count is being removed. This means that where a property is occupied by 5 or more persons, forming 2 or more households and there is some sharing of facilities a licence may be required. An HMO Licence gives the licence holder permission to operate the HMO for which the Licence is held so long as certain conditions are met. The Licence cannot be transferred to another person or relate to more than one property.

Licensing fee

For those properties which are going to be covered by the new definition the license fee in Cornwall is £ 999.00, if a complete application is submitted before 1st October 2018.

For all other licenses the fee will be £1150, for a 5 year licence.

Where a licence application is only made following investigation and tracing activity by the Council then the fee will be £ 1500.

On expiry, normally after 5 years, the cost to re-licence is currently £ 862.50

Discounts do apply where licence holders are members of the Cornwall Responsible Landlord Scheme or are members of our partner landlord associations. Please contact us for further details at psh@cornwall.gov.uk or ring 01209 615629





Licensing conditions

Mandatory and discretionary conditions are attached to all licenses that Cornwall Council issue. The HMO licence will state when it comes into force and when it ends (usually 5 years) and it will specify the number of people that can live within the property.

Amenity standards

Houses in Multiple Occupation pose a greater risk to the health, safety and welfare of occupiers due to the nature of separate households sharing facilities. To mitigate these risks the council has an amenity standard covering the provision of bathing, cooking, and sizes of habitable rooms. For a copy of this document please contact the HMO team.








Amenity standards are in place to ensure that a property meets a minimum standard:

-  Amenity standards (number of baths, toilets etc.) for bathrooms/toilets in relation to the number of persons
-  Provision of heating
- Suitability of washing facilities
-  Facilities available in shared/individual kitchens
-  Level of fire precautions available

Management Regulations

HMO Management Regulations impose duties on those responsible for the day-to-day management of HMOs for ensuring that proper standards of health, safety and cleanliness are maintained.

The key duties that apply to HMO Managers under the Regulations are to:

-  Provide information to occupier
-  Take safety measures
-  Maintain water supply and drainage
-  Supply and maintain gas and electricity
-  Maintain common parts, fixtures, fittings and appliances
-  Maintain living accommodation
-  Provide waste disposal facilities

Regulatory Reform (fire safety) Order 2005

Landlord or managers of some HMO's and flats will need to comply with the Regulatory Reform (fire safety) Order 2005 (often referred to as the RRO or the Fire Safety Order) which is enforced by the Fire and Rescue Service.

The Fire Safety Order places the emphasis on risk reduction and fire prevention and therefore requires that a fire risk assessment for the building is carried out identifying the risks and hazards in the premises.

Advice

For further advice or information relating to the management, or fire safety, or licensing of HMO's you can contact us at psh@cornwall.gov.uk or ring **01209 615629**.








Houses in Multiple Occupation pose a greater risk to the health, safety and welfare of occupiers due to the nature of separate households sharing facilities.



Energy Performance Certificates

Exemptions

You don't need an Energy Performance Certificate (EPC) if you can demonstrate that the building is any of these:

-  listed or officially protected and the minimum energy performance requirements would unacceptably alter it
-  a temporary building only going to be used for 2 years or less
-  used as a place of worship or for other religious activities
-  a detached building with a total floor space under 50 square metres
-  due to be demolished by the seller or landlord and they have all the relevant planning and conservation consents

Your EPC contains:

-  Information about a property's energy use and typical energy costs.
-  Recommendations about how to reduce energy use and save money.

An EPC gives a property an energy efficiency rating from A (most efficient) to G (least efficient) and it is valid for 10 years and can be obtained by contacting an accredited assessor who will come out to your property.

The Energy Act 2011 includes provisions that from April 2016, private residential landlords will be unable to refuse a tenants' reasonable request for consent to energy efficiency improvements, where a finance package, such as the Green Deal and/or the Energy Company Obligation (ECO), is available.



TOP TIP!

If possible try and have energy efficient measurers, like installing loft insulation, carried out first before having the assessment prepared, and don't forget your energy saving light bulbs!

Provisions in the Act also provide for powers to ensure that from April 2018, it may be unlawful to rent out a residential premise that does not reach a minimum energy efficiency standard (the intention is for this to be set at EPC rating "E"). These requirements will be subject to there being no upfront financial cost to landlords; therefore, landlords will have fulfilled the requirement if they have reached "E" or carried out the maximum package of measures funded under the Green Deal and/or ECO.

Financial Assistance

There are a number of schemes available to help with the costs of having energy-saving improvements fitted in your home, the details of which can be subject to change, therefore it is advised that you seek further advice about any other financial packages before embarking on one of the incentives below.

Green Deal

Under the Green Deal energy efficiency improvement works are carried out without having to pay all the costs upfront. The cost of the measures is repaid through the occupant's energy bill savings whilst enjoying a more energy efficient home.

Energy Company Obligation (ECO)

The funding comes from big energy suppliers. It's delivered to customers either directly from the supplier or by organisations working together, such as Green Deal Providers. Many householders in older properties, and those on benefits or low incomes, may qualify for extra financial assistance.

Renewable heat incentive (RHI)

It is a financial incentive scheme designed to encourage uptake of renewable heating among domestic consumers. The domestic RHI is targeted at, but not limited to, homes off the gas grid. Those without mains gas have the most potential to save on fuel bills and decrease carbon emissions.

Feed-in Tariffs

This is for on-going financial support for people generating electricity from renewable sources such as solar PV and wind.

To find out more about generating your own energy call the **Energy Saving Advice Service** on **0300 123 1234** for further information.

Further advice

Further advice on what scheme would best assist suit your situation you are advised to contact the following:

Glow Cornwall

Glow Cornwall is targeted at helping households throughout Cornwall save energy and save money. It will help thousands of people to improve the quality of their homes, making them more affordable and warmer.

To find out more about incentives available call on **0800 316 4425** or visit the website for up to date information at **www.glowcornwall.com/saveenergy** where you can also find some practical ways in which you can reduce the amount of energy you use.

Community Energy Plus (CEP)

Community Energy Plus is an award-winning social enterprise that provides independent energy advice to help householders in Cornwall enjoy warmer, energy efficient homes as part of a more sustainable future.

To receive advice call **0800 954 1956** or visit the website for up to date information at <http://cep.org.uk/>.

If you would like this information in another format or language please contact:
Cornwall Council, County Hall, Treyew Road,
Truro TR1 3AY
Telephone: 0300 1234 100
Email: enquiries@cornwall.gov.uk
www.cornwall.gov.uk

