

CONDITION STANDARDS FOR PRIVATE RENTED HOMES

The repairing standard is the legal condition for all private rented homes to meet. The landlord in a tenancy must ensure that the house meets the repairing standard at the start of the tenancy and at all times during the tenancy provided the tenant notifies the landlord, or the landlord becomes otherwise aware, that work requires to be carried out for the purposes of complying with the standard.



Chapter 4, Housing (Scotland) Act 2006

1. THE REPAIRING STANDARD FOR PRIVATE RENTED HOMES

The Standard:- a private landlord will have to ensure that:

- **the house is wind and watertight and in all other respects reasonably fit for human habitation** (taking account of the extent, if any, to which the house falls short of any building regulations, because of disrepair or sanitary defects);
- **the structure and exterior of the house** (including drains, gutters and external pipes) **are in reasonable repair and proper working order** (having regard to the property's age, character and prospective life and the locality in which the house is situated);
- **the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in reasonable repair and proper working order** (including installations outside the house but serving it, and which the owner is responsible for maintaining, (solely or in common with others), by virtue of ownership, any real burden or otherwise;
- **any fixtures, fittings and appliances provided under the tenancy are in reasonable repair and proper working order;**
- **any furnishings provided under the tenancy are capable of being used safely for the purpose for which they are designed;** and
- **the house has satisfactory provision for detecting fires and for giving warning in the event of fire or suspected fire** (with regard to any building regulations and any guidance issues by Scottish Ministers on provision for detecting fires and for giving warning in the event of fire or suspected fire).

Failure on any item represents a failure to meet the repairing standard.

When determining whether a house is *the property is wind and watertight and reasonably fit for human* consideration will be given to whether or not the house meets the tolerable standard for housing.

2. The Tolerable Standard For Housing

The Standard:- A house meets the tolerable standard if it;

- is structurally stable
- is substantially free from rising or penetrating damp
- has satisfactory provision for natural and artificial lighting, for ventilation and for heating
- has satisfactory thermal insulation
- has an adequate piped supply of wholesome water available within the house
- has a sink with hot & cold water
- has a water or waterless closet available for the exclusive use of the occupants of the house and suitable located within the house
- has a fixed bath or shower and wash-hand basin, each provided with a satisfactory supply of hot and cold water and suitable located within the house
- has satisfactory facilities for the cooking of food within the house
- has an effective system for the drainage and disposal of foul and surface water
- in the case of a house having a supply of electricity, it complies with the relevant requirements in relation to the electrical installation for the purposes of that supply
- has satisfactory access to all external doors and outbuildings

Failure on any one item represents below tolerable standard housing.

3. Gas Safety



Anyone letting property must comply with the Gas Safety (Installation and Use) Regulations 1998. These apply to any type of gas installation, including Liquid Propane Gas.

All tenants must be given a copy of the annual gas safety certificate, showing that all gas installations and appliances have been checked by a Gas Safe registered engineer. All servicing, repairs or replacement of gas appliances or installations must be carried out by a Gas Safe registered engineer. If you smell gas, call 0800 111 999 immediately.

4. Furnishings

Anyone letting property must comply with the Furniture and Furnishings (Fire Safety) Regulations, to make sure that furniture is reasonably fire resistant. All furniture with upholstery covering or filling should have a label showing that it meets the regulations.

5. Your landlord's right of access to your home

Your landlord is entitled to enter the property to inspect any repairs required or to carry out repairs. You are required to give the landlord reasonable access to do this.

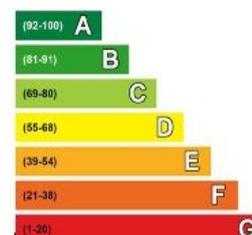
Your landlord should normally arrange a suitable time with you, but they can enter the property, at a reasonable time of day, provided they have given you 24 hours notice in writing. (If an emergency repair is required, your landlord can claim immediate access.)

6. Tenants with disabilities

If you or someone who lives with you is disabled, in some circumstances your landlord may be required to make physical changes to the property. In addition, as a result of the Right to Adapt under the Housing (Scotland) Act 2006, you may be able to make physical changes to your home to make it suitable for you. You may also have a right to take advantage of government schemes to install central heating or energy efficiency measures.

7. Energy Performance Certificates

Building owners intending to rent an existing dwelling must provide tenants with a copy of an Energy Performance Certificate (EPC). The EPC provides information about the energy efficiency of the dwelling and also provides cost effective recommendations on improving energy efficiency, reducing carbon dioxide emissions and fuel bills. This requirement extends throughout the European Union.



8. Electrical safety

The rules on electrical safety are less specific than for gas and furnishings. Under the Electrical Equipment (Safety) Regulations 1994, the landlord has a duty to ensure that electrical wiring and any electrical equipment provided for tenant's use is safe.

The regulations do not specify what must be done to show that the equipment is safe. However it is recommended that:

- appliances should be checked annually (portable electrical appliances safety test (PAT))
- wiring should be checked every five years by a qualified electrician

9. Safety issues

There should be one or more functioning smoke alarm installed in the house;

- The number and position of alarms is to be determined by the size and layout of the house;
- There should normally be at least one alarm on each floor;
- If there are multiple alarms they should be interlinked;
- An alarm installed prior to 3rd September 2007 can be mains powered or battery powered;

- Any smoke alarm installed after 3rd September 2007 must be mains powered, including replacement alarms;
- If there is a requirement for a particular house to meet more stringent standards,(e.g. because it is an HMO or under Building Regulations) then the Repairing Standard is only satisfied if that stricter standard is met;
- An alarm should be installed in accordance with the recommendations contained in BS5839 Part 6;
- Landlords should ensure that smoke alarms are regularly maintained in accordance with the manufacturer's recommendations.

It is recommended as good practice that:-

- Landlords should advise tenants to test alarms on a weekly basis and change the batteries once a year in battery powered system;
- Where a lease is for less than a year, the landlord should change the batteries before the start of the next tenancy;
- Landlords should advise tenants not to tamper with alarms;
- Leases should contain a clause about not tampering with batteries

Strathclyde Fire and Rescue offer free home fire safety visits to the homes of any resident who wishes to receive one. The visit will include a risk assessment of the house and provide general fire safety advice or risk specific advice if required. Smoke detectors will be supplied and fitted (as many as required)

Contact:- 0800 0731 999 or contact your local fire station

If you require further general information please contact Housing Services on (01546 604254)