

Regulation changes

Landlords have been hit with a raft of regulations in recent years, the landlord of 10 years ago is not subject to the same scrutiny as the landlord of today. Our list of how regulations have changed over the years ensures you keep on top of your landlord responsibilities.

EPC

2008

Since October 2008, an EPC is required when a property is bought, sold or let. Exceptions include listed buildings and HMO's on a room only let, among others. A hard copy must be given to a tenant before they move into a property and a copy should be available if a tenant requests to see it at a viewing. Failure to do so carries a £200 fine and you will be unable to serve a Section 21 until you provide a copy.

2016

From 2016, tenants will be entitled to ask their landlord to carry out reasonable recommendations stated on the EPC to improve the energy rating of the property and landlords will be legally obliged to consent. This would be covered under the Green Deal so any requests a tenant makes, will be paid back in their own energy bills (plus those of future tenants).

How to Rent Guide

2016

From February 2016, landlords must give a copy of the How to Rent guide from gov.uk to their tenants before they move in to a property. Failure to do so will mean a Section 21 notice cannot be served until you provide a copy.

2017

Updates are often made to the How to Rent guide, so ensure you serve the most up-to-date version to your tenants. To be on the safe side, you can send them updated copies as they become available.

Right to Rent checks

Pre-2016

Landlords are not required to check a tenant's right to live in the UK.

2016

From February 2016, landlords must carry out Right to Rent checks on all adult tenants before they let a property. A copy of a tenant's original ID must be taken and the ID must be checked in the presence of the tenant. Failure to do so can lead to a £3000 fine.

Smoke alarms and CO detectors

Pre-2015

There was no legal requirement for landlords to install smoke alarms in rented properties. However, if a tenant was injured or died as a result of a fire then a landlord could be held legally responsible.

2015

All private sector landlords are required to install a working smoke alarm on every habitable storey of a property, as well as carbon monoxide detector in areas containing a solid fuel-burning appliance. Alarms must be checked on the first day of the tenancy and you'll need to get your tenant's agreement that they were working. Maintenance of the alarms during the tenancy falls to the tenant. Failure to adhere to these regulations can result in a £5000 fine.

Section 21 notices

Pre-2015

Section 21 notices can be served at any time during the tenancy, to end in line with either a break clause or the end of the fixed term, with a minimum 2 months' notice.

2015

Section 21 notices can no longer be served during the first 4 months of the tenancy and is only valid for 6 months once served. The notice no longer has to expire on the last day of the rental period but will be effective on any date as long as the minimum 2 months' notice has been given. A new prescribed form must be used to ensure the Section 21 is valid.

Deposits

2007

From April 2007, deposits taken from a tenant must be protected within 14 days of payment with an approved government scheme. Failure to protect a deposit or serve Prescribed Information within the given timeframe, or at all, can result in a fine of 1-3 times the amount of the deposit. You will also be unable to serve a Section 21 notice.

2012

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Tenant fees

2013

Scotland bans landlords and letting agent from charging any fees to tenants. This includes fees for referencing, contracts, inventories and renewal fees.

2017

In the 2016 Autumn Statement it was revealed that tenant fees will be banned in England, although no date has been set and exact details have not been revealed.

Repairs

Pre-2015

There is no industry-wide guidance on reporting repairs. Retaliatory evictions, where a tenant is evicted after reporting a maintenance issue, are on the rise.

2015

To protect tenants from retaliatory evictions, landlords and agents are now required to give an adequate response to repair issues within 14 days. If a repair issue is not dealt with properly and the local authority serves an improvement notice, the property cannot be re-let for 6 months.

Gas Safety

1998

Landlords must arrange for a gas safety check on appliances and flues before letting a property to a tenant and a copy of the certificate must be given to the tenant before they move in. Subsequent checks must be carried out every 12 months and the new certificate given to the tenant within 28 days. The standard penalty for non-compliance is £6000 and/ or imprisonment.

2009

The engineer carrying out the gas safety check must be on the Gas Safe Register (previously CORGI registered engineers could carry out checks) and authorised to work on gas appliances.