



Brookland Estates
Property Management

eBOOK – Property Safety Smoke and carbon monoxide



Smoke & Carbon Monoxide

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 came into force on 1 October 2015.

Landlords are required to have **at least one smoke alarm installed on every storey of their properties and a carbon monoxide alarm in any room containing a solid fuel burning appliance**, such as a coal fire or wood burning stove.

The intention of the regulations is to increase the safety of private sector tenants, by ensuring that they have working alarms, at the beginning of their tenancy.

The Landlord must make sure the alarms are in working order at the start of each new tenancy and be able to prove the check was done.

After the Landlord's test on the first day of the tenancy, tenants should take responsibility for their own safety and test all alarms regularly to make sure they are in working order.

Testing monthly is generally considered an appropriate frequency for smoke alarms.

If tenants find that their alarm(s) are not in working order during the tenancy, they are advised to arrange the replacement of the batteries or the alarm itself with the relevant Landlord.

What if the tenant won't allow the Landlord access to the premises to install the alarms or take the remedial action?

You as the agent, or the Landlord, should write to the tenant to explain that it is a legal requirement to install the alarms and that it is for the tenant's own safety. Remember to diarise to check that they have responded.

The regulations apply to all residential let property and unlicensed HMOs. Licensed HMOs are exempt from these rules (Parts 1 to 5 of the regulations), but only because the specific HMO regulations impose similar requirements.

Process



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If the Landlord or agent goes through the inventory on the first day of the tenancy, then the tenant should sign the inventory to record that the required alarms have been tested by the Landlord and the tenant is satisfied they are in working order. You could take a video on your film showing the test, as this dates and times the process.

If the local authority has reasonable grounds to believe the Landlord has not complied with the regulations, a remedial notice will be issued, detailing the suspected breach and required action.

The local housing authority will be responsible for enforcing the regulations. They will be able to issue a remedial notice requiring a Landlord to fit and/or test the alarms within 28 days.

If the Landlord fails to comply with the notice, the local housing authority must, if the occupier consents, arrange for the alarms to be fitted and/or tested. The local housing authority can also levy a civil penalty charge on the Landlord of up to £5,000.