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Guidance

Guide for landlords: electrical safety standards in the private rented sector

Updated 7 October 2021

Applies to England

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This publication is available at <https://www.gov.uk/government/publications/electrical-safety-standards-in-the-private-rented-sector-guidance-for-landlords-tenants-and-local-authorities/guide-for-landlords-electrical-safety-standards-in-the-private-rented-sector>

1. Introduction

The majority of landlords are proactive when it comes to ensuring the safety of their tenants and make a welcome contribution to the housing market. But a minority fail to do so, putting their tenants in danger as a result.

These new Regulations require landlords to have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at an interval of at least every 5 years. Landlords have to provide a copy of the electrical safety report to their tenants, and to their local authority if requested.

This means that all landlords now have to do what good landlords already do: make sure the electrical installations in their rented properties are safe.

The Regulations came into force on 1 June 2020 and form part of the Department's wider work to improve safety in all residential premises and particularly in the private rented sector.

This is a major step towards levelling up the private rented sector, making sure it will offer high-quality, safe and secure housing. Along with our social and owner-occupied sectors, this is housing this country deserves.

This government values the contribution made by good landlords, the majority of whom provide well maintained, safe, secure and high-quality places to live, work and raise families.

Read the [Regulations \(http://www.legislation.gov.uk/uksi/2020/312/contents/made\)](http://www.legislation.gov.uk/uksi/2020/312/contents/made).

Read the [Explanatory Memorandum to the Regulations \(http://www.legislation.gov.uk/uksi/2020/312/memorandum/contents\)](http://www.legislation.gov.uk/uksi/2020/312/memorandum/contents).

We recognise that the restrictions imposed by current measures to reduce the risk of infection from COVID-19 may mean it is more difficult to comply with the regulations that affect the private rented sector.

For this reason, we have written [guidance for landlords, tenants and local authorities \(https://www.gov.uk/government/publications/covid-19-and-renting-guidance-for-landlords-tenants-and-local-authorities\)](https://www.gov.uk/government/publications/covid-19-and-renting-guidance-for-landlords-tenants-and-local-authorities) to address the concerns people may have about carrying out work during the pandemic to ensure that properties are kept in good repair and free from hazards.

2. What do the Electrical Safety Standards in the Private Rented Sector (England)

Regulations 2020 require?

Landlords of privately rented accommodation must:

- Ensure national standards for electrical safety are met. These are set out in the [18th edition of the 'Wiring Regulations'](https://electrical.theiet.org/bs-7671/) (<https://electrical.theiet.org/bs-7671/>), which are published as British Standard 7671.
- Ensure the electrical installations in their rented properties are inspected and tested by a qualified and competent person at an interval of at least every 5 years.
- Obtain a report from the person conducting the inspection and test which gives the results and sets a date for the next inspection and test.
- Supply a copy of this report to the existing tenant within 28 days of the inspection and test.
- Supply a copy of this report to a new tenant before they occupy the premises.
- Supply a copy of this report to any prospective tenant within 28 days of receiving a request for the report.
- Supply the local authority with a copy of this report within 7 days of receiving a request for a copy.
- Retain a copy of the report to give to the inspector and tester who will undertake the next inspection and test.
- Where the report shows that remedial or further investigative work is necessary, complete this work within 28 days or any shorter period if specified as necessary in the report.
- Supply written confirmation of the completion of the remedial works from the electrician to the tenant and the local authority within 28 days of completion of the works.

3. Which rented properties do the Electrical Safety Regulations apply to?

The Regulations apply in all cases where a private tenant has a right to occupy a property as their only or main residence and pays rent. This includes assured shorthold tenancies and licences to occupy.

See [guidance on tenancy types](https://www.gov.uk/private-renting-tenancy-agreements/tenancy-types) (<https://www.gov.uk/private-renting-tenancy-agreements/tenancy-types>).

Exceptions are set out in [Schedule 1 of the Regulations](http://www.legislation.gov.uk/ukxi/2020/312/schedule/1/made) (<http://www.legislation.gov.uk/ukxi/2020/312/schedule/1/made>) and include social housing, lodgers, those on a long lease of 7 years or more, student halls of

residence, hostels and refuges, care homes, hospitals and hospices, and other accommodation relating to healthcare provisions.

4. What about Houses in Multiple Occupation (HMOs)?

A house in multiple occupation (HMO) is a property rented out by at least 3 people who are not from one 'household' (for example a family) but share facilities like the bathroom and kitchen. If an HMO is a tenant's only or main residence and they pay rent, then these Regulations apply to the HMO.

The Management of Houses in Multiple Occupation (England) Regulations 2006 previously put specific duties on landlords around electrical safety. This requirement has now been repealed, and HMOs are now covered by the new Electrical Safety Regulations.

HMOs with 5 or more tenants are licensable. The Housing Act 2004 has been amended by these Regulations to require a new mandatory condition in HMO licences ensuring that every electrical installation in the HMO is in proper working order and safe for continued use. See [guidance on HMO licences \(https://www.gov.uk/house-in-multiple-occupation-licence\)](https://www.gov.uk/house-in-multiple-occupation-licence).

5. The inspection

How do I find a 'qualified and competent person' to carry out the test?

The Regulations require landlords to have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at an interval of at least every 5 years.

Guidance has been produced by the electrical safety industry that covers how landlords can choose a qualified and competent inspector and tester. This includes, but is not limited to:

- [Electrical Safety Roundtable \(http://www.electricalsafetyroundtable.co.uk/electrical-safety-guidance.aspx\)](http://www.electricalsafetyroundtable.co.uk/electrical-safety-guidance.aspx)

- [Registered Competent Person Electrical single mark and register \(http://www.electricalcompetentperson.co.uk/\)](http://www.electricalcompetentperson.co.uk/)

The electrical safety industry has established competent person schemes. Membership of these will not be compulsory to ensure there is no further pressure placed on the industry, nor undue burden placed on inspectors and testers.

When commissioning an inspection, in order to establish if a person is qualified and competent landlords can:

- check if the inspector is a member of a competent person scheme; or
- require the inspector to sign a checklist certifying their competence, including their experience, whether they have adequate insurance and hold a qualification covering the current version of the Wiring Regulations and the periodic inspection, testing and certification of electrical installations.

What standard should the electrical installation meet?

The standards that should be met are set out in the 18th edition of the Wiring Regulations.

The Regulations state that a landlord must ensure that electrical safety standards are met, and that investigative or remedial work is carried out if the report requires this.

The electrical installation should be safe for continued use. In practice, if the report does not require investigative or remedial work, the landlord will not be required to carry out any further work.

The charity Electrical Safety First have put together a suite of guidance that may be useful for landlords in understanding the standard:

- [Guidance for landlords \(https://www.electricalsafetyfirst.org.uk/guidance/advice-for-you/landlords/\)](https://www.electricalsafetyfirst.org.uk/guidance/advice-for-you/landlords/)
- [Guidance for tenants \(https://www.electricalsafetyfirst.org.uk/guidance/advice-for-you/tenants/\)](https://www.electricalsafetyfirst.org.uk/guidance/advice-for-you/tenants/)
- [Classification Codes best practice guide 4 \(https://www.electricalsafetyfirst.org.uk/professional-resources/best-practice-guides/\)](https://www.electricalsafetyfirst.org.uk/professional-resources/best-practice-guides/)
- [18th Edition Wiring Regulations Q&A \(https://www.electricalsafetyfirst.org.uk/professional-resources/wiring-regulations/\)](https://www.electricalsafetyfirst.org.uk/professional-resources/wiring-regulations/)

What will be inspected and tested?

The 'fixed' electrical parts of the property, like the wiring, the socket-outlets (plug sockets), the light fittings and the consumer unit (or fuse box) will be inspected. This will include permanently connected equipment such as showers and extractors.

What will happen in the inspection?

The inspection will find out if:

- any electrical installations are overloaded
- there are any potential electric shock risks and fire hazards
- there is any defective electrical work
- there is a lack of earthing or bonding – these are 2 ways of preventing electrical shocks that are built into electrical installations

What about electrical appliances like cookers, fridges, televisions etc?

The Regulations do not cover electrical appliances, only the fixed electrical installations.

We recommend that landlords regularly carry out portable appliance testing (PAT) on any electrical appliance that they provide and then supply tenants with a record of any electrical inspections carried out as good practice.

Tenants are responsible for making sure that any of their own electrical appliances are safe.

See [guidance on portable appliance testing \(PAT\)](https://www.electricalsafetyfirst.org.uk/find-an-electrician/pat-testing-explained/) (<https://www.electricalsafetyfirst.org.uk/find-an-electrician/pat-testing-explained/>).

Tenants and landlords may consider registering their own electrical appliances with a product registration scheme.

6. The report

Landlords must obtain a report (usually an Electrical Installation Condition Report or EICR) from the person conducting the inspection and test which explains its outcomes and any investigative or remedial work required.

Landlords must then supply a copy of this report to the tenant within 28 days of the inspection and test, to a new tenant before they occupy the premises, and to any prospective tenant within 28 days of receiving a request for the report.

If a local authority requests it, landlords must supply them with a copy of this report within 7 days of receiving the request.

If the report requires remedial work or further investigation, landlords must provide written confirmation that the work has been carried out to their tenant and to the local authority within 28 days of completing the work.

Landlords must retain a copy of the report to give to the inspector and tester who will undertake the next inspection and test.

What will the report show?

The electrical installation should be safe for continued use. In practice, if the report does not require investigative or remedial work, the landlord will not be required to carry out any further work.

Inspectors will use the following classification codes to indicate where a landlord must undertake remedial work.

- **Code 1 (C1): Danger present. Risk of injury.** The electrical inspector may make any C1 hazards safe before leaving the property.
- **Code 2 (C2): Potentially dangerous.**
- **Further Investigation (FI): Further investigation required without delay.**
- **Code 3 (C3): Improvement recommended.** Further remedial work is **not** required for the report to be deemed satisfactory.

If codes C1 or C2 are identified in on the report, then remedial work will be required. The report will state the installation is unsatisfactory for continued use.

If an inspector identifies that further investigative work is required (FI), the landlord must also ensure this is carried out.

The C3 classification code does not indicate remedial work is required, but only that improvement is recommended. Landlords don't have to make the improvement, but it would improve the safety of the installation if they did.

The [Classification codes best practice guide 4](https://www.electricalsafetyfirst.org.uk/professional-resources/best-practice-guides/) (<https://www.electricalsafetyfirst.org.uk/professional-resources/best-practice-guides/>) produced by Electrical Safety First has further practical guidance on classification codes.

What about new build properties or new electrical installations?

If a property is newly built or has been completely rewired, it should have an Electrical Installation Certificate known as an EIC.

Landlords can provide a copy of the EIC to tenants and, if requested, the local authority. The landlord will then not be required to carry out further checks or provide a report for 5 years after the EIC has been issued, as long as they have complied with their duty or duties under the Regulations.

7. Remedial work

If the report shows that remedial work or further investigation is required, as set out above, landlords must complete this work within 28 days or any shorter period if specified as necessary in the report. Landlords must then provide written confirmation that the work has been carried out to their tenant and to the local authority within 28 days.

What if I don't do the remedial work?

If a local authority has reasonable grounds to believe that a landlord is in breach of one or more of the duties in the Regulations, they must serve a remedial notice on the landlord requiring remedial action.

Should a landlord not comply with the notice, the local authority may arrange for remedial action to be taken themselves.

The local authority can recover the costs of taking the action from the landlord. The landlord has the right of appeal against a demand for costs.

What if a tenant won't let me in, or I can't find an inspector?

A landlord is **not in breach** of their duty to comply with a remedial notice, if the landlord can show they have taken all reasonable steps to comply.

A landlord could show reasonable steps by keeping copies of all communications they have had with their tenants and with electricians as they tried to arrange the work, including any replies they have had. Landlords may also want to provide other evidence they have that the installation is in a good condition while they attempt to arrange works. This could include the servicing record and previous safety reports.

Urgent remedial action

If the report indicates that urgent remedial action is required, and the landlord has not carried this out within the period specified in the report, the local authority may with the consent of the tenant arrange to carry out remedial work.

The local authority must authorise a qualified and competent person in writing to undertake the remedial action and give at least 48 hours' notice to the tenant.

The costs for carrying out the remedial work can be recovered from the landlord.

Financial penalties

Local authorities may impose a financial penalty of up to £30,000 on landlords who are in breach of their duties.

Can I appeal against local authorities serving a notice, taking remedial action or a financial penalty?

Yes, landlords can appeal against the decision of a local authority.

In the first instance, landlords have 21 days to make written representations to a local authority against a remedial notice and the intention to impose a financial penalty. The remedial notice is suspended until the local authority

considers representations. The local authority must inform the landlord of their decision within 7 days.

Landlords then have a right of appeal to the First-tier Tribunal against:

- The decision to take remedial action by the local authority. An appeal must be made within 28 days from the day on which a remedial notice is served.
- A demand for the recovery of costs made by the local authority following remedial action.
- The decision to take urgent remedial action by the local authority. An appeal must be made within 28 days from the day on which the work started.
- A financial penalty.

Appeals are made to the First-tier Tribunal (Property Chamber). See more information on the [First-tier Tribunal \(Property Chamber\)](https://www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber) (<https://www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber>).

8. Further questions

What if a tenant won't let me in, or I can't find an inspector?

A landlord is **not in breach** of their duty to comply with a remedial notice, if the landlord can show they have taken all reasonable steps to comply.

A landlord could show reasonable steps by keeping copies of all communications they have had with their tenants and with electricians as they tried to arrange the work, including any replies they have had. Landlords may also want to provide other evidence they have that the installation is in a good condition while they attempt to arrange works. This could include the servicing record and previous safety reports.

If an inspection took place and a satisfactory report was issued before the 18th edition of the Wiring Regulations came into force, but less than 5 years ago, will a landlord always need to have the property inspected again as

soon as the Electrical Safety Regulations come into force?

Regulation 3 requires that landlords have the electrical installation inspected and tested at intervals of no longer than every 5 years. Electrical safety standards (the 18th edition of the Wiring Regulations) must be met throughout the period of that tenancy.

The 18th edition of the Wiring Regulations came into effect in 2019, so if a landlord already has a report for a property that was carried out after this date and has complied with all the other requirements of the Regulations, they won't have to have another inspection for 5 years, provided the report does not state that the next inspection should take place sooner.

Existing installations that have been installed in accordance with earlier editions of the Wiring Regulations may not comply with the 18th edition in every respect. This does not necessarily mean that they are unsafe for continued use or require upgrading.

It is good practice for landlords with existing reports to check these reports and decide whether the electrical installation complies with electrical safety standards. Landlords might also wish to contact the inspector who provided a report to ensure the installation complies with electrical safety standards.

Will all installations have to comply with the 18th edition, even if they were installed before this edition was in force?

The Regulations state that a landlord must ensure that electrical safety standards are met, and that investigative or remedial work is carried out if the report requires this.

The electrical installation should be safe for continued use. In practice, if the report does not require investigative or remedial work, the landlord will not be required to carry out any further work.

Reports can also recommend improvement, in addition to requiring remedial work. If a report only recommends improvement but does not require any further investigative or remedial work to be carried out – indicated with a 'C3' classification code – then while it would be good practice to carry out this work, it would not be required to comply with the Regulations.

What about new build properties or new installations?

If a property is newly built or has been completely rewired, it should have an Electrical Installation Certificate known as an EIC.

Landlords can provide a copy of the EIC to tenants and, if requested, the local housing authority. The landlord will then not be required to carry out further checks or provide a report for 5 years after the EIC has been issued, as long as they have complied with their duty or duties under the Regulations.

Which tenancies do the new Regulations apply to?

If a private tenant has a right to occupy a property as their only or main residence and pays rent, then the Regulations apply. This includes assured shorthold tenancies and licences to occupy.

What about where tenancies ‘roll over’ into periodic tenancies? Will that count as a new tenancy?

Whether or not a ‘periodic’ tenancy is a new tenancy, as defined in Regulation 2, depends on the type of tenancy issued.

- For ‘contractual periodic tenancies’ – where it is written in the original tenancy agreement that on expiry of the fixed term the tenancy will become periodic – the periodic tenancy will be part of the same tenancy and no new tenancy will be created.
- For ‘statutory periodic tenancies’ – where on expiry of the fixed term the tenancy rolls over into a periodic tenancy automatically by statute (rather than by contract) – the periodic tenancy will be a new tenancy.

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