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Brief-Case



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Be aware of new rules for landlords

I have some buy-to-let properties. I have seen in the news that new Smoke and Carbon Monoxide Alarm Regulations have been passed into law and become effective on 1st October 2015.

How will the regulations affect me?

Whether in respect of existing tenancies or new tenancies, the new regulations mean that owners of all tenanted properties in England will need to comply with the regulations by Thursday 1st October 2015.

By that date, you will need to ensure that:

- Each property has a smoke alarm on each storey of the premises on which there is a room used wholly or partly as living accommodation
- Each property has a carbon monoxide alarm in any room of the premises which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance.
- You check, or checks are made on your behalf, to ensure that each prescribed alarm is in proper working order on the day the tenancy begins, if you are granting a new tenancy. Do the regulations just apply to bedrooms, kitchens and living rooms?

No. For the purposes of the regulations, a bathroom or lavatory is to be treated as a room used as living accommodation, as is a hall or landing.

Who enforces the regulations and how?

The Local Authority has the duty to enforce the regulations. It will serve notice on any landlord not complying with them, specifying the premises to which the notice relates, stating the duty that it considers that you have failed to comply with, specifying what action it considers you should take to put things right, and explaining the date by when you must put things right.

What are the penalties for not complying?

Where a Local Authority is satisfied, on the balance of probabilities, that a landlord on whom it has served a remedial notice is in breach of the duty under the regulations, the authority may require the landlord to pay a penalty charge of such amount, as the authority may determine, of up to £5,000 per property.

You can contact Philippa Rudd at Cozens-Hardy on 01603 625231 www.cozens-hardy.com. If you have a question to ask Philippa, you can email caroline.culot@archant.co.uk. Cozens-Hardy has sponsored this column.



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