



Electrical Safety Standards in the Private Rented Sector 2020

Basic requirements:

A landlord must have a valid Electrical Installation Condition Report (EICR) for any property that has a tenancy in place. The report must meet the requirements set out by the [18th edition of the Wiring Regulations](#) and have been carried out by a qualified and competent person.

Do the Electrical Safety Regulations apply to all rented properties?

The regulations apply when any private tenant has a right to occupy the property as their main residence and they pay rent. This includes all assured shorthold tenancies, licences to occupy and Houses in Multiple Occupation (HMOs), where the property is rented out by at least 3 people who are not from one household. Any HMO with 5 or more tenants is licensable, and the Housing Act 2004 has been amended to ensure that every licensable HMO has electrical installations that are safe and in proper working order.

When do the new EICR requirements come in to play?

| Tenancy start date | Tenancy change | EICR required date |
|--|--|--|
| Assured Shorthold Tenancy (AST) in place before 1st June 2020 | Tenancy becomes Statutory Period Tenancy (SPT) before 1st April 2021 | On the date that the tenancy becomes SPT |
| | Tenancy becomes a Contractual Periodic Tenancy (CPT) before 1st April 2021 | 1st April 2021 |
| | No change | 1st April 2021 |
| Assured Shorthold Tenancy (AST) started between 1st June 2020 and 1st July 2020 | N/A | 1st July 2020 |
| Assured Shorthold Tenancy (AST) started after 1st July 2020 | N/A | On the date that the tenancy started |
| Any periodic tenancy (SPT or CPT) in place before 1st June 2020 | N/A | 1st April 2021 |
| Licence to Occupy granted before 1st June 2020 | N/A | 1st April 2021 |
| Licence to Occupy granted between 1st June 2020 and 1st July 2020 | N/A | 1st July 2020 |
| Licence to Occupy granted on or after 1st July 2020 | N/A | On the date that the licence was granted |

Find a registered and competent electrical engineer:

Please speak to a member of our team who can put you in touch with or arrange for one of our preferred panel of electricians to undertake the works for you.

You can find a competent engineer to carry out the works, or check that your chosen engineer is registered by clicking [here](#).

Who needs to be given a copy of the EICR once completed?

By law, landlords are required to provide copies of the EICR to:

- Any prospective tenant requesting a copy
- The tenants at the start of the tenancy
- If the tenants request to see a copy, within 28 days of this request
- If requested by the local housing authority, within 7 days of this request
- The electrical engineer carrying out the renewal test

If an EICR report is renewed during a tenancy, the landlord must also supply the tenant with a copy of the new report with 28 days.

Remedial works:

When an EICR is carried out and the report indicates that remedial work is required, this must be carried out by a qualified electrical engineer within the timescales indicated in the report, or within 28 days if no timescale has been given.

Once the work has been carried out, written confirmation of the remedial action must be obtained from the engineer to say that the works have been carried out satisfactorily.

The landlord must supply written confirmation of this to both the tenant and the local housing authority once this remedial action has been completed.

EICR classification codes:

When carrying out the report, electrical engineers will use the below classification codes to indicate when the property is in need of remedial work:

| Report code | Meaning | Action to be taken |
|-------------|--------------------------------|--|
| C1 | Danger present. Risk of injury | Immediate remedial action required |
| C2 | Potentially dangerous | Urgent remedial action required |
| F1 | An observation code | Further investigation required without delay |
| C3 | Improvement recommended | Further remedial action is not required for the report to be deemed satisfactory |

Report validity and renewal requirements:

An EICR report must be renewed with the timescale indicated in the current EICR report. Where no timescale is indicated by the engineer on the report, it must be renewed within 5 years.

Grace periods:

There are no grace periods in the legislation and there is no defence for not having an EICR in place from the date that it is required.

Enforcement will likely start after 1st April 2021 when **all** tenancies will require a valid EICR.

There is a defence for landlords where they cannot conduct remedial works if they can show that they have taken all reasonable steps to comply with the legislation. This could be, for example, by keeping copies of all communication with their tenants and engineers when trying to arrange the works to be undertaken.

Should you need further information on the new EICR legislation, you can find the Government Guidance for Landlords [here](#), and the government's full document on the Electrical Safety Standards in the Private Rented Sector [here](#).

You can also get in touch with our team here at Alexander & Co, all of whom are up-to-date on this legislation, and will be able to offer advice, should you need it. Please note: you may also want to seek legal advice at this time, if necessary.