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LANDLORDS RISK SEVERE PENALTIES FOR IGNORING GAS SAFETY LEGISLATION

Buy-to-let landlords that flout gas safety legislation to save money face heavy fines and potentially far more serious penalties if poorly maintained gas appliances cause CO poisoning. Timely advice to landlords and tenants comes from the Heating Helpline.

19 February 2010 – Oxfordshire based landlord Graham Barnes was charged this month with contravening Gas Safety Regulations. Between January 2009 and July 2009 Mr Barnes failed to arrange the mandatory annual safety checks on gas appliances and flues at properties he rented out. He was fined a total of £8,000 and ordered to pay £1,957.70 in costs.

Bob Towse, technical and safety consultant for the Heating Helpline, comments, “This case is one of several similar over the past year. Apart

from the financial penalties for breaching gas safety legislation, what landlords must realise is that failure to properly maintain a boiler puts tenants' lives at risk – poorly maintained or defective gas appliances can leak potentially lethal quantities of carbon monoxide (CO) and around 50 people still needlessly die every year from CO poisoning.

“With the Corporate Manslaughter legislation now in force, landlords who flout gas safety legislation are likely to be very harshly treated by the courts.

“Buy-to-let landlords under increasing financial pressure could be tempted to cut corners by ignoring the requirement to arrange for a reputable, registered installer to carry out annual safety checks and servicing but it's just not worth the risk.

“Many private landlords that have bought property to let in the last few years may not even be aware of their legal responsibilities where their properties have gas equipment installed”.

If you are living in rented accommodation your landlord must issue you with a copy of the gas safety certificate following the annual safety check by a Gas Safe Registered engineer and you should not hesitate to contact the Health & Safety Executive (0845 345 0055) if the landlord does not provide this. The gas safety certificate must also be provided to tenants when moving in to a new property. When moving in to a new property you should ensure that all heating appliances and installations are maintained in good order.

For more information on the maintenance of gas appliances or to find a

reputable Gas Safe Registered heating engineer in your area, please contact the Heating Helpline on 0800 840 4069 or their website: www.heatinghelpline.org.uk.

Ends

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Note to Editors

HVCA

Established in 1904, the HVCA is the premier organisation representing central heating contractors across the UK, and exists to promote fair dealing and the sound installation of heating systems.

HVCA members all undergo third-party inspection and assessment of their technical competence and commercial capability every three years. This process is carried out by an independent certification body with an established industry reputation.

HVCA members who undertake gas installations are registered with Gas Safe – the gas safety watchdog body – and are also members of TrustMark, the Government-endorsed scheme designed to direct customers towards reliable tradespeople.

HVCA operates the *Heating Helpline* (www.heatinghelpline.org.uk) to provide consumers with free, impartial advice on every aspect of home heating.

Regulations

Regulation 36(3)(a) of the Gas Safety (Installation & Use) Regulations 1998 states: "...A landlord shall ensure that each appliance and flue to which that duty extends is checked for safety within 12 months of being

installed and at intervals of not more than 12 months since it was last checked for safety (whether such check was made pursuant to these Regulations or not).."

Regulation 36(2) of the Gas Safety (Installation & Use) Regulations 1998 states: "Every landlord shall ensure that there is maintained in a safe condition a) any relevant gas fittings; and b) any flue which serves any relevant gas fitting, so as to prevent the risk of injury to any person in lawful occupation of relevant premises."

More information about the duties of landlords can be found at:
<http://www.hse.gov.uk/gas/domestic/faqlandlord.htm>.

Caption for picture at www.nextstepmarketing.co.uk/press:
'Landlords of tenanted accommodation must ensure that gas appliances have annual safety checks'