

Smoke alarm regulations

From 1 October 2015 new regulations will require landlords to ensure the fire safety of their tenants as well as offer protection against carbon monoxide poisoning.

What is happening?

The new regulations require that from 1 October 2015, landlords will be required to install a smoke alarm on every floor of their property and a carbon monoxide alarm in rooms containing a solid fuels appliance.

Landlords will be required to check that alarms are working at the start of every new tenancy and no doubt tenants will notify landlords whenever alarms appear to be faulty.

Enforcement of the Regulations is the responsibility of the local housing authority, which can require landlords to fit alarms and if the landlord fails to do so has the power to arrange for them to be fitted. There is a power to levy a penalty charge on the landlord. The penalty charge is limited to £5000.

Who will be affected?

The new regulations will apply to all 'specified tenancies', i.e. residential premises where a person or persons have a right to occupy the premises and rent is payable.,

Who is not affected?

The regulations specifically exclude registered social landlords from these obligations. Certain types of properties and arrangements are also excluded, e.g. Houses in Multiple Occupation (HMOs), lodgers, long-leases, student halls of residence, hostels and refuges, care homes, hospitals and hospices.

Other legislation applies to many of the properties and arrangements that have been excluded.

Transitional arrangements

Further guidance will be issued by the Government and will cover a range of issues, such as testing, including hard-wired systems, clarity on which tenancies are affected and issues of overlap and interaction between these new regulations and others, such as the Regulatory Reform (Fire Safety) Order.

Ahead of the regulations coming into force, nearly 500,000 smoke alarms and 52,000 carbon monoxide detectors have been given to local fire and rescue services by the Government to distribute to landlords for free.

Each fire and rescue service has been allocated a number of alarms based upon the landlords in their area. They will be making these free alarms available from May 2015 and landlords are advised to contact Services directly to find out how to access the supply of alarms.