

**Fire, Gas
and
Electrical
Safety Log
Book for
Landlords
of Houses
in Multiple
Occupation.**



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The advice given is not intended to be a definitive guide, independent legal advice should be sought where appropriate.

FOREWORD

A Message from the Leader of the Council,

Dear Landlord,

By reading this booklet you have already begun to carry out your responsibilities for your tenants' safety, particularly in relation to the dangers from fire.

I consider Houses in Multiple Occupation to be 'high risk premises' in terms of fire deaths, injuries and property damage. Statistically, 34% of all fire deaths and 39% of all fire injuries occur in Houses of Multiple Occupation. By heeding the advice given in this logbook you will be making a contribution to the welfare of your tenants. Your premises are also less likely to be damaged by fire.

Oxford City Council and Oxfordshire Fire Brigade are committed to improving fire standards in HMO's. You can help in achieving this aim by adopting this fire safety advice. As the landlord, you have a duty of care towards your tenants' safety. It is therefore important that the fire safety and other measures that you have all installed within the premises are maintained in a good condition, and that you make your tenants aware of the dangers and their own personal responsibilities. Their lives are in your hands.

For free fire safety advice visit www.365alive.co.uk or Freephone 08000 325999.

- Every year over 200 people die in fires occurring in HMO's.
- Every year over 6000 people are injured in fires occurring in HMO's
- If you live in a bed-sit type premises you are 6 times more likely to die in a fire than if you lived in a single family house.

Statistical information supplied by Shelter

DON'T LET YOUR TENANT BECOME ANOTHER STATISTIC



INTRODUCTION

This log book has been produced in order to promote good practice and to assist landlords to meet their legal obligations with regard to maintaining safe conditions in houses in multiple occupation.

You are advised to read this book carefully before completing any section. If you are not clear about any point you should seek further advice.

It is essential that you keep the logbook 'up-to-date'. Remember, good management is good business and will save you time and money in the long term. The Management Regulations place an important duty on landlords to ensure that their properties are maintained to a good standard.

By completing this logbook regularly, you have an opportunity to demonstrate that you are taking steps to meet these obligations.

This logbook provides a permanent 12 month record which may be inspected at any time. Replacement logbooks are available upon request from your Local Authority.

These Regulations place a number of duties on the manager of a HMO, which include:

1) *Duty to provide information to occupiers*

The name, address and telephone number of the manager must be provided to each household in the HMO, AND the same information must be clearly displayed in a prominent position in the HMO.

2) *Duty to take safety measures*

Means of escape from fire must be kept free of obstruction and kept in good order and repair.

Fire fighting equipment and alarms must be kept in good working order.

Notices indicating the location of means of escape from fire must be displayed so they are clearly visible to all occupiers.

All reasonable steps should be taken to protect occupiers from injury with regard to the design of the HMO, its structural condition and the total number of occupiers. In particular, in relation to any unsafe roof or balcony they must be made safe or all reasonable measures taken to prevent access to them and in the case of windows with sills at or near floor level provide bars or other safeguards to protect occupiers.

3) *Duty to maintain water supply and drainage*

These must be maintained in proper working order – namely in good repair and clean condition. Specifically, storage tanks must be effectively covered to prevent contamination of water and pipes should be protected from frost damage.

4) *Duty to supply and maintain gas and electricity*

These should not be unreasonably interrupted.

All fixed electrical installations must be inspected and tested by a qualified engineer at least once every 5 years and a results certificate obtained.

The latest gas appliances test certificate and electrical test results certificate must be provided to the Council within 7 days of the Council making a written request for such information.

5) *Duty to maintain common parts, fixtures, fittings and appliances*

All common parts must be kept clean, safe, in good decorative repair and working order and free from obstruction. In particular handrails and banisters must be provided and kept in good order, any stair coverings securely fixed, windows and other means of ventilation kept in good repair and adequate light fittings available at all times for every occupier to use.

Gardens, yards, outbuildings, boundary walls and fences, gates etc., which are part of the HMO should be safe, maintained in good repair, kept clean and present no danger to occupiers.

6) *Duty to maintain living accommodation*

The internal structure, fixtures and fittings, including windows and other means of ventilation, of each room should be kept in good repair and in clean working order. Each room and all supplied furniture should be in a clean condition at the beginning of the tenant`s occupation.

7) *Duty to provide waste disposal facilities*

No litter should be allowed to accumulate, except for that stored in bins provided in adequate numbers for the requirements of the occupiers. Arrangements need to be made for regular disposal of litter and refuse having regard to the Council`s collection service.

8) *Duty to inform the Council about occupancy of the HMO*

If required to do so, the manager shall provide details of individuals and households accommodated in the HMO.

The Regulations require that the specified standards of management are achieved and maintained. If a manager fails to meet those standards, the Council may prosecute immediately and if the manager is found guilty then there is a maximum fine of £5,000 for a breach of each Regulation.

Please note: This guide is only a summary of the Regulations. You should refer to the Regulations themselves for a full statement of the requirements. Ref: ISBN 011 074074 2, or download at www.opsi.gov.uk or for more information contact the HMO Enforcement Team.

Fire Alarm and Emergency Lighting Systems

If you have a smoke alarm system or a fire alarm and detection system (control panel, detectors and alarm sounders etc.) and an emergency lighting system in your property these must be maintained in good working order.

BS5839: Fire detection and alarm systems for buildings, Part 1: Code of Practice for system design, installation and servicing, and BS 5266 Part 1: Code of Practice for emergency lighting of premises other than cinemas and certain other specified premises, state that log books should be used to keep a record of regular inspection of the systems and set down test procedures that should be adhered to. This can be avoided by taking out a maintenance contract with a suitably qualified person to undertake maintenance of these systems on your behalf.

Fire Alarm System – Record of Tests

BS 5839 states that regular tests on the automatic fire detection system should be undertaken: In the case of a system with a control panel, detectors, sounders and call points etc. the following is required:

Part 1 alarm systems

- **Weekly attention by the user** – Every week a manual call point should be operated during normal hours. It should be confirmed that the control equipment is capable of processing a fire alarm signal and providing an output to the fire alarm sounders. A different call point should be tested each week.
- **Six monthly and annual attention must be carried out by a competent person with specialist knowledge of fire detection and alarm systems.**

Part 6 alarm systems

- **Weekly attention by the user** – Every week a detector should be operated during normal hours. It should be confirmed that all interlinked detectors sound. A different unit should be tested each week.
- **All detectors should be cleaned and maintained in accordance with the manufacturer's instructions.** This would typically include annual vacuuming units to remove dust and replacing batteries as necessary.

Unless otherwise stated Oxford City Council will require all landlords to adhere generally to this code of practice. It is however accepted that the landlord will often face practicable difficulties, particularly in smaller HMO's and weekly access to check the alarm system may not always be possible.

A judgement therefore needs to be made in each case as to what frequency of visit is necessary. The landlord of a large three or four storey HMO with more than 5 occupants for example will be expected to stick to the letter of the code. On the other hand it may well be acceptable for the landlord of a 2 storey HMO with 3 people to visit the house on a less frequent basis to carry out the required checks.

The important thing is to be proactive rather than reactive in the maintenance of the alarm system. Table 1 is offered as a model 'log book; for recording purposes.

Emergency Lighting System – Record of Tests

BS 5266 states that the following should be undertaken by a competent person:

- **Monthly** – each emergency light must be activated from its battery by simulating a failure in the normal supply and an inspection made of each luminaire (emergency light) to ensure that it is functioning properly.
- **Six monthly** – each emergency light must be activated as before, but left on for a prolonged period. In the case of lights with batteries rated at three hours the light must be left on for one hour, and in the case of lights with batteries rated at one hour, these must be left on for fifteen minutes. An inspection must be made of each luminaire to ensure that they are functioning correctly.
- **Three yearly** – as for the six monthly test, but the batteries must be tested to their full duration – i.e. luminaires with batteries rated at three hours should remain lit for that period.

Table 2 is a suggested format for recording tests on the emergency lighting. As with automatic fire detection, the accreditation scheme requires general adherence to the code of practice and a proactive approach to the management of the system is needed.

Other Fire Matters

Fire Doors and Structural Means of Escape, Record of Defects, Obstructions etc.

It is strongly recommended (in order to ensure compliance with licensing and the Management Regulations) that regular inspections of the property are undertaken to check that passive fire safety measures are in a well maintained condition. Fire doors should be regularly checked for damage to surfaces or heat/smoke seals, and to ensure that they are self-closing and self-latching.

Check that the main final exit door **does not** require the use of a key to escape. Any lock requiring the use of a key **must** be removed.

Check that partitions around the staircase are complete and undamaged. Check that walls and ceilings are complete and undamaged. The frequency of inspection is again a matter of judgement in each case. It is accepted that access to lettings may be difficult in some cases and that landlords should not intrude unduly on tenants privacy. However most of the 'fire escape' provision in an HMO will in fact be visible from the common areas and there should be no difficulty whatsoever in gaining access to such areas on a regular basis.

If there is an external fire escape staircase, check that access is unobstructed to it at all levels, and the foot of the stairs is clear so that in an emergency people can quickly get away from the buildings. Test any lighting to make sure it works. Any rust or mould found should be cleaned down and treated and any broken parts replaced or repaired. There should be no rubbish stored underneath this staircase. Table 3 could be used to keep a record of your inspections in this respect.

Fire Instructions to Tenants

You are advised to ensure that tenants are familiar with the fire safety measures in the house, the routine that must be followed in the event of a fire and how the fire alarm system works. It is well worth incorporating such fire safety information in the tenancy agreement paperwork. **It is recommended that a copy of Leaflets 1 and 2 should be displayed in the HMO and given to each occupant at the start of the tenancy.**

Furniture in Let Accommodation

It is a condition of the Licensing Scheme that these Regulations are complied with.. **On the 1st January 1997, the final phase of the Furniture and Furnishings (Fire) (Safety) Regulations 1988 came into force.** This means that furniture and furnishings supplied in let accommodation must comply with the fire safety requirements in the Regulations.

- **Who is affected?** – Any person who lets accommodation in the course of a trade or business. This includes letting agents and estate agents.
- **What kind of premises are covered?** – All residential premises including holiday homes, flats, bedsits and houses where furniture is supplied as part of the let.
- **What sort of furniture is covered?** – Any upholstered furniture including chairs, sofas, children`s furniture, beds, head boards if upholstered, mattresses, scatter cushions, seat pads, pillows and even garden furniture if it is upholstered and can be used in the dwelling. Carpets, curtains and duvets are not covered. If you are in doubt about a particular item, you can get advice from Trading Standards.

- **What should I do?** – If you let accommodation in the course of a trade or business, you must ensure that the furniture you supply to your tenants complies with the regulations. Trading Standards can give you further information which will help you to decide whether your furniture will comply.
- **Exemptions** – If a letting was made before 1st January 1997 and it continues after that date to the same tenant, the regulations do not apply. However, if any of the following happen the regulations do apply and you must make sure your furniture complies:
 - **New or second hand replacement furniture is supplied to the tenant;**
 - **A new tenant moves into the accommodation;**
 - **A new tenancy agreement is made with an existing tenant.**

If you let accommodation outside of Oxford City you should consult with Trading Standards in the area where the property is situated.

Electrical Safety

Inspections of the electrical installations and equipment by a competent person are requirements under the licensing regimes and HMO Management Regulations. Visual inspections should be carried out on a regular basis. See Checklist 1 on page ??.

If you have doubts about the answers to any of the questions on the checklist, you should employ a competent contractor to carry out remedial work. Landlords should consider using the following ‘logs’ as a means of recording their maintenance of the electrical installations and portable electrical equipment.

Record of Examination, Alteration, Modification or Extension to Electrical Installation

Note: Part P of the Building Regulations:

Where new work is carried out this must comply with the Institute of Electrical Engineers’ Regulations/British Standard 7671.

All such work must be carried out by a person competent in the installation of domestic wiring. (NICEIC enrolled contractors or ECA members who regularly carry out domestic wiring and whose work is subject to regular assessment will be deemed to be competent in this context.)

Except for minor repairs, replacements, maintenance, and other specified works, all work must either be carried out by a competent person registered with an electrical self-certification scheme authorized by the Secretary of State for the purposes of Part P of the Building Regulations, or be notified to a building control body **before** work begins.

On completion of any self certified work, a signed Building Regulations self certification certificate must be obtained and copies sent to the relevant building control body.

A copy of the electrical installation certificate / minor works electrical installation certificate as per, or similar to, the model in BS 7671 must also be obtained from the registered contractor. The certificate must be made out and signed by the competent person or persons who carried out the design, construction, inspection and testing work.

Record of Examination of Portable Electrical Equipment provided by the Landlord.

All electrical appliances made available in the house by the landlord should be inspected visually for defects (e.g. frayed wiring, badly fitting plugs etc.) at the beginning of each occupancy, regularly thereafter and in any event every two years. All earthed equipment (class 1) e.g. kettles and irons and the associated leads and plugs, made available by the landlord should be tested at the point of supply and at least every two years thereafter.

This test shall be undertaken by a person competent in the use of the testing equipment and who has the appropriate electrical knowledge and training (i.e. a competent electrician or competent other person in possession of a City and Guilds Certificate 2377).

As soon as any electrical appliance is identified as being unsafe, it should be removed from the house immediately.

*The inspection and testing (where appropriate) of electrical appliances is a condition of the Licensing Scheme.

IMPORTANT - It is a condition of the Licensing Scheme for Houses in Multiple Occupation that the relevant parts of the gas safety regulations are complied with.

Are Your Gas Appliances Safe?

Have the appliances in your premises been professionally installed?
Have they been professionally serviced within the last twelve months?

As a landlord you have a legal duty to ensure that your premises and appliances are safe.

Appliances, which burn any fossil fuel such as gas, coal or oil, can produce carbon monoxide if they have not been fitted properly or serviced regularly.

Carbon monoxide is a gas which is highly poisonous to people and animals. About 40 people die every year from carbon monoxide poisoning, caused by faulty gas appliances. Carbon monoxide can be difficult to recognise because it has **no colour, no smell, no taste** and the symptoms can often be confused with those of other illnesses.

Danger Signs

There are some danger signs which you should look for. To ignore these can be fatal.

- Stains, soot or discolouring around a gas fire or at the top of a water heater. This may mean that the flue or chimney is blocked. Carbon monoxide can build up in the room.
- A yellow or orange flame on a gas fire or water heater.
- A strange smell when the gas appliance is on.

Water Heaters

Older water heaters can produce lethal carbon monoxide fumes if the flue is blocked. If there is any staining, sooting or discolouration on the water heater, it should not be used. Call a registered installer to arrange a safety check.

Remember – if you use, or allow other people to use, an appliance which may be unsafe, you are risking lives and breaking the law.

Safety Precautions

There are three main ways to reduce the risk from carbon monoxide poisoning. For the safety of your tenants, and your own peace of mind, always follow these steps.

- Only buy appliances which have been tested for safety. Take care if buying a second-hand appliance, make sure that the dealer will give you a written guarantee and always ask for a copy of the user instructions.
- Never be tempted to fit gas appliances yourself – one mistake could cost a life. Always use an installer registered with CORGI. This is not only common sense - it is also the law.
- Always have your gas appliances checked and maintained annually by a CORGI registered installer. If you don't do this, you will have broken the law.

Gas Safety Regulations

The Gas Safety (Installation and Use) Regulations 1998 require landlords to have all gas appliances and installations etc., subjected to annual safety checks undertaken by CORGI registered gas installers.

Safety certificates must be kept available for inspection at any time, since your inability to provide proof that appliances have been checked within twelve months of the last safety check could result in prosecution by the Health and Safety Executive.

What Type of Property is Covered?

The duties generally apply to appliances and flues provided for tenants' use in 'relevant premises', that is those occupied for residential purposes under either a license, a tenancy agreement for a set term or a lease as defined in the Regulations. Essentially, any lease under seven years is covered.

What are My Main Duties as a Landlord?

You are required to:

- Ensure gas fittings and flues are maintained in a safe condition; Gas appliances should be serviced in accordance with the manufacturer's instructions.
- Ensure an annual safety check is carried out on each gas appliance/flue. Before any new lease starts, you must make sure that these checks have been carried out within one year before the start of the lease date, unless the appliances in the property have been installed for less than 12 months, in which case they should be checked within 12 months of their installation date;
- Have all installation, maintenance and safety checks carried out by a CORGI registered gas installer;
- Keep a record of each safety check for at least two years; (*HMO Licensing Schemes require you to keep records for the duration of the Licence)
- Issue a copy of the safety check record to each existing tenant within 28 days of the check being completed, or to any new tenant before they move in (in certain cases there is an option to display the record).

The Regulations specify the gas safety matters to be covered. You should not assume that an annual inspection meets the safety check requirement, or that a safety check will be sufficient to provide effective maintenance. Ask the advice of a CORGI registered gas installer where necessary.

Which Gas Equipment is covered?

The safety check and maintenance requirements generally apply to any gas appliance or flue installed in the 'relevant premises' except that:

- appliances owned by the tenant are not covered;
- flues/chimneys solely connected to an appliance owned by the tenant are not covered;
- any appliances and flues serving 'relevant premises' (such as central heating boilers not installed in tenants' accommodation, but used to heat them) are covered.

The safety check does not apply to any gas appliances (such as gas fires provided for customers in non-residential areas of public houses) that are exclusively used in part of premises occupied for **non-residential** purposes.

Your duty to maintain and carry out safety checks applies to portable as well as fixed appliances, such as LPG cabinet heaters.

Can I Delegate Duties to a Tenant?

No, except that a contract may be drawn up between a landlord or tenant for an appliance or flue installed in a non-residential part of premises, for example, shops and public houses etc.

What Happens if I Use a Managing Agent?

The landlord retains overall responsibility for ensuring compliance with requirements. The management contract should clearly identify who is to make arrangements for maintenance and safety checks to be carried out and to keep records.

What if a Property is Sub-let?

In these situations the 'original' landlord may retain duties which overlap with those acquired by the person who sub-lets. In such cases, close co-operation and clear allocation of duties is essential to ensure that legal duties are fully met, and that the terms of the contract properly safeguard tenants' safety.

What Action is Required to Gain Access to Property?

The contract you draw up with the tenant should allow you access for any maintenance or safety check work to be carried out.

You have to take 'all reasonable steps' to ensure this work is carried out, and this may involve giving written notice to a tenant requesting access, and explaining the reason. Keep a record of any action, in case a tenant refuses access and you have to demonstrate what steps have been taken. If a tenant continues to refuse access after repeated contacts, you may need to consider proper action through the courts under the terms of their tenants' contracts, but not use force to gain entry into the property.

How do I Know Whether the Gas Installer is Registered?

The installer should be able to provide you with a current Gas Safe ID card. By law all gas engineers must be on the Gas Safe Register which replaced CORGI as the gas registration body in Great Britain on the 1st April 2009.

What if an Appliance Fails the Safety Check?

The safety check record will contain details of any defect identified and remedial action taken.

You must ensure that any safety defect is rectified (by a registered gas installer) before the equipment is used again. It is recommended that you keep copies of work done to rectify defects.

It is an offence to use, or allow the use, of gas appliances you know to be unsafe. In no circumstances should you reconnect an appliance that you have been told is unsafe, which either has been isolated or disconnected for safety reasons, until the fault has been rectified.

What Action do I Take in the Event of a Gas Escape?

If you smell gas, or suspect there is a gas escape, you should immediately open all windows and doors and shut off the gas supply at the meter control valve (if you know where it is). Contact the Gas Emergency Free phone Number 0800 111 999.

In the case of suspected carbon monoxide leakage, follow the above procedure, except if you are able to identify the specific appliance at fault. IN this case you should consult a registered installer to investigate and make repairs.

If you provide liquefied petroleum gas (LPG) for use by a tenant in premises **other than a building**, e.g. a caravan or holiday home park, you must discuss emergency arrangements with your LPG supplier and agree what action to take in case of a gas escape or emission of carbon monoxide from any LPG appliance.

What Happens if I do not Maintain my Tenants' Gas Appliance?

Failure to do so may result in loss of life. Not only that, you risk being prosecuted, and this could result in you facing a maximum penalty of £5,000 for each offence. If the case is then referred to the Crown Court, the maximum penalty may be an unlimited fine and the possibility of imprisonment.

General Maintenance

It is strongly recommended that you undertake both internal and external inspection of your property at regular intervals noting and acting upon all defects found. The desired frequency of such inspections will again be a matter of judgement, depending on the age of the building and the type of tenants in occupation.

Periodic inspections should be carried out at least every 3 months in any event and log 3 could be used to demonstrate your commitment to proactive management and help to ensure you are complying with duties and responsibilities under HMO licensing conditions and HMO Management Regulations.

Table 1 – Fire Alarm System – Record of Tests

Date	Call point location	Satisfactory Y/N	Action Taken	Signed

FIRE KILLS

ADVICE TO OCCUPANTS OF HOUSES IN MULTIPLE OCCUPATION

If you live in a house in multiple occupation, you are more at risk from fire than if you live in a single-family dwelling house. In order to reduce the likelihood of fire:-

REMEMBER:

- 1. NEVER wedge open fire doors**
- 2. NEVER remove door closing devices**
- 3. NEVER overfill chip pans**
- 4. NEVER leave children alone with matches or in rooms with cooking or heating appliances**
- 5. NEVER smoke in bed**
- 6. NEVER block halls and stairways**
- 7. DO become familiar with escape routes and exits from the building**
- 8. DO unplug electrical appliances at night**
- 9. CLOSE room doors**
- 10. CHECK for burning cigarettes before going to bed**
- 11. DO NOT use paraffin or bottled gas heaters**

FIRE!

NOTICE TO ALL TENANTS

The stairway in this building is protected to provide a route to safety in the event of a fire.

This protection also depends upon the manner in which you and the other occupants observe certain basic rules.

Fire resisting self-closing doors can be found in most parts of the building including the entrance doors to all of the individual rooms/flats. These doors are provided to stop the spread of smoke and fire and they must be kept closed.

AS TENANTS YOU MUST NOT

- REMOVE ANY DOORS
- TAMPER WITH ANY SELF CLOSING DEVICES
- WEDGE OPEN DOORS
- BLOCK OR OBSTRUCT ANY DOORS, CORRIDORS OR PASSAGEWAY

IN THE EVENT OF A FIRE

Make sure the door of the room on fire and your front door are closed on vacating. Alert other occupants in the building and call the fire service.

If you have any problems or defects occur to the means of escape from fire at your house, these should be reported to:-

Electrical Intake	Y/N?	Notes
<p>General Condition</p> <p>Have all old or broken electrical items been replaced or removed?</p> <p>Are they fixed properly?</p> <p>Are they dry?</p> <p>Is there good access to switchgear?</p> <p>Fuses</p> <p>Are they entire and unbroken?</p> <p>Do they have the correct size fuse fitted?</p> <p>Are they in good condition with no evidence of scorching or burning?</p> <p>Cables</p> <p>Are cables in good condition and undamaged?</p> <p>Meter</p> <p>Is the seal on the meter and fuse intact?</p> <p>Have you checked to ensure there are no loose or hanging connectors?</p> <p>Circuit List</p> <p>Is there a circuit list and is it filled in?</p> <p>Conduits</p> <p>Are they fixed well?</p> <p>Are they undamaged?</p> <p>Lights</p> <p>Do they all work?</p> <p>Are the flexes immediately above lamp holders in good condition and not frayed or scorched?</p> <p>Have you checked to ensure there are no bare conductors immediately above lamp holders?</p> <p>Are switches, lamp holders, ceiling roses entire and undamaged?</p> <p>Are switches fixed properly and do they operate positively?</p> <p>Sockets</p> <p>Do they all work, including switches?</p> <p>Do they have switches?</p> <p>Are they firmly fixed?</p> <p>Are they in good condition with no evidence of scorching?</p> <p>Do they grip plugs firmly?</p> <p>Are there sufficient fixed socket outlets?</p> <p>Water Heaters, Cooker Points</p> <p>Are appliances connected with suitable size cable? (Thick flex for water heaters. Thick cable for cookers)?</p> <p>Do control switches work properly?</p> <p>Are they firmly fixed?</p> <p>Are they in good condition?</p> <p>General</p> <p>Is wiring safe from damage by vacuum cleaners, children, water ingress etc?</p> <p>Are electrical boxes safe and inaccessible to children etc?</p> <p>If you have doubts about the answers to any of the above questions, you should employ a competent contractor to carry out remedial work. Landlords should consider using the 'logs' in this document as a means of recording their maintenance of the electrical installations and portable electrical equipment.</p>		