

# LANDLORDS' GAS SAFETY RESPONSIBILITIES

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## **This factsheet explains landlords' gas safety responsibilities and is intended for both landlords and tenants.**

### **Overview**

If you live in rented accommodation, your landlord has legal responsibilities when it comes to gas safety.

Landlords have legal duties for gas safety. These are that gas pipework, gas appliances and chimneys/flues are maintained in a safe condition. Gas appliances owned by your Landlord, which are provided for your use must be checked annually by a Gas Safe registered engineer. These responsibilities are laid out in the relevant gas safety legislation, such as the Gas Safety (Installation and Use) Regulations 1998 in Great Britain.

### **Requirements**

There are three specific duties for landlords to keep their tenants safe.

#### **Annual gas safety checks**

To make sure that any gas appliances and flues provided for tenants are safe for continued use. Landlords must arrange for them to be checked for safety every 12 months by a Gas Safe registered engineer. New regulations introduced in April 2018 allow a landlord to arrange for a gas safety check to be carried out any time from 10 – 12 calendar months after the previous check whilst still preserving the original check expiry date. Where a gas safety check is carried out less than 10 months or more than 12 months after the previous gas safety check this will have the effect of 'resetting the clock' and the new deadline date will now be 12 months from the date of this latest gas safety check.

#### **Record**

A record of this annual gas safety check will include specific information on the results of the tests carried out. A copy of the gas safety record must be provided to an existing tenant within 28 days of the check being completed or to new tenants before they move in. Landlords must keep copies of the record for two years. If a landlord has benefited from the new regulations allowing flexibility in timing of gas safety checks, records must be kept until two further gas safety checks have been carried out.

#### **Maintenance**

Maintenance arrangements should normally involve a series of regular inspections and any necessary repairs. Landlords must ensure that gas pipework is maintained in a safe condition. Gas appliances and flues provided for the tenants use must also be maintained in a safe condition. Gas appliances and flues should be serviced in accordance with manufacturer's instructions but if these are not available, annual servicing is recommended unless advised otherwise by a Gas Safe registered engineer.

There are no formal requirements for landlords to keep maintenance records. However, landlords will need to be able to show, if asked, that regular maintenance of the flues and appliances and any necessary repairs have been undertaken. Landlords do not have to provide maintenance records for tenants.

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These duties do not extend to appliances in wholly non-residential buildings or parts of a building. For example, if you live in a rented flat over commercial premises, landlords' duties will apply to the gas appliances, pipework and chimneys/flues serving the flat. Landlords' duties will not apply to gas appliances, pipework, or chimneys/flues used exclusively in the non-residential commercial premises below.

Landlords do not have an obligation to have any checks carried out on gas appliances owned by their tenant(s). Tenants are responsible for the maintenance and safety of their own gas appliances. Gas Safe Register recommends that tenants should have their own gas appliances serviced and checked for safety annually by a Gas Safe registered engineer.

## What should I do to make sure my home is safe?

### Access

Landlords need to ensure that they take reasonable steps to gain access to their properties in order to meet their legal responsibilities.

If you are a tenant you should allow the Gas Safe registered engineer appointed by your landlord access to your property to carry out maintenance or safety checks on appliances and/or chimneys/flues that the landlord provides for your use. Remember to ask to see the engineer's Gas Safe Register ID card to confirm they are registered and qualified to carry out the necessary work.

### Tenants own appliances

You are responsible for the maintenance and safety of your own gas appliances. The landlord is still responsible for the maintenance of the gas pipework. However, if your Gas Safe registered engineer advises you of an issue with the chimney/flue serving your gas appliance, you need to discuss this with your landlord as they have responsibility for all chimneys/flues in the property under other legal duties.

### Annual gas safety record

If you do not have a copy of the current record for your property, you are entitled to ask your landlord for a copy. If your landlord refuses, you can complain to the Health and Safety Executive (HSE) using this form: <https://extranet.hse.gov.uk/lfserver/external/lgsr1>.

## Further Guidance

For further guidance visit:

- <https://www.gassaferegister.co.uk/help-and-advice/renting-a-property/>
- [HSE.gov.uk/gas/landlords/index.htm](https://www.hse.gov.uk/gas/landlords/index.htm)