

# A guide to gas safety in rented accommodation



## The rights & responsibilities of the tenant

### Know your rights and stay safe

The purpose of this document is to provide you with the information necessary to keep you safe in rented accommodation where gas appliances are used. That includes knowing the legal responsibilities of both your landlord and yourself, as well as the practical steps that need to be taken to ensure gas safety.

#### What does the law say?

The current **Gas Safety (Installation and Use) Regulations 1998** are designed to prevent injury to the public from carbon monoxide poisoning, fire and explosion.

These regulations specify that it's the duty of landlords of 'relevant premises' to ensure that all gas appliances, fittings and flues provided for the use of tenants are safe.

By 'relevant premises' they mean all residential properties occupied for residential purposes under a licence or a tenancy agreement for a set term. Effectively, any lease of less than seven years is covered under the terms of the regulations.

#### If they're not CORGI registered, they're not legal

The law also says that anyone employed to carry out gas-related work **must be registered with CORGI**. If they are not CORGI registered, then they are working illegally and therefore, unsafely.

In fact, CORGI is the *only* body charged by the government's Health and Safety Executive (HSE) to maintain a register of competent gas installers in Great Britain, Northern Ireland, Guernsey and the Isle of Man.

#### What's so special about being CORGI registered?

A CORGI registered installer is a gas expert who has undergone extensive training to qualify for CORGI registration. A CORGI registered installer is:

- given an ID card as proof of CORGI registration. Please ask to see it before work commences.
- required to obtain and regularly update competency certificates in the areas of gas work they carry out.
- required to notify CORGI when installing or replacing any gas appliance in a residential property.
- subject to regular inspections carried out by CORGI.

Remember: CORGI registration does not automatically cover all areas of gas work. Most installers specialise – so check that they are qualified to do the work required. **You can verify this with our Customer Services team by calling 0800 915 0485 or by checking the back of the ID card.**

Work carried out by illegal gas workers has been found to have serious safety defects. Therefore, anyone using a tradesperson who isn't CORGI registered is not just acting illegally but also endangering life.

#### What does a CORGI registration card look like?

The front of the card should display:

- A photograph of the tradesman.
- Their name.
- The trading name of the registered business.
- The CORGI registered installer logo with the registration number underneath.
- The expiry date of the card.
- The orange shield gas logo.
- Details of the different types of gas work the tradesman is competent to undertake. (Installers are not legally allowed to carry out any work not listed.)
- Details of any Building Regulations that the tradesman can self-certify.

The card also carries all this information in Braille.

#### What does the law require of your landlord?

A landlord is legally required to ensure that:

- pipe work, appliances and flues provided for tenants are maintained in a safe condition.
- an annual safety check is carried out on each appliance and/or flue that the landlord provides for tenants' use.
- maintenance and annual safety checks are **always carried out by a CORGI registered installer** with the relevant specialist knowledge for the job in hand.
- there's a record of each safety check for at least two years.
- a copy of any safety check is issued to each existing tenant within 28 days of the safety check being completed and to any new tenant before they move in.
- all gas equipment (including any appliance left by a previous tenant) is safe or otherwise removed before re-letting.
- any management contract the landlord has with a managing

agent, clearly specifies who is required to make arrangements for maintenance, safety checks and record keeping.

### **Are there any exceptions to the law?**

The landlord is responsible for the safety of all gas appliances, fittings or flues EXCEPT:

- Any appliance owned by a tenant and the flue/chimney connected to it.
- Any gas appliances provided by a tenant/customer and exclusively used in non-residential areas of the premises.

### **What if your landlord doesn't comply?**

If your landlord refuses to properly service and safety check the appliances they have provided for your use, remind them of their legal duties under the Gas Safety (Installation and Use) Regulations 1998. **If they still refuse to comply, contact your local Health & Safety Executive Area Office.**

The same applies if your landlord refuses to provide you with a record of the safety check carried out by a CORGI registered installer.

Recent high profile prosecutions of landlords who have breached the gas safety laws have highlighted the issue of tenant safety. Prosecution could result in a maximum penalty of £5,000 for each offence. **If the case goes to the Crown Court, the maximum penalty could be an unlimited fine, or even imprisonment.**

### **What are your responsibilities?**

You should allow your landlord access to the property to carry out maintenance or safety checks on appliances and/or flues that are provided for your use. But before you allow anyone into the property to carry out gas related work, **both landlord and tenant should insist on seeing their CORGI ID card.**

If you have any doubt about the safety of a gas appliance, turn it off and do not use it until a CORGI registered installer has declared it safe. **It is an offence to use, or allow the use of a gas appliance you know to be unsafe.**

The Landlord's Gas Safety Record should contain details of any defect identified and any remedial action taken at that time by your CORGI Registered Installer.

### **Can your landlord make you responsible for gas safety?**

No. However, a contract may be drawn up between a landlord and tenant to look after an appliance or flue installed in a non-residential part of the premises, such as a shop or a public house.

### **But what if the property is sub-let?**

The 'original' landlord may retain duties that overlap those of the person who sub-lets. In such cases, clear (written and agreed) allocation of those duties is essential to ensure that legal responsibilities are fully met and that the terms of the contract assure the safety of all tenants.

### **What to do in an emergency**

If you smell gas, suspect there's a leak, or are concerned there may be a risk of carbon monoxide exposure, you should **immediately:**

- turn off the gas supply at the meter.
- extinguish naked flames.
- open doors and windows.
- seek medical advice in the case of carbon monoxide exposure – making sure the victim is breathing non-contaminated fresh air and kept still.
- If necessary, phone 999 and ask for the relevant emergency service.

**Do not use electrical switches** – turning them either on or off causes a spark.

### **Then call the Gas Emergency Number on:**

- 0800 111 999 England, Scotland and Wales.
- 0800 002 001 Northern Ireland.
- 01624 644 444 Isle of Man.

### **How do you find a CORGI registered installer?**

Call our Customer Services team on **0800 915 0485** or visit our website: **[www.trustcorgi.com](http://www.trustcorgi.com)**