

Electrical Safety Standards in the Private Rented Sector 2020

Basic Requirements

Where a tenancy is in place the landlord must have valid Electrical Installation Condition Report (EICR) for the property that meets the requirements of the [18th edition of the 'Wiring Regulations'](#), which must have been carried out by a person who is qualified and competent.

Which rented properties do the Electrical Safety Regulations apply to?

If a private tenant has a right to occupy a property as their only or main residence and pays rent, then the Regulations apply. This includes assured shorthold tenancies, licences to occupy and Houses in Multiple Occupation, where the property is rented out by at least 3 people who are not from one 'household'. HMOs with 5 or more tenants are licensable. The Housing Act 2004 has been amended to ensure that every electrical installation in a licensable HMO is in proper working order and safe for continued use.

When do the EICR Requirements Kick-in for different tenancies

Different dates apply to tenancies depending on the date the tenancy started. This list outlines the situation.

TENANCY START DATE	TENANCY CHANGE	ECIR REQUIRED DATE
Assured Shorthold Tenancy (AST) in place prior to 1st June 2020	Becomes a Statutory Periodic Tenancy (SPT) before 1st April 2021	On the Date of the change
	Becomes a Contractual Periodic Tenancy (CPT) before 1st April 2021	1st April 2021
	No Change	1st April 2021
Assured Shorthold Tenancy (AST) started between 1st June 2020 & 1st July 2020	N/A	1st July 2020
Assured Shorthold Tenancy (AST) started after 1st July 2020	N/A	On the date the tenancy starts
Any periodic tenancy (SPT or CPT) in place prior 1st June 2020	N/A	1st April 2021
Licence to Occupy granted prior to 1st June 2020	N/A	1st April 2021
Licence to Occupy granted between 1st June 2020 & 1st July 2020	N/A	1st July 2020
Licence to Occupy granted on or after 1st July 2020	N/A	On the date the licence granted

Registered and Competent Electrical Engineer

Find a competent engineer or check if your engineer is registered by clicking [Here](#)

Who Needs to be Provided with a Copy of the EICR

Landlords are required to provide copies of the report to –

- Any prospective tenant requesting a copy
- The tenants at the start of the tenancy
- The tenants, within 28 days of any request for it
- The local housing authority within 7 days of any request for it
- The electrical engineer carrying out the renewal test

Remedial Work

Where an EICR report indicates that remedial work is required this must be carried out by a qualified electrical engineer, within the timescales indicated in the EICR, or within 28 days, if no timescale is indicated. Written confirmation must be obtained from the engineer that the remedial work has been satisfactorily carried out. The landlord must provide written confirmation of the completion of remedial work to the tenant and the local housing authority.

EICR Classification Codes

Engineers will use the following classification codes to indicate where a landlord must undertake remedial work.

REPORT CODE	MEANING	ACTION
C1	Danger present. Risk of injury	Immediate remedial action required
C2	Potentially dangerous	Urgent remedial action required
F1	An observation code	Further investigation required without delay
C3	Improvement recommended	Further remedial work is not required for the report to be deemed satisfactory.

Report Validity and Renewal Requirements

The EICR must be renewed within the timescale indicated within any current valid EICR. Where no timescale is indicated the report must be renewed within 5 years.

Grace Periods

There are no grace periods in the legislation. There is no defence for not having an EICR in place from the date it is required. However, it is not anticipated that local housing authorities will be actively or aggressively enforcing the requirements during the Covid-19 pandemic. Enforcement is likely to start after 1st April 2021 when ALL tenancies will require an EICR. There is a defence for landlords where they cannot conduct remedial work, if they can show that they have taken all reasonable steps to comply. A landlord could show reasonable steps by keeping copies of all communications with their tenants and engineers when trying to arrange the work.

Click for further information [Government Guidance for Landlords](#) [The Regulations](#)
This document is produced as general guidance for letting agents and landlords. It is not definitive.
Legal advice should be obtained.