



Department for  
Communities and  
Local Government

# Renting a safe home

A guide for tenants



© Crown copyright, 2015

*Copyright in the typographical arrangement rests with the Crown.*

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/> or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

This document/publication is also available on our website at [www.gov.uk/dclg](http://www.gov.uk/dclg)

If you have any enquiries regarding this document/publication, complete the form at <http://forms.communities.gov.uk/> or write to us at:

Department for Communities and Local Government  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF  
Telephone: 030 3444 0000

For all our latest news and updates follow us on Twitter: <https://twitter.com/CommunitiesUK>

March 2015

ISBN: 978-1-4098-4540-9

# Renting a safe home

## A guide for tenants

All homes need to meet certain standards to ensure that they do not represent a risk to health and safety. This guide has been produced for tenants to identify hazards or health risks, to work out whether a property is safe and to explain what to do if it's not.

Landlords should provide tenants with a property that provides a safe and healthy environment to live in. That means regularly reviewing the condition of the property and carrying out repairs when needed. The Government's ['How to Rent' Guide](#) aims to help tenants and landlords in the private rented sector understand their rights and responsibilities.

The majority of landlords provide decent well maintained homes and most tenants are happy with the service they receive from their landlord. However, all properties contain things, such as stairs and electrical outlets, which are potentially hazardous. Whilst it is not possible to live in a property that is totally free of potential hazards, the risk they may become actual hazards should always be minimised.

This guide will help you know what to look out for in the property you are renting to ensure that it is safe to live in, and won't affect your health or that of your family. It also explains your landlord's obligations and what you can do if the landlord does not comply.

You will also find this guide helpful if you are looking for a place to live as it should help you identify any hazards in the property that might impact on your or your family's health and safety. You can always ask the landlord to remove or minimise the hazard before you agree to take up the tenancy.

### **Hazards to health and safety**

The following explains some of the most common hazards found in property and how you, as the tenant, might identify them. A full list of hazards is given at the end of the Guide. Whilst these are not common, if they are present in the property and remain unchecked they could affect your health. If you are fit and healthy the likelihood of these affecting you might be small, but they could have more affect those who are more vulnerable such as young children and the elderly.

### **Living Environment**

**Damp and mould** can affect your health. It can cause dust mites, dampness and/or high humidity. If not tackled they can cause respiratory problems, respiratory infections, allergies or asthma. It can also affect the immune system particularly in young children.

Where a home is consistently too cold, this is called **Excess Cold** which can lead to flu, pneumonia and bronchitis; heart attacks or strokes, hypothermia and even death. A cold home is one that cannot be economically maintained at temperatures of between 18°C to 21°C. Likewise, **Excess Heat** can be a risk to health where a property is excessively hot. This has the potential to cause dehydration, stroke and heart attacks, breathing difficulties and infections. This is more likely to affect the elderly.

The following checks should give a good indication if there is a problem.

- **Look out for damp patches on walls and ceilings, mould, peeling wallpaper and condensation on windows. Does the property smell musty?**
- **Ask for a demonstration of the central heating. Is it working properly and do the heating controls work?**
- **If there is no central heating is there an alternative type of adequate heating? Check the property is well ventilated, do the windows open?**

## **Pollutants**

**Asbestos** was commonly used in building materials in the 1950s and 1960s as a fire retardant. Materials containing asbestos are generally safe if they are in good condition but if they are damaged or broken they can release fibres and dust into the air that can cause pleural disease; lung cancer or mesothelioma. Your landlord should seek professional advice on its removal. **Pesticides and other chemicals** used to treat timber mould growth and pests can cause breathing difficulties and skin diseases. **Carbon Monoxide and other gases** can be extremely toxic and cause dizziness, nausea, headaches, bronchitis and breathless and asphyxiation. **Lead** from paint or water/waste pipes has the potential to cause nervous disorders, mental health and behavioural problems in children.

In certain parts of the country, there is a risk to health from exposure from **Radon Gas** and you can find more details here [www.ukradon.org](http://www.ukradon.org).

**Gas** from cookers or heaters escaping into the atmosphere in the property can cause suffocation and explosion. **Dangerous chemicals** such as formaldehyde can be found in a variety of materials around the home, such as air fresheners and can be unpredictable at room temperature. They can cause allergies; irritation; headaches; nausea; dizziness and drowsiness.

The following checks should give a good indication if there is a problem:

- **Are the rooms well ventilated? Ask for a carbon monoxide alarm to be installed.**
- **Are the appliances properly installed and have they been maintained?**

- **Ask to see the Gas Safety Certificate. If there are gas appliances in the property, the landlord has to have an annual gas safety check carried out by a Gas Safe registered engineer.**

### **Space, Security, Light and Noise**

There is a risk to health from infections, accidents and the spread of contagious diseases caused by **Crowding and Inadequate Space**. In addition to the number of occupants, factors to consider when deciding whether there is adequate space include the size of living rooms, kitchens and other recreational space. There should be adequate living area for sleeping and normal household life.

The fear caused by the risk of **Entry by intruders** where the property is not secured against unauthorised or unwanted entry can cause stress, and anguish.

The lack of adequate **Lighting** can cause depression, eyestrain and vitamin D deficiency.

The risk to health from **Noise** caused by inadequate sound insulation that allows penetration of excessive levels of noise can cause sleep disturbance; poor concentration, headaches and anxiety.

The following checks should give a good indication if there is a problem:

- **Walk through the property, is there enough room for beds and furniture? Is there adequate light?**
- **Do the doors and windows shut properly? Check windows for locks and the front door for break-in signs.**
- **If renting a flat or terrace, what do the neighbouring properties look like? Their problems can quickly become yours. Listen for noise from neighbours and roads. If you can, try to get a second viewing at a different time of day.**

### **Hygiene, sanitation and water supply**

Issues with **Hygiene, pests and refuse** can lead to stomach upsets, infection and diseases, asthma and allergies. The property should be free from cracks, holes or voids that would allow the entry or shelter of pests. There should be adequate provision for the storage of rubbish.

There is also a risk to health from lack of space for **personal washing** and for clothes washing and drying facilities, including drainage. The property should have an adequate **water supply** and drinking water should be supplied from the mains.

The following checks should give a good indication that there may be a problem:

- **Check the plumbing. Flush toilets and turn taps on. Check cupboards underneath sinks are dry. Check water pressure and that the water gets hot.**
- **In the kitchen, pretend to prepare a meal. Is there enough room? If white goods are included, check they're working. Look out for mice droppings and ask about refuse collection especially in any shared communal areas.**

## **Accidents**

Risk associated from trips and **Falling** is one of the most common hazards. These can be associated with baths and showers, trip hazards, stairs and low balconies and windows. Falls can cause physical injuries, cuts and bruising, fractures or brain and head injuries. Elderly people are more vulnerable to these hazards.

**Electrical hazards** caused by faulty wiring and old sockets can lead to shocks, burns and even death. Electrical installations should be safe and in a good state of repair.

**Fire** in the home can lead to burns and the risk of being overcome by smoke or gas and in serious cases death. Cookers, heaters and other electrical appliances should be situated away from flammable materials and ideally in the middle rather than the end of kitchen units. They should also be regularly maintained and tested. This will also reduce the risk caused by **Flames, hot surfaces etc.** You should be particularly concerned about this if you have children under 5 years.

The following checks should give a good indication if there is a problem

- **Are the floors and paths in good repair and free from trip hazards? Do the stairs have an even tread? Can windows be firmly secured? Do balconies have a safety rail? Does the bath have a slip resistant surface?**
- **Turn lights on and off, especially with older switches. Check that plug sockets are not loose.**
- **Is the cooker located in a safe position? Is there a fire safety blanket in the kitchen? Is there a working smoke detector? How easy would it be to escape in the event of a fire?**

## **Structural**

In cases where the property has been badly maintained this can lead to **Collision and entrapment, Explosions** and **Structural collapse**. There is a risk to health physical injury caused by trapping body parts in windows and doors etc and striking/colliding with windows and doors, and from a blast of debris, or collapse of a building caused by gas or water vapour.

**Inappropriate positioning of amenities** presents a potential risk of strains and sprains amenities and space not being appropriately positioned i.e. bath, sinks, worktops and windows should be properly sited.

The following checks should give a good indication if there is a problem:

- **Does the roof look in a good state of repair, are there loose tiles or leaking gutters?**

## **What to do if you identify hazards?**

If you are living in the property and have concerns about its condition you should first contact the landlord or the managing agent to get it put right. Don't be frightened about raising your concerns. You have the right to live in a safe and secure home. In almost all tenancies, the landlord is by law required to keep the property in a good state of repair provided the tenant has not caused the damage. If the landlord does not carry out the necessary repairs you can take action, including where you believe a hazard has arisen by reporting the matter to the environmental health department of your local council.

If the council gets involved it will normally carry out an inspection to identify what hazards exist. They will look at the health risks related to the hazards listed below and if they find poor conditions that are a serious risk to your, or your family's health and safety, they have a duty to take action to eliminate or reduce the hazard. The council does not have to take action in every case – they will make an assessment based on the hazard criteria set out at the end of this guidance document. The local authority will not charge you for this service.

### **Repairing obligations**

The following are the minimum repairing obligations implied into all private sector tenancies granted for seven years or less, including weekly and monthly tenancies. Even if your tenancy agreement is silent about repairs or says something different this cannot override the law.

Although hazards may result because a property is in need of repair, in general, the council cannot directly get involved to require a landlord to comply with the repairing obligations. You will need to go to the county court for that and to make any claim against the landlord for disrepair. You should note the landlord is not required to carry out repairs where you or your family have caused the damage. However, a landlord has a right to carry out repairs and you must allow access. You cannot be charged for the repairs unless you caused the damage.

According to Section 11 of the Landlord and Tenant Act 1985, the landlord is always responsible for repairs to:

- the property's structure and exterior
- basins, sinks, baths and other sanitary fittings including pipes and drains
- heating and hot water
- gas appliances, pipes, flues and ventilation
- electrical wiring
- any damage they cause by attempting repairs

The landlord is usually responsible for repairing common areas, eg staircases in blocks of flats but the tenancy agreement should confirm this.

The Landlord does not have to repair damage the tenant has caused, eg if water leaks into another flat from an overflowing bath, the tenant is responsible for paying for the repairs. Tenants are responsible for paying to put right any damage caused by their family and friends.



The full list of hazards assessed during an inspection are:

1. Damp and mould
2. Excess cold
3. Excess heat
4. Asbestos
5. Biocides
6. Carbon monoxide, nitrogen dioxide and sulphur dioxide
7. Lead
8. Radiation
9. Uncombusted fuel gas
10. Volatile organic compounds
11. Crowding and space
12. Entry by intruders
13. Lighting
14. Noise
15. Domestic hygiene, pests and refuse
16. Food safety
17. Personal hygiene, sanitation and drainage
18. Water supply
19. Falls associated with baths
20. Falls on level surfaces
21. Falls associated with stairs and steps
22. Falls between levels
23. Electrical hazards
24. Fire
25. Hot surfaces and materials
26. Collision and entrapment
27. Explosions
28. Position and operation of amenities etc.
29. Structural collapse and falling elements

## Additional Information

This guidance is not exhaustive and you should always seek advice on any specific situation that arises. If you are interested in finding out more about renting in the private sector then you can find additional information at the following links. Government accepts no responsibility for the content of external sites.

[Shelter](#)

[Chartered Institute of Environmental Health](#)

[Accreditation Network UK](#)

[Citizens Advice Bureau](#)