

FREQUENTLY ASKED QUESTIONS

- **Does this legislation apply to all rented properties?**
They apply to all new tenancies from the 1st July 2020 and existing tenancies from 1st April 2021.
- **Are any properties exempt?**
There are a few exemptions. These include social housing, lodgers, and those on a long lease of 7-years or more. For more information, please contact the Community Protection Team.
- **Do they apply to HMOs?**
Yes, including those that are licensed.
- **Do I need to give a copy of the electrical certificate to my tenant?**
YES. Existing tenants should be provided with a copy of the certificate within 28 days of the test being carried out. New tenants should be provided with a copy, before they move in.
- **What report should I request to meet the legal requirements?**
The Regulations refer to a 'report' being obtained by the person conducting the inspection and test. An Electrical Installation Condition Report (EICR) is often used for this purpose.
- **Do I need a new Electrical Installation Condition Report for every new tenancy?**
No. Inspection and testing must take place at least every five years and the Report is valid through multiple tenancies.
- **What percentage of the electrical installation needs to be tested?**
100% of the electrical installation should be tested to ensure that it is safe for continued use. This will include the consumer unit, socket outlets, switches and lights.
- **When do I need to send a copy of the certificate to Shropshire Council?**
You only need to send a copy of the electrical safety report to the Council in the following circumstances:
 1. If requested by an Officer of Shropshire Council, you must provide it within 7 days.
 2. If the report indicates that remedial action (C1 or C2 codes) or further investigation (FI) is required, the landlord must complete the work **within 28**

days, or shorter period if specified in the report. Written confirmation from the qualified person, that this work has been carried out and that the electrical safety standards have been met, must be supplied **to the Local Authority within 28 days**, along with a copy of the original report. This is in place to alert the Local Housing Authority to any properties which may have been sub-standard, but are now safe.

- **How do I send the Council my certificate?**

Please send an electronic copy e.g. PDF, digital image, to

community.protection@shropshire.gov.uk

Please include 'Electrical Safety Certificate and the address of the property in the subject field.

Also include your name, address and contact telephone number.

Alternatively, you can post a copy to the Community Protection Team, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND. We will need the same information as described above.

- **What do I do if my report gives an 'Unsatisfactory' rating?**

If there is a C1 or C2 fault, the installation will be classed as unsatisfactory. These faults must be rectified within 28 days.

- **Who can carry out the Electrical Safety test?**

The person must be properly qualified and competent. In order to establish if a person is qualified and competent landlords can:

1. Check if the inspector is a member of a competent person scheme e.g. NICEIC or NAPIT; or
2. Require the inspector to sign a checklist certifying their competence, including their experience, whether they have adequate insurance and hold a qualification covering the current version of the Wiring Regulations and the periodic inspection, testing and certification of electrical installations.

To find a registered electrician in the area, please go to

<https://www.electricalsafetyfirst.org.uk/find-an-electrician/>

- **What are the consequences of non-compliance?**

The Local Authority can impose a financial penalty of up to £30,000.

- **If the property I am renting out is a New Build or has been completely re-wired, and has an Electrical Installation Certificate less than 5 years old is that acceptable?**

Yes, as long as it is less than 5 years old.

- **If my certificate says 10 years, do I still need to renew every 5 years?**

If an existing certificate was done longer than five years ago, regardless of whether it is valid for 10 years, it will not be applicable for these regulations. The EICR must be less than five years old.

- **Do portable appliances need testing e.g. cookers, fridges, tv's etc?**

The Regulations do not cover portable appliances, however, it is good practice to get electrical appliances checked, to ensure that they are maintained in a safe condition that will not cause harm to the tenant.

- **What happens if the tenant does not allow access?**

The landlord is not in breach of the regulations if they can prove that they have taken all reasonable steps to comply. Keep copies of all the communications with the tenants and electricians and any replies that you have received.

- **What if I cannot meet these requirements due to the Coronavirus crisis?**

If you can show that you have taken all reasonable steps to comply with your duty under the regulations, then you are not in breach of the duty. For more information see <https://www.gov.uk/government/publications/covid-19-and-renting-guidance-for-landlords-tenants-and-local-authorities>