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Pendle "LETS BE WARM" scheme

You will see from the EPC Guidance Note for Landlords overleaf that the Lancashire Trading Standards Service are taking action with those landlords who do not produce a valid Energy Performance Certificate for their property when the tenancy changes.

Any habitable property should have a minimum SAP rating of 35 to ensure that occupants are not exposed to the risks of excess cold, damp & mould growth. These are the most prevalent hazards identified in homes within Pendle by the Health & Hazard Safety Rating System.

The Housing Health and Safety Rating System (HHSRS), introduced by the Housing Act 2004, gives local authorities the powers to target properties with the worst conditions, including those where there is a cold, damp or mould hazard.

To ensure that your property reaches the minimum required energy standards, and to make it most appealing to prospective tenants, it is important that you make the home as warm and cheap to heat as possible. The effect will be to reduce tenant energy bills and so lengthen occupancy periods, which in turn will reduce your costs and increase your income.

We are aware that there is little spare cash around in these hard times to make improvements and so we have found a way to assist you with improving the energy efficiency of your properties **at little or no cost to you, the landlord, regardless of the tenant's circumstances.**

Pendle Borough Council has negotiated with a local insulation contractor and a leading utility provider to pilot a scheme across the private rented sector. **Free loft insulation and cavity wall insulation (including insulation survey, supply and installation) will be offered to all private landlords of rented property across Pendle.** In order to qualify for free insulation upgrades, the existing loft insulation must be 70mm or less, and any suitable cavity must be 40mm or more. If the loft already has more than 70mm, then a discounted price will be offered.

The information collected at survey will be used by the insulation contractor solely for the purpose of installation of measures. This information will not be made available to Pendle Borough Council officers, nor will any action be taken if you do not take up this offer. This scheme is of benefit only to the landlord and his tenants.

This offer of free insulation is made on a strictly *first come, first served basis* and may be withdrawn at any time, subject to funding availability. If you would like to take advantage of this unique scheme, please send or email your contact details together with a list of all your Pendle property addresses, (and tenant contact details where occupied) so we can arrange survey appointments.

Yours sincerely

Heather Shaw
Home Energy Officer



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Lancashire Trading Standards Service

Landlords, Energy Performance Certificates (EPC) and Rented Properties

Lancashire Trading Standards Service has a responsibility for enforcing the relevant regulations. This brief note is to emphasise the consequences of non compliance and to ask you to help ensure that there is no misunderstanding as to your responsibility.

The position is in most circumstances clear and straightforward.

- Since October 2008 an Energy Performance Certificate should be produced for every domestic residential property that is being marketed for rent.
- The EPC has a life of 10 years and can be reused within that time if a new tenancy is created.
- A copy of the EPC should be provided at the earliest opportunity to any potential tenants. At the latest it must be provided when the property is being viewed by the prospective tenant.
- The EPC will include an assessment of the properties energy rating with appropriate advice on energy improvements that can be made.
- Failure to provide the EPC can result in a £200 penalty charge notice (PCN) being issued.
- The responsibility is placed on the landlord.
- Landlords cannot avoid responsibility by using property agents.
- If no EPC is available a PCN can be issued up to 6 months after the tenancy commenced.

There is a recognition that landlords of residential properties range from individuals with single homes to large operators with multiple homes for rent.

For the professional landlords you should be fully aware of the necessity of an EPC being available for properties being marketed. There has been extensive publicity, and a wealth of resources exists to advise and inform as to the general and specific requirements.

For all other landlords it has to be emphasised that the legal obligations are the same whether you own one or hundreds of properties. The simple step should be to obtain an EPC at the earliest opportunity for any property you are likely to offer for rent. Lancashire Trading Standards Service will answer any query raised relating to enforcement and regulatory compliance.

It is of concern that there seems to be a trend for the provision of an EPC being delayed until the last possible opportunity or in certain cases for no EPC being available. This is contrary to the requirements of the regulations and does potentially place landlords in a position where they could be liable for a Penalty Charge Notice.

From an enforcement perspective the situation is very clear. If a property is marketed then there is a requirement to provide an EPC at the earliest opportunity.

Lancashire Trading Standards has taken a realistic approach to the enforcement of these regulations. There has been an acceptance that there needs to be a period for the implications to bed in and an opportunity for technical problems being resolved. If the level of compliance is however significantly compromised we will have to reconsider our approach. We have a duty to enforce and a responsibility to ensure that purchasers are provided with the necessary energy performance information to help in their decision making process.

If you require further guidance please contact Lancashire Trading Standards 01772 533569