In Leitrim County Council, Building Inspectors, are dedicated to improving the living standards of tenants in private rented accommodation. We do this through the enforcement of the Housing (Standards for Rented Houses) Regulations 2017.

HOUSING (STANDARDS FOR RENTED HOUSES) REGULATIONS 2017

The standards for private rented houses are set out in the above legislation. The Regulations apply to all rented houses let for rent or available for letting.

The main objective of these regulations is to establish minimum standards in order to protect the health and well being of tenants and make private rented houses safe and fit for habitation. All landlords have a legal obligation to ensure that their rented properties comply with these Regulations at all times while let and while available for letting.

Those provisions of the 2017 Regulations that deal with Structural Condition (Article 4), Heating Facilities (Article 6) and Fire Safety (Article 10) will come into effect on the 1st of July, 2017.

Inspections of Private Rented Houses

Building Inspectors are “authorized persons” who are empowered to inspect a private rented house made under the above legislation. Failure to admit a Building Inspector from inspecting the property constitutes an obstruction.

What is the Landlord Responsible for? Landlords are legally obliged to ensure that their private houses (which include a house, flat or an apartment) are maintained in good condition and repair. Landlords are required to ensure that their lettings comply with the Regulations while let and while available for letting. Landlords should regularly review the condition of the property and make any repairs where necessary.

What is the Tenant Responsible for? Tenants must also take responsibility for the property. They are required to exercise due care when using the dwelling and the equipment in it and to promptly inform the landlord when repairs are needed. Tenants are responsible for the repair of damage, either accidental or deliberate, that is not attributable to normal use.

The following are the most common contraventions in dwellings:

1. No Carbon Monoxide Detectors
2. No Fire Blanket
3. No Smoke Detectors
4. No permanent vent where there is a combustible appliance
5. No safety restrictors to windows
6. Lockable window handles
7. Electrical: No Periodic Inspection Report
8. Gas: No Gas conformance report
9. Oil: No current Periodic Inspection report

All of the above list must comply with standards as set out in the regulations. Please read the articles in this booklet for further detail.
HOUSING (STANDARDS FOR RENTED HOUSES) REGULATIONS 2017

ARTICLE 4  STRUCTURAL CONDITION

Be in a “Proper State of Structural Repair” and this requires a private rented house to be “sound internally and externally, with roof, roofing tiles and slates, gutters, windows, floors, ceilings, walls, stairs, doors, skirting boards, fascia, floor & wall tiles, down pipes, fittings, furnishings, gardens and common areas maintained in good condition and repair and not defective due to dampness or otherwise”.

Be free from Dampness and condensation. The occurrence of dampness and condensation can be controlled by adequate ventilation and heating, but may also require structural repairs.

Where a window has an opening section through which a person may fall, and is more than 1400mm above external ground level, suitable safety restrictors must be fitted.

Lockable Restrictors are not acceptable as shown.

Each Bedroom should be provided with a window which can provide an unobstructed clear open area suitable for escape or rescue.

Lockable handles are not acceptable as shown.

When a Loft or Attic Space has been converted, consideration must be given to criteria including fire safety, structural matters, planning, headroom space, ventilation, insulation, draught sealing and lighting.

The landlord may be required to provide an architect’s or engineer’s report confirming that the attic conversion has received all the relevant permissions required.

ARTICLE 5  SANITARY FACILITIES

There should be adequate Sanitary Facilities, which must consist of a toilet with a dedicated wash hand basin supplied with hot & cold water; a fixed bath or shower, supplied with hot and cold water. The sanitary facilities must be provided in a room separate from other rooms and contain separate ventilation.

There should be a functioning Drainage System for the hygienic and adequate disposal of surface water and foul wastewater from the dwelling.
ARTICLE 6  HEATING FACILITIES

Have adequate Heating Facilities (central heating). The tenant must be able to independently control the operation of the heating appliances.

“Each house shall contain a Carbon monoxide alarm and should be installed as per manufacturer’s instructions in every room that contains a heat producing appliance (open fire, gas fire, wood burning stove, gas boiler, oil boiler)”

The Carbon monoxide alarm Must carry the CE mark & comply with I.S. EN 50291-1:2010/A1:2012

Note: Hit & miss vents (left) is Not sufficient passive ventilation for spaces where solid-fuel or gas appliances are used.

ARTICLE 7  FOOD PREPARATION & STORAGE & LAUNDRY

Have a Kitchen that is provided with adequate storage space for food, cutlery and crockery. Have suitable and adequate “white” goods, including a cooker, a fridge and a freezer or a fridge-freezer, a microwave oven, a clothes washing machine, a sink with an adequate draining board and adequate worktop space for food preparation. A cooker hood, ducted to the external air must be provided over the cooker for the safe removal of fumes.

ARTICLE 8  VENTILATION

Have adequate ventilation with all windows and extract system maintained in good repair and working order

ARTICLE 9  LIGHTING

Property to have adequate Natural Lighting in all habitable rooms. In addition, all rooms (including common areas such as the hall, stairs and landing) must have adequate means of Artificial Lighting
ARTICLE 10  

FIRE SAFETY

(1) Each house must contain mains-wired smoke alarm OR 10 year self-contained battery-operated smoke alarms? Smoke alarms to be fitted at ground level and each upper floor landing.

Smoke alarms must carry the CE mark & comply with I.S. EN 14604:2005.

(2) Each house shall contain a suitably located fire blanket & must comply with EN1869:1997.

(3) Each self-contained house in a multi-unit building shall contain suitable fire detection and alarm systems. Is there mains-wired smoke alarm in the house? (Smoke alarms must carry the CE mark & comply with I.S. EN 14604:2005).

(4) Each self-contained house in a multi-unit building shall contain an emergency evacuation plan.

(5) A suitable fire detection and alarm system shall be provided in common areas within a multi-unit building.

(6) Emergency lighting shall be provided in all common areas within a multi-unit building & maintained in accordance with I.S. 3217.

(7) Fire detection and alarm systems and emergency lighting systems required under Regulation 10(4) and 10(5) shall be maintained in accordance with current standards.

In this Regulation: The Landlord is required to provide such evidence as is necessary to establish that any fire alarm system is in compliance with I.S. 3218:2013.


ARTICLE 11  

REFUSE FACILITIES

Have suitable and sufficient Refuse Facilities that are pest and vermin proof. If insufficient provision is made for the regular collection of refuse, problems of dumping, odour and vermin are likely to occur.

ARTICLE 12  

GAS, OIL & ELECTRICITY INSTALLATIONS

Keep in good repair and safe working order the installations for the supply of Electricity, Gas & Oil.

Electricity: The landlord is requested to provide a current Electrical (4 Page) Periodic Inspection Report.

Gas: The landlord is requested to provide a current Declaration of Conformance for IS 813 annex E.

Oil: The landlord is requested to provide a current Periodic Inspection Report (A CD80 and / or CD81 report) from an OFTEC registered technician to prove compliance.

ARTICLE 13  

INFORMATION

Sufficient information shall be provided to the Tenant about the rented property i.e. Locations of fixed services such as: Mains water stop valve, Electrical distribution board, Gas shut off valve if applicable. Instruction manuals for house appliances. Contact details for Landlord and / or Letting agent. Operation of heating system etc.

Dealing with Complaints: The tenant should inform the landlord of a problem in writing regarding the condition of the property, the landlord should carry out the necessary remedial work. If a tenant has notified the landlord regarding the need for repairs, but the problems has not been rectified by the landlord, the tenant can chose to refer the matter to the Housing Department for investigation.

The Housing Department does not mediate in disputes between landlords and tenants.

Contact details: For further information please contact Leitrim County Council Housing Department at (071) 96 20005. Email enquiries to praenquiries@leitrimcoco.ie

Disclaimer: The information, which is provided in this leaflet, is for advisory purposes only and does not purport to be a definitive and/or legal interpretation of housing standards and cannot be read as such.