

LANDLORD REGISTRATION INFORMATION AND FREQUENTLY ASKED QUESTIONS

Providing Evidence of Fire and CO Detection in Rental Properties

When submitting your landlord registration application or renewal you will be asked to provide confirmation that each property has smoke, heat and carbon monoxide detection that is compliant with current legislation. Currently smoke and heat detectors should be hardwired and interlinked and should consist of, as a minimum:

- 1 Heat detector in the kitchen
- 1 Smoke detector in the lounge or in the room where tenants spend most time
- 1 Smoke detector on each level/ landing

Tamper Proof long-life smoke detector systems are acceptable however are still required to be interlinked.

Guidance on the new standards for fire protection can be found here:

<https://www.gov.scot/publications/fire-and-smoke-alarms-in-scottish-homes/>

Carbon monoxide detectors are required however they do not need to be hardwired but should be placed:

- One in each room where there is a combustible appliance i.e. a boiler, fire or log burner
- One in each room where a flue passes through

Some guidance on Carbon Monoxide detection in rented properties can be found here:

<https://www.gov.scot/publications/carbon-monoxide-alarms-in-private-rented-properties-guidance/>

When providing evidence for this it will likely be detailed on any recent EICR inspection paper work or gas safety certificates, where it is not you could ask that it is detailed on your next one as your contractor will confirm compliance with legislation. Alternatively a written statement from the landlord or agent accompanied by photographs will be sufficient.

Legionella Risk Assessment

You will also be required to declare that you have completed a legionella risk assessment for each property. Although we are currently not asking to see a copy of this we are unable to approve applications until it has been confirmed that a risk assessment has been completed. This assessment does not need to be completed by a contractor and there are online resources you can download to do this yourself.

The Health and Safety Executive website can provide information on the responsibilities for landlords to comply with this legislation and can be found here: <http://www.hse.gov.uk/legionnaires/legionella-landlords-responsibilities.htm>

Alternatively you can contact the landlord registration department who will be able to provide you with a copy of a basic risk assessment to complete. We aim to put a link to this on the website in due course.

Joint Owners:

All joint owners, meaning anyone listed on the title deeds, are legally required to be registered in their own right. Where property is owned by a company the registration should be in the company's' name.

Although the system will recognise the first person to register the property as the lead owner this is only to calculate the fee, each owner should apply in their own right and is responsible for maintaining their registration. Only the lead owner will be required to pay the fee.

For renewal applications all joint owners will already have their own registration and registration number which will be on your reminder email. If there is only one number on the letter please call or email the office and we can provide you with your individual number.

Please note that registrations are not joint even where they have previously been updated over the phone or through a paper application. It is the responsibility of each joint owner to maintain their registration and ensure they are renewed on time.

Late Application Fees

Late application fees will be applied to all registered owners who do not submit their renewal application before the expiry date. This includes joint owners. The fee will automatically be applied when you renew your registration and will not be waived in instances where landlords have received the appropriate reminders.

Correspondence and reminders

When your landlord registration is due for renewal you will receive 2 reminders, the first will be approximately 3 months before your renewal date and the second approximately 1 month before your registration expires. All correspondence will initially be sent via email where an email address is provided. Where an email address is not provided or an email is not delivered, reminders can be sent by letter. Please note where an email appears to be delivered and does not bounce back a letter will not be sent.

It is therefore the landlords' responsibility to ensure that the email address is correct on their registration at all times.

Expired Registrations

Where a registration has expired this should still be renewed rather than submitting a new application as we are unable to process a new application for an existing landlord.

Failing to maintain your landlord registration may also impact on your landlord insurance as it is a legal requirement for each owner to be registered throughout the time the property is let. Any false declaration or expired registration may invalidate your policy.

Providing Certificates

Once you have submitted your application you will be asked to provide copies of your safety certificates. You will be given 28 days to provide these documents. If they are not received within this time frame you will receive a reminder allowing an additional 14 days to either produce the documents or to provide evidence that these works have been instructed.

Your application will be refused if these are not received.

If your application is refused and you continue to rent your property you will be committing an offence and will result in a rent penalty notice being issued against all properties you rent out. We will inspect properties where applications have been refused in order to ascertain if they are being rented and may make additional reports to the Housing and Property Chamber or Procurator Fiscal as necessary.

If you have any queries or would like anything clarified please call the office on 03001234561 or email Landlord Registration at Landlord.Registration@moray.gov.uk