

## **Housing Act 2004 came into effect in April 2006 – the implications are surprising.**

The surprise is this: if two or more people live in a property that are not related, not co-habiting, not married, nor blood relatives then Part 1 of the Housing Act 2004 applies. Yes even if you are just letting a room out. So whilst the government are encouraging the Rent a Room Scheme which enables a home owner to let out the room and receive £ pa tax free, another part of the government is saying if you do let out a room Part I of the Act applies. However, locally in Cambridge the Environmental Housing Officer has said that they will look 'kindly' on such situations. Not so if you are letting out a house of flat.

So what is required? If the house is on more than two floors and has more five people living in it then the property is classed as a House in Multiple Occupation (HMO) and both the letting agent and landlord need to be registered with the Council. Of course most properties are not HMOs which need registering in which case Part 1 of the Act applies.

### **What must be done?**

It will depend on the size of the property, the number of occupants, whether the tenants are on one lease or if they each have a lease, the type of tenants and even the age of the tenants.

At one end of the spectrum two professionals in their twenties sharing a two bedroom house, will require less to be done than a house with five unrelated tenants all with separate leases who are allowed to smoke.

### **At the very least you landlords are required to:**

Have an interconnecting fire alarm system with a smoke sensor in the downstairs and upstairs landings, with a heat sensor in the kitchen. The kitchen will require a 30 minute fire door. You will need a fire extinguisher and fire blanket in the kitchen. If the electrics are under the stairs then you will be required to dry line under the stairs so if there is an electrical fire the stairs do not burn before occupants upstairs have escaped.

Then in houses of higher risks landlords may be required to have all doors made into fire doors, and for each bedroom to have its own smoke detector, again linked to all the others.

Is it all worth it? Well at Cambridge Property Lettings we believe it is IF you are going to rent out the property on a long term basis because in time we think rents for such properties will increase: why because those letting only for a couple of years will not bother, and some who are letting will not want the hassle. We have been pleasantly surprised by how we have saved our landlords a great deal of money by bulking together the work and by finding cheaper ways of complying with the law.

What if Landlords do not bother? It is more than likely you will be found out. Cambridge Council have been planning for this new legislation for several years including checking the Council Tax Register to see who is sharing a property!

If in doubt why not call Trevor Hames Managing Director of Cambridge Property Lettings who will be delighted to give you a free appraisal.  
Housing Act 2004. Landlords ignore at your – and maybe your tenants' - peril

In April of this year the Housing Act 2004 came into effect, which has considerable implications for landlords. This piece of legislation is frustratingly complicated and contains some surprising anomalies, but the overall aim is to protect tenants and needs to be complied with. This article will attempt to unravel some of its mysteries, and help you to see if and how it applies to you and your property.

The first factor to consider is the relationship between the people living together in the property. If they are not blood relatives or related in any way, not married or living together as if they were married (co-habiting), then the Housing Act 2004 applies. Surprisingly, this is even if you are just letting a room out in your own home. So whilst the government are encouraging the 'Rent a Room Scheme' which enables a home owner to let out a room and receive £ pa tax free, strictly speaking Part I of the Act should still apply to this arrangement. Locally in Cambridge the Environmental Housing Officer has said that they will look 'kindly' on such situations, but not so if you are letting out a house or flat.

The second factor to consider is the number of people living in the property. If the house is on more than two floors and has more than five people living in it, then the property is classed as a House in Multiple Occupation (HMO) and both the letting agent and landlord need to be registered with the Council. If there are between two to five occupants, then the property is not an HMO, but part 1 of the Act applies.

So if you conclude that the Act applies to your property, what must be done? The requirements are largely related to health and safety, and stipulate a range of additions and adaptations to the home. It depends on the size of the property, the number of occupants, whether the tenants are on one lease or if they each have a lease, the type and even the age of the tenants. For example, two professionals in their twenties sharing a two bedroom house will require less to be done than a house with five unrelated tenants all with separate leases who are allowed to smoke.

To give you some idea of what may be required, the bare minimum is as follows: The property must have an interconnecting fire alarm system with smoke sensors on the downstairs and upstairs landings, and a heat sensor in the kitchen. The kitchen also requires a 30 minute fire door and the provision of a fire extinguisher and fire blanket. You will be required to dry line under the stairs if this where the electrics are located so that, if there is an electrical fire, the stairs do not burn before occupants upstairs have escaped. Higher-risk houses may require all doors to be fire doors, and for each bedroom to have its own smoke detector in an interlinked system.

What if Landlords do not bother? It is more than likely you will be found out. Cambridge Council have been planning for this new legislation for several years including checking the Council Tax Register to see who is sharing a property! In any case, any landlord wishing to be professional would want to ensure his property is legal and safe, and this in turn boosts tenants' confidence in them.

Is it all worth it? Well at Cambridge Property Lettings we believe it is. If you are going to rent out the property on a long-term basis. In time we think rents for such properties will increase because those letting only for a couple of years will not bother, and some who are letting will not want the hassle. We have been pleasantly surprised by how we have saved our landlords a great deal of money by bulking together the work and by finding cheaper ways of complying with the law.

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