



# Housing Standards for Rented Houses 2019

## A Guide for Landlords & Tenants



In Mayo 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 2019*.

### **HOUSING (STANDARDS FOR RENTED HOUSES) REGULATIONS 2019**

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 2019 Regulations that deal with **Structural Condition (Article 4)**, **Heating Facilities (Article 6)** and **Fire Safety (Article 10)** will come into effect on the **1<sup>st</sup> of May, 2019**.

### **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. *Mould / Dampness to property*
8. *Electrical: No Periodic Inspection Report*
9. *Gas: No Gas conformance report*
10. *Oil: No current Periodic Inspection report*
11. *No Emergency Escape to Bedrooms*
12. *No Emergency evacuation plan to Apartments*

**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 2019

## 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.



**Window Safety Restrictors:** 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.



**Restrictors Required, as shown** <<

**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.



**Permanent wall vents** to be used in spaces where solid fuel gas appliances are used.



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## **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 i.e. 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**

“current standards” means standards produced by the National Standards Authority of Ireland for Fire Detection and Fire Alarm Systems in Buildings and for Emergency Lighting.

## **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 CD11 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 Mayo County Council Housing Department at **094 9064510**

Email enquiries to [ims@mayococo.ie](mailto:ims@mayococo.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.*