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# Summary Report

## Private Tenancies Act (Northern Ireland) 2022

### Section 10:

The Electrical Safety Standards  
for Private Tenancies Regulations  
(Northern Ireland) 2024



September 2024



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# Acknowledgements

The Department for Communities (DfC) would like to express its gratitude to colleagues from the Department of Finance (DoF) Housing Advisory Unit, and representatives from Electrical Safety First (a charity based in Scotland and England), local District Councils and Northern Ireland Fire and Rescue Service (NIFRS) for participating in the expert panel and sharing their expertise and knowledge throughout the development of the Regulations and associated guidance.

Thanks, are also extended to all those that gave up their time to participate in the online survey, made written submissions and attended Stakeholder Forum meetings.

# 1. Background

1.1 The Private Tenancies Act (Northern Ireland) 2022 was introduced to continue to improve the private rented sector by creating a safer and more secure environment for tenants. Section 10 of the Act enables the Department to make Regulations to introduce certified 5-yearly checks of a private rented property's hard-wired electrical installation by a qualified electrician.

1.2 In a survey conducted in Northern Ireland by 'Electrical Safety First' tenants were asked about electrical issues they had experienced while living in a private rented property. That survey showed that:

- 31% had experienced broken sockets or light switches.
- 28% had experienced exposed wiring.
- 27% had experienced broken, damaged, or overheating of electrical appliances provided by their landlord.
- 25% had experienced frequent tripping of the fuse box that was found to be caused by an appliance provided by their landlord.

There is no doubt that introducing five yearly electrical safety checks covering the electrical installation and hard-wired appliances provided by the landlord will help to rectify many of the issues and risks experienced by private

tenants living in Northern Ireland's Private Rented Sector (PRS).

## Evaluation of similar legislation in other UK jurisdictions

1.3 England, Wales and Scotland have already legislated on hardwired electrical safety checks within the private rental sector, so an analysis of the legislation and guidance in place in these jurisdictions was undertaken early in the policy development process. That benchmarking resulted in the Northern Ireland Regulations being modelled on the content of 'The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020' which emanate from the primary power contained in Sections 122 and 123 of England's 'Housing and Planning Act 2016'. England's 2020 Regulations were assessed as the best in respect of outlining the landlord responsibilities in applying a 5 yearly electrical safety inspection within private rental properties. Appropriate adjustments did need to be applied to take account of some differences here, including to align with enforcement measures with the Private Tenancies Order (NI) 2006 (as amended by the Private Tenancies Act (NI) 2022).

1.4 The drafting of the Northern Ireland Regulations has been supplemented with supporting guidance notes which evolved from drawing from what

the other UK jurisdictions had in the public domain and adapting to suit the Northern Ireland context.

### **Access to Expert Advice**

1.5 Given these were technical Regulations, it was recognised that it was essential that we had early and ongoing access to necessary professional advice. This expertise was particularly useful in helping to formulate Regulations that took account of the processes that needed to be applied to the certification process and to assist with navigating any challenges that arose during the process such as drafting the enforcement process for Councils. As noted in the ‘acknowledgements’ we are grateful for the time and assistance given to the team throughout the process from NI Fire and Rescue, Council Environmental Health, Electrical Safety First, and internal mechanical and electrical engineer expertise drawn from Department of Finance, Housing Advisory Unit.

### **Consultation Exercise**

1.6 A 12-week stakeholder consultation ran from 13 September 2023 to 6 December 2023 on the content of the new Regulations and the associated guidance notes. It was a targeted consultation focused on engaging and obtaining the views of tenants, landlords, electricians, Council enforcement officers and all associated professional bodies/representatives to assess if the Regulations were fit for purpose, deliverable, and were not an over onerous commitment in respect of compliance. This online consultation was supplemented by targeted stakeholder forums. More details about the consultation and subsequent analysis approach are provided in the next section.

## 2. Review approach

- 2.1 The consultation was accessible on the DfC website with NIDirect's Citizen Space platform providing the online survey facilities. A link to the Section 10 Regulations, guidance notes and Regulatory Impact Assessment was published alongside the online questionnaire. Key stakeholders (landlords, tenants, Councils, electricians, representative bodies and interested parties) were contacted in advance via email/post/phone.
- 2.2 Previous to the launch of the stakeholder consultation a communication strategy was developed in conjunction with the internal Departmental Communications Team. The key components of which were
- Pre-consultation engagement with key stakeholders to bolster consultation responses via Forum meetings.
  - Public sector notices placed in the three main daily newspapers.
  - Issue of a Press Release, and associated twitter feed.
  - Boosting of posts, where possible, across all available social media platforms.

- 2.3 The online questionnaire targeted five different groups of respondents, with a range of questions being asked relevant to that group. The number of questions for each group ranged from 4 - 12:
- Private Sector Tenant
  - Landlord or Landlord Representative (letting agent)
  - Qualified Electrician
  - District Council Environmental Health Officer
  - Other interested parties (e.g. MLA's.)

### Questions Asked

- 2.4 A breakdown of total responses by respondent type is provided within Section 3. Respondents, classified under each type, were asked a series of questions to ascertain if the legislation was easy to follow and responsibilities understood. Details of the specifics of electrical safety standards, timing of the checks, enforcement action and non-compliance consequences, costing issues, and if there was an adequate supply of qualified electricians to carry out the work.



## Stakeholder Forum Meetings

2.5 To inform the Working Groups deliberations, and to ensure a balanced view was obtained, separate targeted stakeholder forums were also held for:

- Landlords Association of Northern Ireland (LANI),
- Housing Rights and Renters Voice,
- Electrical Contractors involving ECA, NICEIC and Certsure, and
- Environmental Health Officers for all District Councils in Northern Ireland.

## Data Analysis Methodology

2.6 The data analysis at Section 3 details the quantitative responses. The quantitative responses were based on the data collected from the tick-box options, i.e. 'yes', 'no' or 'not answered' options, and a percentage analysis approach and application was applied to assess the preferred or dominant views within these responses.

2.7 Separate to that an analysis was undertaken on the qualitative responses. This analysis had three distinctive strands:

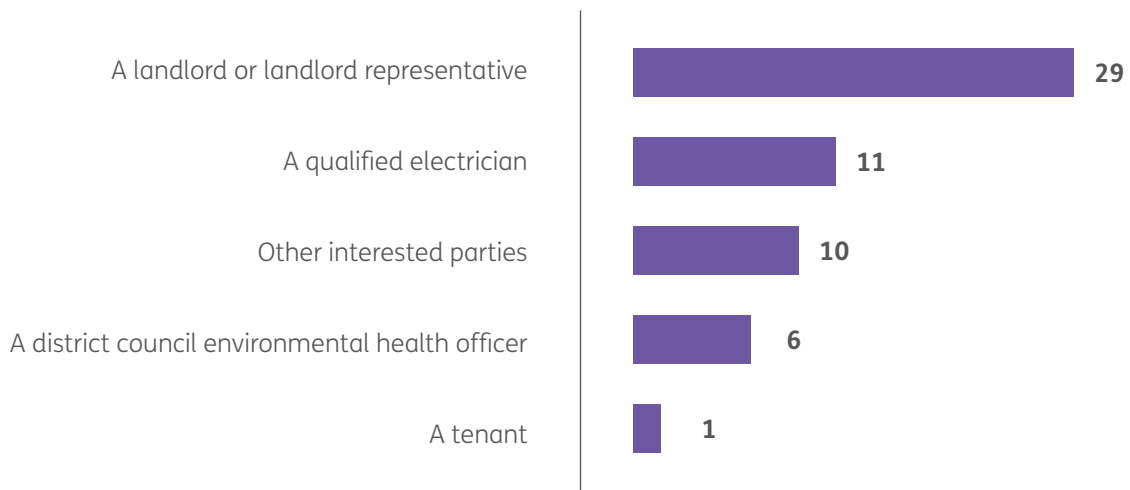
- 1) The online qualitative data within the responses to the consultation i.e. comments provided, were analysed using a 'thematic analysis' method. This method examines the data to identify common themes i.e. topics, ideas and patterns of meaning which occur repeatedly across the collection of responses.
- 2) Once all the comments had been received from the survey, they were carefully analysed by the in-house team and any arising queries referred to the relevant expert in the Advisory Panel when necessary.
- 3) In addition to the online data/ comments, any written submissions or relevant points raised at the stakeholder forum meetings were factored into considerations on whether the draft Regulations and guidance notes should be subject to further amendment before finalisation.

### 3. Data analysis – quantitative results

There were 57 responses to the online survey. It should be noted that not all respondents answered every question within their section. As a result, the base numbers presented in the charts and tables below may differ for each question. Due to the low number of responses received by some respondent categories, caution is advised when interpreting the data presented in these sections.

**Results:**

**Type of Respondents:**



Base: 57

Around half of respondents (29) were responding as Landlords or Landlord Representatives. Just under one fifth of respondents were Qualified Electricians (11) and Other Interested Parties (10), respectively. Six responses were received from District Council Environmental Health Officers and one response was received from a Tenant.

## Section 1: Private Sector Tenants results

In total there was 1 response from a Private Sector Tenant. Due to the low number of responses caution is advised when interpreting the data presented in this section. In view of this, the Department held forum meetings to directly engage with Renters Voice and Housing Rights as stakeholders, to help ensure tenant views were properly taken into account.

**Table 1.1 – Did you find the guidance notes, which explain your responsibilities as a tenant, under the Regulations easy to follow?**

Option	Total
Yes	1
No	0
Total	1

The one tenant respondent found the guidance notes easy to follow.

**Table 1.2 – Are you content with what has been listed as your responsibility as a tenant?**

Option	Total
Yes	1
No	0
Total	1

The respondent reported that they are content with what has been listed as their responsibility as a tenant.

**Table 1.3 – Do you agree that the electrical inspection report, showing the date of the last inspection, needs to be provided to you?**

Option	Total
Yes	1
No	0
Total	1

The respondent agrees that the electrical inspection report showing the date of the last inspection needs to be provided to the tenant.

**Table 1.4 – Do you agree with the process?**

Option	Total
Yes	1
No	0
Total	1

The respondent agrees with the process regarding potential enforcement action.

**Table 1.5: If you were to report an issue to your landlord and no action is taken, would you know how to contact your local Council**

Option	Total
Yes	1
No	0
Total	1

The respondent reported that they do know how to contact their

**Table 1.6: Do you agree as a tenant it is your responsibility to take care of provided appliances to ensure they remain safe and in working order?**

Option	Total
Yes	1
No	0
Total	1

The tenant respondent agrees that it is their responsibility to take care of provided appliances to ensure they remain safe and in working order.

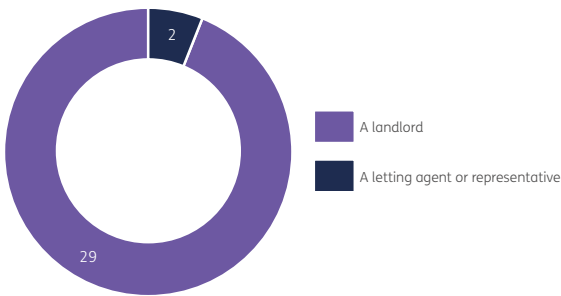
**Is there anything else you would like to add or comment on in respect of the introduction of these new Regulations/ guidance notes?**

No further comment was received.

## Section 2: Landlord / Landlord representatives results

In total there were 29 responses from Private Sector Landlords and Landlord representatives. It should be noted, however, that not all respondents answered every question. As a result, the base numbers presented in the charts and tables below may differ for each question. Due to the low number of responses caution is advised when interpreting the data presented in this section.

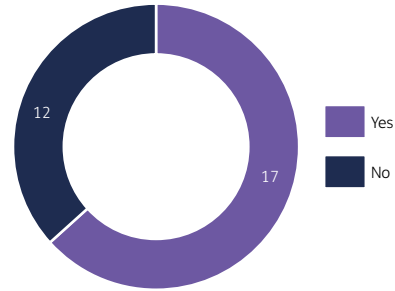
**Figure 2.1: Are you responding as a Landlord/Letting agent or representative?**



Base: 31

Twenty-nine respondents reported that they were responding as a landlord, and two were responding as letting agents/representatives.

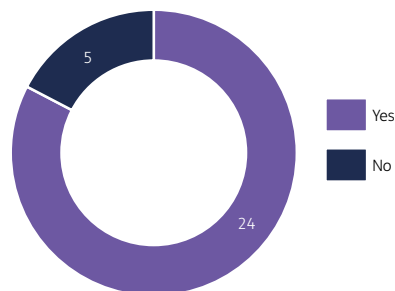
**Figure 2.2: Do you rent more than one property?**



Base: 29

Around three fifths (17) of landlords and landlord representatives rent more than one property, the remaining two fifths (12) do not. Four respondents advised that they rent over forty properties, two of the respondents rent twelve properties and eight respondents rent less than twelve properties.

**Figure 2.3: Did you find the guidance notes which explain responsibilities under the Regulations easy to follow in respect of your responsibilities as a landlord?**



Base: 29

Most landlords and landlord representatives (24) found the guidance notes easy to follow, whilst the remaining 5 did not. Comments received from those who did not find the guidance notes easy to follow included

needing a clearer description for a lay person; and lack of clarity around whether online information is legislation or guidance.

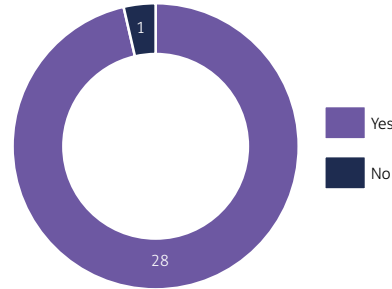
**Figure 2.4: Are you content with the listed responsibilities as a landlord?**



Base: 29

Over half of landlords and landlord representatives (16) were content with the listed responsibilities as a landlord, whilst 13 were not. Reasons provided by those who were not content included; the potential costliness of tests, which would ultimately lead to an increase in rental prices; burdensome and unnecessary paperwork; frequency of tests – mainly the view that a five-year period between tests is too short; ambiguity around the definition of ‘safe’; issues with accessing the property and sockets; and the tenant’s responsibility for electricals.

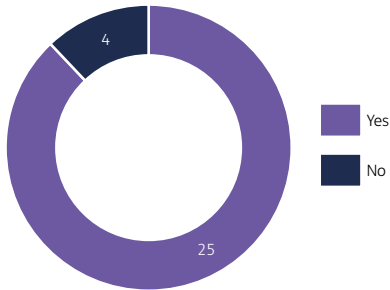
**Figure 2.5: If an electrical fault is reported in the interim period between the 5 yearly inspection points, are you aware it is also your responsibility to ensure that fault is inspected and repaired?**



Base: 33

The vast majority of landlords and landlord representatives (28) were aware that it is their responsibility to ensure that a reported electrical fault is inspected and repaired, 1 landlord was not aware of their responsibility. Two comments were received regarding landlord responsibility, one advising that it seems obvious and is common sense; and the other asking why it is the landlord’s responsibility if the tenant causes the issue.

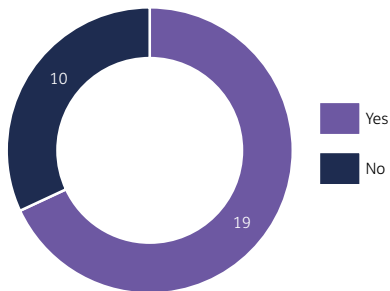
**Figure 2.6: Do you agree with the process of recording electrical safety information?**



Base: 29

Most landlords and landlord representatives (25) agree with the process of recording electrical safety information, whilst the remaining 4 do not agree.

**Figure 2.7: Do you agree with the process of providing a copy of any reports to the tenant?**

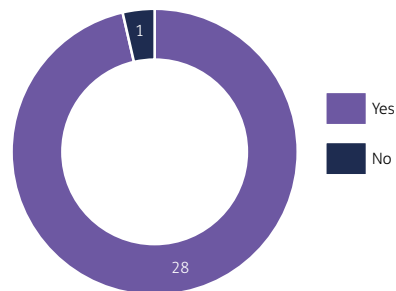


Base: 29

Around two thirds of landlords and landlord representatives (19) agree with the process of providing a copy of any reports to the tenant,

10 landlords and landlord representatives do not agree with the process. Reasons provided by those who do not agree include the unnecessary expense, duplication, and burden of paperwork; the view that tenants have no interest or desire to read said reports; the fear that tenants may avoid rent payments by claiming they haven't received a copy of the report; and the possibility of listing suggested improvements that are not mandatory and may lead to dispute.

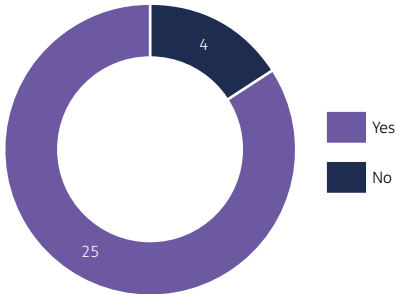
**Figure 2.8: Once the Regulations come into force, do you understand it will be an offence not to comply?**



Base: 29

Most landlords and landlord representatives (28) understand that once the Regulations come into force that it will be an offence not to comply, and 1 does not.

**Figure 2.9: Do you believe you are entitled to Legal Aid support if**

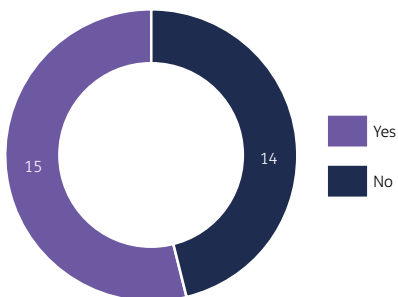


**enforcement action were to commence for non-compliance of this Regulation?**

Base: 29

Most landlords and landlord representatives (25) do not believe they are entitled to Legal Aid support if enforcement action were to commence for non-compliance of the Regulation. 4 landlords and landlord representatives believe they are entitled to Legal Aid. One respondent questioned why they would not be entitled if their total earnings are below the Legal Aid threshold.

**Figure 2.10: Do you foresee any difficulties in meeting these requirements?**



Base: 29

Around half of landlords and landlord representatives (15) reported that they do not foresee any difficulties in meeting these requirements, whilst the remainder

(14) do. Reasons provided by those who do foresee difficulties include the costliness of tests; inadequate availability of electricians; the excessiveness of supplying a copy of the report to every tenant; electrical faults that are caused by tenants; and the short timescale between tests.

**Figure 2.11: Do you agree appliance instructions should be provided with the tenancy information notice/tenancy pack under tenant responsibilities?**

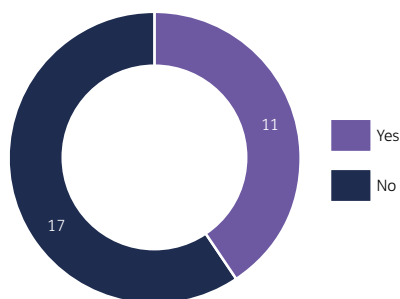


Base: 29

Over three-fifths of landlords and landlord representatives (18) agree that appliance instructions should be provided with the tenancy information notice/tenancy pack under tenant responsibilities, whilst 11 do not agree. Comments received from those who do not agree with supplying appliance instructions include advising tenants that the information is available online; the view that it is a burdensome task for landlords; the possibility that appliance instructions may not be available for an appliance; and the belief that it is a tenant's responsibility to understand how to use an appliance.



**Figure 2.12: Do you agree with this recommendation?**



Base: 28

17 of the landlords and landlord representatives reported that they agree with the recommendation, and 11 reported that they do not agree. Reasons provided by those who do not agree include the costliness of tests which will subsequently increase rental prices; extra work and administration for landlords; the possibility that landlords will remove all portable appliances from the property and no longer provide these for tenants; the view that it is a tenant’s responsibility to ensure appliances are used safely; and the suggestion that a tenant should have appliances PAT tested before their tenancy commences.

**Is there anything else you would like to add or comment on in respect of the introduction of these new Regulations/guidance notes?**

Comments were received regarding the costliness of testing and the view that landlords should be entitled to financial assistance or grants. Others suggested that the Regulations should apply to all housing and not just the private rental sector.

The responsibility of the tenant has been emphasised; respondents have suggested that tenants should be liable if they deny access for an inspection, they should cover any additional costs that are incurred in obtaining access to sockets and that enforcement should be provided if the tenant is at fault.

Other comments received include extending the compliance period; changing the level of inspection for certain appliances; no unnecessary upgraded installations; the possibility of rogue landlords ignoring the Regulations; the need for the Regulations to be requirements rather than recommendations; and the view that the Regulations will improve the quality of housing and increase transparency.

### Section 3: Qualified Electricians results

In total there were 11 responses from qualified electricians. It should be noted, however, that not all respondents answered every question. As a result, the base numbers presented in the charts and tables below may differ for each question. Due to the low number of responses caution is advised when interpreting the data presented in this section.

**Figure 3.1: Are you registered with a recognised regulatory electrical trade body?**



Base: 11

All of those responding as qualified electricians (11) are registered with a recognised regulatory electrical trade body.

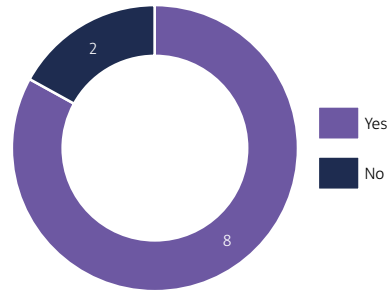
**Figure 3.2 – With regards to what is required from electricians, did you find the Regulations/guidance notes regarding electrical safety, easy to follow?**



Base = 11

All the qualified electricians (11) found the Regulations and guidance notes regarding electrical safety easy to follow.

**Figure 3.3 – Do you agree with the details provided?**



Base = 10

Most of the qualified electricians (8) agree with the details provided, whilst 2 do not.

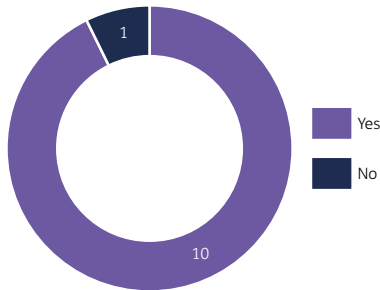
**Figure 3.4 – Did you find the guidance notes easy to follow regarding the forms and coding explanations?**



Base = 11

All the qualified electricians (11) found the guidance notes regarding the forms and coding explanations easy to follow.

**Figure 3.5 – Is the information in the guidance correct regarding the forms and coding explanations?**



Base = 11

Most qualified electricians (10) believe the information in the guidance regarding the forms and coding explanations is correct, 1 respondent does not. One comment was received advising that an Electrical Installation Certificate can only be a substitute for an Electrical Installation Condition Report where the electrical installation described in the certificate was completely wired or rewired.

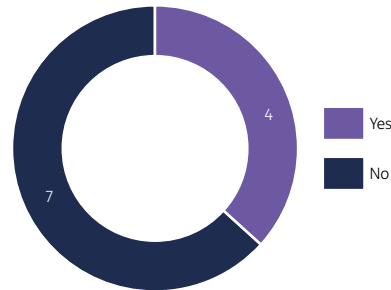
**Figure 3.6 – Do you have access to the required forms to complete the electrical inspection (EIC, EICR and MEIWC) from technical standards/your professional organisation?**



Base= 11

All the qualified electricians (11) have access to the required forms to complete the electrical inspection from technical standards and their professional organisation.

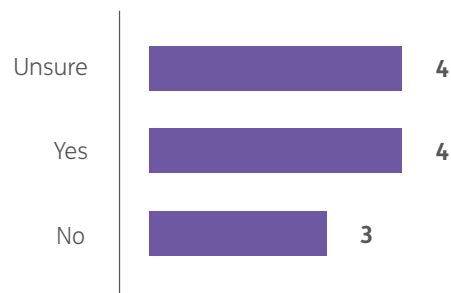
**Figure 3.7 – Do you agree with the cost quoted for an electrical inspection for a standard property?**



Base = 11

Over three-fifths of qualified electricians (7) do not agree with the cost quoted for an electrical inspection for a standard property, whilst the remaining 4 do agree. Respondents who answered ‘no’ provided an indication of how much they believe an electrical inspection for a standard three-bedroom property may cost; £100 was considered too low and prices ranged between £150-£400.

**Figure 3.8 – Do you believe there is an adequate supply of qualified electricians available within our jurisdiction to complete the inspections within a 12-month period?**



Base = 11

Of the 11 qualified electrician respondents, 4 are unsure if there is an adequate supply available, 4 do believe there is an

adequate supply, and 3 do not believe there is an adequate supply. Comments received from those who do not believe there is an adequate supply highlighted the short 12-month timescale and the high number of electricians who are alternatively sourcing work in the Republic of Ireland.

**Is there anything else you would like to add or comment on in respect of the introduction of these new Regulations/guidance notes?**

Comments were received regarding the importance of only using certified electrical companies and NICEIC approved contractors, as well as having a clear definition of qualified persons.

Other responses included:

- appropriate costings to ensure standards are met,
- EICRs should be mandatory for all households every five years,
- expensive remedial electrical work, such as rewires and board changes, should ultimately be discussed between the electrician and landlord,
- it is a positive step to have landlords ensure electrical systems are checked and safe,
- the requirement for remedial action to be taken within 28 days may not be feasible due to a shortage of electricians and their high workloads, and
- as the RCPE register referenced is only applicable to England and Wales and a more appropriate suggestion may be to employ an ECA Registered Member or NICEIC approved contractor to carry out these inspections/remedial works.

## Section 4: District Council Environmental Health Officers results

In total there were 6 responses from District Council Environmental Health Officers.

It should be noted, however, that not all respondents answered every question. As a result, the base numbers presented in the tables below may differ for each question. Due to the low number of responses caution is advised when interpreting the data presented in this section.

**Table 4.1: Did you find the Regulations/guidance notes, which explain the enforcement process, easy to follow?**

Option	Total
Yes	5
No	0
Total	5

5 District Council Environmental Health Officers found the Regulations and guidance notes easy to follow. Respondents advised that the Councils welcome the mandatory requirement to ensure periodic electrical safety checks in private rental properties conducted by suitably qualified professionals. Respondents found that the Regulations and guidance notes clearly set out the enforcement process, electrical standards, and the responsibilities of private landlords. Recommendations from respondents included providing a copy of the final report to tenants, as opposed to written confirmation, and clarification in the guidance with regards to the service of a remedial notice.

**Table 4.2: Do you agree the process outlined within the Regulations and**

Option	Total
Yes	0
No	5
Total	5

**guidance is in line with what you currently progress under the Private Tenancies (NI) Order 2006 in respect of enforcement action?**

5 District Council Environmental Health Officers do not agree that the process outlined within the Regulations and guidance is in line with what they currently progress under the Private Tenancies (NI) Order 2006 in respect of enforcement action. Respondents suggested providing clarity within the Regulations on the definition of the landlord for the purpose of enforcement. Additionally, it has been suggested that the Regulations should make provision for the ability to charge

Option	Total
Yes	5
No	0
Total	5

for enforcement action, like that associated with the service of notices under Part III of the Private Tenancies Order (PTO). Other recommendations included the provision of powers of entry to persons authorised by the Council; clarification on whether Article 12(2) of the PTO is applicable for landlords

attempting to secure entry to the dwelling for the purpose of electrical repairs, and the inclusion of a process for further prosecution of continuing offence to avoid the protracted process of serving another remedial notice.

**Table 4.3: Do you think there is a step missing that could help you with the Enforcement process (if permissible for us to work in under the powers in the primary legislation)?**

Option	Total
Yes	5
No	0
Total	5

5 District Council Environmental Health Officers believe there is a step missing from the Regulations that could help with the Enforcement Process. Comments were received regarding allowing Councils to require the landlord to arrange urgent inspection/testing in the intervening period of testing and to obtain and supply a report to the Council, thereafter, following the enforcement process.

**Table 4.4: If the Council has reasonable grounds to serve a remedial notice, the tenant should receive a copy as per Regulation 4(4). Do you believe the tenant needs to get a copy of the remedial notice at this stage?**

Option	Total
Yes	5
No	0
Total	5

5 District Council Environmental Health Officers agree the tenant needs a copy.

**Is there anything else you would like to add or comment on in respect of the introduction of these new Regulations/ guidance notes?**

Comments were received regarding whether the 28-day timescale specified for remedial work is practically achievable. Councils have suggested a one-year lead-in period for all existing tenancies to obtain first inspection, as well as a communication plan to raise awareness in respect of the landlord and tenants' duties. Other comments included Regulations not applying to HMO properties; clarification on how private tenancies provided as emergency housing accommodation by NIHE intend to be regulated; the view that single lets should be afforded the same protections and safeguards as private rented and social tenants; clarification on how the Regulations apply to the common parts of buildings, e.g. outside flats; the guidance should be clear that an ECIR is the minimum standard

required and expected; financial support to assist Councils with additional powers; that the Department should provide or arrange for the training of Council officers prior to the commencement of the Regulations, and clarification on the offences for which a fixed penalty notice can be issued.

## Section 5: Other interested parties results

In total there were 10 responses from ‘other interested parties’. It should be noted, however, that not all respondents answered every question. As a result, the base numbers presented in the tables below may differ for each question. Due to the low number of responses caution is advised when interpreting the data presented in this section.

**Figure 5.1: Did you find the guidance notes, which explain responsibilities of both landlords and tenants, under the Regulations easy to follow?**

Option	Total
Yes	6
No	2
Total	8

6 of those responding as ‘other interested parties’ found the guidance notes easy to follow, whilst 2 did not. Comments were received regarding the accessibility of the guidance notes, with the suggestion that these could be amended to enhance the landlord and tenants’ understanding. Suggested improvements include bold or italic text to highlight key points; visual illustrations such as infographics, diagrams, or charts; simplified language to account for poor literacy skills; practical examples or scenarios, and a checklist at the beginning and summary at the end of the document for a quick overview of key responsibilities. Additionally, respondents suggested providing guidance on what constitutes an electrical problem, as well as highlighting the tenant’s responsibility to report such problems. Likewise, clarification is sought on the role and duties of letting agents. Other

comments regarding the guidance notes included the uncertainty that District Councils are appropriately resourced or technically adept to determine if further action is required; further checks to ensure a qualified electrician is completing the inspection report, and the RCPE register not applying to Northern Ireland.

### **Is there anything else you would like to add or comment on in respect of the introduction of these new Regulations/guidance notes?**

Several responses were received from ‘other interested parties’ regarding the introduction of the new Regulations and guidance notes. Many welcome the introduction of the new Regulations as they apply the principles of prevention in terms of avoiding risks and combating risks at the source, as well as offering protection for private rented tenants. Contrasting comments were received regarding the stipulated timescales. One organisation perceived the timescales as sufficient, whereas another raised concerns around the significant increase in demand for qualified professionals which could lead to long waiting periods before properties can be inspected. A recommendation to address this concern is accepting evidence of written confirmation that an electrical safety check has been arranged. Other comments received included uploading reports to the Landlord Registration Database; ensuring Councils are sufficiently funded; including electrical safety information in the Tenancy Information Notice; regulating for circumstances under which an application for a remedial notice may be rejected or withdrawn; clarification on the exclusion of single let properties and reviewing the current Fitness Standard.



## Appendix 1: Data Tables

### Data Tables: Type of Respondent

Option	Total
Tenant	1
Landlord/Landlord representative	29
Qualified electrician	11
District Council environmental health officer	6
Other interested parties	10
Total	57

### Data Tables: Private Sector Tenants

Did you find the guidance notes, which explain responsibilities as a tenant, under the Regulations easy to follow?

Option	Total
Yes	1
No	0
Total	1

Are you content with what has been listed as your responsibility as a tenant?

Option	Total
Yes	1
No	0
Total	1

Do you agree that the electrical inspection report, showing the date of the last inspection, needs to be provided to you?

Option	Total
Yes	1
No	0
Total	1

Do you agree with the process?

Option	Total
Yes	1
No	0
Total	1

If you were to report an issue to your landlord and no action is taken, would you know how to contact your local Council?

Option	Total
Yes	1
No	0
Total	1

Do you agree as a tenant it is your responsibility to take care of provided appliances to ensure they remain safe and in working order?

Option	Total
Yes	1
No	0
Total	1

**Is there anything else you would like to add or comment on in respect of the introduction of these new Regulations/guidance notes?**

Option	Total
Yes	0
No	1
Total	1

## Data tables: Landlord/Landlord representatives

**Are you responding as a landlord?**

Option	Total
Yes	29
No	0
Total	29

**Are you responding as a letting agent?**

Option	Total
Yes	2
No	12
Total	14

**Do you rent more than one property?**

Option	Total
Yes	17
No	12
Total	29

**Did you find the guidance notes which explain responsibilities under the Regulations easy to follow in respect of your responsibilities as a landlord?**

Option	Total
Yes	24
No	5
Total	29

**Are you content with the listed responsibilities as a landlord?**

Option	Total
Yes	16
No	13
Total	29

**If an electrical fault is reported in the interim period between the 5 yearly inspection points, are you aware it is also your responsibility to ensure that fault is inspected and repaired?**

Option	Total
Yes	28
No	1
Total	29

**Do you agree with the process of recording electrical safety information?**

Option	Total
Yes	25
No	4
Total	29

**Do you agree with providing a copy of any reports to the tenant?**

Option	Total
Yes	19
No	10
Total	29

**Once the Regulations come into force, do you understand it will be an offence not to comply?**

Option	Total
Yes	28
No	1
Total	29

**Do you believe you are entitled to Legal Aid support if enforcement action were to commence for non-compliance of this Regulation?**

Option	Total
Yes	4
No	25
Total	29

**Do you see foresee any difficulties in meeting these requirements?**

Option	Total
Yes	14
No	15
Total	29

**Do you agree appliance instructions should be provided with the tenancy information notice/tenancy pack under tenant responsibilities?**

Option	Total
Yes	18
No	11
Total	29

**Do you agree with this recommendation?**

Option	Total
Yes	11
No	17
Total	28

**Is there anything else you would like to add or comment on in respect of the introduction of these new Regulations/ guidance notes?**

Option	Total
Yes	13
No	12
Total	25

## Data tables: Qualified electricians

**Are you registered with a recognised regulatory electrical trade body?**

Option	Total
Yes	11
No	0
Total	11

**With regards to what is required from electricians, did you find the Regulations/guidance notes regarding electrical safety, easy to follow?**

Option	Total
Yes	11
No	0
Total	11

**Do you agree with the details provided?**

Option	Total
Yes	8
No	2
Total	10

**Did you find the guidance notes easy to follow regarding the forms and coding explanations?**

Option	Total
Yes	11
No	0
Total	11

**Is the information in the guidance correct regarding the forms and coding explanations?**

Option	Total
Yes	10
No	1
Total	11

**Do you have access to the required forms to complete the electrical inspection (EIC, EICR and MEIWC) from technical standards/your professional organisation?**

Option	Total
Yes	11
No	0
Total	11

**Do you agree with the cost quoted for an electrical inspection for a standard property?**

Option	Total
Yes	4
No	7
Total	11

**Do you believe there is an adequate supply of qualified electricians available within our jurisdiction to complete the inspections within a 12 month period?**

Option	Total
Yes	4
No	3
Unsure	4
Total	11

**Is there anything else you would like to add or comment on in respect of the introduction of these new Regulations/guidance notes?**

Option	Total
Yes	7
No	4
Total	11

### Data tables: District Council Environmental Health Officer

**Did you find the Regulations/guidance notes, which explain the enforcement process, easy to follow?**

Option	Total
Yes	5
No	0
Total	5

**Do you agree the process outlined within the Regulations and guidance is in line with what you currently progress under the Private Tenancies (NI) Order 2006 in respect of enforcement action?**

Option	Total
Yes	0
No	5
Total	5

**Do you think there is a step missing that could help you with the Enforcement process (if permissible for us to work in under the powers in the primary legislation)?**

Option	Total
Yes	5
No	0
Total	5

**If the Council has reasonable grounds to serve a remedial notice the tenant should receive a copy as per Regulation 4(4). Do you believe the tenant needs to get a copy of the remedial notice at this stage?**

Option	Total
Yes	5
No	0
Total	5

**Is there anything else you would like to add or comment on in respect of the introduction of these new Regulations/guidance notes?**

Option	Total
Yes	6
No	0
Total	6

## Data tables: Other interested parties

**Did you find the guidance notes, which explain responsibilities of both landlords and tenants, under the Regulations easy to follow?**

Option	Total
Yes	6
No	2
Total	8

**Is there anything else you would like to add or comment on in respect of the introduction of these new Regulations/ guidance notes?**

Option	Total
Yes	7
No	0
Total	7

## 4. Data analysis - qualitative results

4.1 The following is a summary of the issues flagged within the qualitative comments received during the consultation period. The summary includes the DfC Departmental response and the resulting recommendation.

### **Issue No 1 – Request to remove the ‘18th edition’ definition and use ‘the latest edition’ in the Regulations**

The Landlord Association Northern Ireland (LANI) raised an issue on the definition for “Electrical Safety Standards” they believe referencing the 18th edition is confusing as it will be interpreted to mean the property needs to be rewired exactly to the 18th edition standard. Given there will be further subsequent editions they recommended the wording of the definition should be amended.

#### **Departmental Response**

Counterpart officials in England who brought forward the ‘Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020’ stated that this is an ‘ambulatory provision’ which means the 18th edition must be referenced. That means we cannot state ‘the latest edition’ as that wording would not be binding in law as it does not yet exist. Drafting convention also states that external documents are to be referenced by a fixed version of a publication.

#### **Recommendation**

Regulations need to retain the wording referencing the 18th edition.

### **Issue No 2 – The date Regulations will come into force**

The Landlord Association Northern Ireland (LANI), Councils and Propertymark flagged the importance of setting a realistic date for when the Regulations will come into force from date of laying.

#### **Departmental Response**

Most of the consultation feedback received from respondents reflected that there may be an issue with the available supply of electricians required to complete the electrical inspections. To avoid that risk occurring the Department has been deploying a pro-active communication strategy from June 2024 to alert key stakeholders (including LANI, Propertymark, Councils, and NICEIC) of proposals to introduce Regulations requiring five-yearly electrical safety checks on a private rented property’s hard-wired installation. The Regulations will be subject to Assembly approval and, dependant on Executive timetabling, it would be the intention to have the Regulations made before the end of 2024. If that proves to be the case, in addition to pro-active communications being deployed from June 2024, the Department is proposing to apply a 4-month lead in for new tenancies and a

12-month lead in for existing tenancies from the date the Regulations are made.

In effect that will mean that subject to legislative timetabling if the Regulations are able to be made in December of 2024 mean that:

- combining the pro-active communication and lead in period there will have been at least 10 months notification of the anticipated ‘go live’ operational date for any new tenancies, and
- combining the pro-active communication and lead in period there will have been at least 18 months notification of the anticipated ‘go live’ operational date for existing tenancies.

### **Recommendation**

The Regulations, when made, will provide a grace period for compliance by way of setting a ‘coming into operation’ timeframe with proactive communication being deployed from June 2024 to raise awareness on the imminent legislative change for private rental properties.

### **Issue No 3 – Recommended amendment to duties of a landlord**

The Landlord Association for Northern Ireland (LANI) suggested that at sub-paragraph 3(5)(c) of the draft Regulation an electrical safety report should only be issued to the appropriate District Council if requested. Which would mean 3(5)(c) would read as follows:

“supply a copy of that written confirmation, together with a copy of the certificate under paragraph (3)(a) which required the further investigative or remedial work to the Council if requested within 28 days beginning the day on which the further investigative or remedial work has been carried out.”

### **Departmental Response**

As sub-paragraph 3(5)(c) specifically relates to non-compliance proof needs to be provided to the appropriate District Council that the necessary further investigative or remedial work has been completed. Therefore, a copy of the notification that the remedial work has taken place must be provided to the appropriate District Council and therefore the wording “if requested” cannot be included.

### **Recommendation**

No change. Sub-paragraph 3(5)(c) remains as drafted.

### **Issue No 4 – Providing reports to prospective tenants**

LANI highlighted during their stakeholder forum meeting that they had a potential issue over the need to provide electrical safety reports to prospective tenants given they receive approximately 80 enquires for each property advertised. They considered that requirement would inflict an over onerous requirement.

### **Departmental Response**

As “The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020” have been used as the drafting template for the NI Regulations counterpart



officials were contacted to see if there had been any difficulties generated by the inclusion of reports being made to prospective tenants when their legislation came into force. Feedback was that no unintended consequences had resulted from that provision in respect of an unmanageable number of requests. It was highlighted that a prospective tenant would have to formally request sight of the report “in writing” which minimised the number of such requests.

Further engagement took place with LANI to explore evidencing the over onerous requirement and the matter was subsequently concluded.

### **Recommendation**

No change Regulations remain as drafted.

## **Issue No 5 – Provision of acceptable written evidence after remedial work**

Councils collectively raised a query regarding the written evidence that needed to be provided after further investigative or remedial works. They recommended this should be submitted in the form of a Minor Electrical Installation Works Certificate (MEIWC) as opposed to written confirmation. This issue was also highlighted on the online consultation by “other interested parties”.

### **Departmental Response**

The matter was referred to the appropriate experts from the Advisory Panel and the following advice was provided, “the qualified electrician completing the works or investigation is best placed to provide the

evidence. This can be in a form of written evidence which should be signed and dated or if remedial work completed a MEIWC. If the Council is not satisfied with information provided, they can request further evidence”.

### **Recommendation**

No change Regulations remain as drafted.

## **Issue No 6 – Clarity on Regulation for the Council to serve a remedial notice**

Councils requested clarification on paragraph 4(1) of the draft Regulation which details that the Council must serve a remedial notice where there are reasonable grounds to believe the landlord failed to comply with one or more duties under sub-paragraph 3(1)(a)(b)(c), and paragraphs 3(4), 3(5), 3(6). It was highlighted that the duties set out in paragraph 3(3) had been omitted from that selection.

### **Departmental Response**

Further engagement with Council representatives on this issue provided clarification that paragraph 4(1) related specifically to remedial action and serving a notice. Failure to supply a report under Regulation 3(3) does not require remedial action for the property and therefore a remedial notice cannot be served for failure to supply a report. That is why paragraph 3(3) is not included for action under paragraph 4(1) of the draft Regulation.

The Council can take remedial action under the provision Regulation 3, “A landlord must ensure that the electrical safety standards are

met during a private tenancy”. Therefore, the onus is always on the landlord to meet that duty and provide the evidence by providing a report the property meets the safety standards.

Council representatives confirmed they were content as the Department had provided clarification on the context.

### **Recommendation**

No change Regulations remain as drafted.

## **Issue No 7 – Suspension of remedial notice upon receipt of written representation from a landlord**

Councils and Housing Rights raised the issue that delay will naturally occur when written representation is received from a landlord in respect of the serving of a remedial notice.

Once a remedial notice is served the landlord is advised they have 21 days from the date they receive the notice to make representation. Once the 21 days have expired the Council must inform the landlord in writing of the outcome of the consideration within 7 days having considered the evidence provided.

It is possible that any resulting delay could perhaps be used to the advantage of the landlord to stall the process, at the detriment of the tenant. Housing Rights referenced that the draft Regulation could include further information on when remedial notice may be withdrawn (like Scotland which provides a list for reasons for rejection).

Propertymark highlighted the consequences of remedial action being served on a landlord if there was an insufficient supply of “qualified persons” to attend the property and inspect/undertake any necessary repair action. They stated that if the landlord can provide evidence that they have taken steps to comply, and have secured a date for the inspection/repair action this should be taken into account by the Council Enforcement Officer.

### **Departmental Response**

Further stakeholder meetings with Council representatives clarified that a landlord has a right to make representation and sufficient timescales must be provided to allow this process. It was also confirmed a remedial notice may be withdrawn for various reasons but that remains a procedural matter for the relevant Council to consider.

The guidance reflects that if the landlord has evidence that they have taken reasonable steps to ensure compliance, this will be taken into account on consideration of their written representation.

### **Recommendation**

No change Regulations remain as drafted.

## **Issue No 8 – Recovery of cost incurred by the Council**

Councils highlighted it is expected there will be cases when Enforcement Officers will be required to seek the expert advice of a qualified electrician to determine whether to serve a remedial notice, and if necessary, specify what works are required. It is the

Council's view the Regulations should make provision to allow Councils to reclaim the cost of having to engage a qualified electrician to undertake that task.

### **Departmental Response**

Further stakeholder meetings with Council representatives clarified that if a landlord fails to comply with Regulation 3, providing evidence verifying the property is safe remedial action should commence. Regulation 10 allows for the enforcement of the recovery of costs under Regulation 8(3), and Regulation 9(6). Such costs will be 'charged' on the landlord(s) estate and be a statutory charge.

### **Recommendation**

No change Regulations remain as drafted.

Recovery of cost incurred can be recovered as per Regulation 10.

## **Issue No 9 – Vulnerable tenant not allowing access to the property for Council to take remedial action**

Councils highlighted that the Private Tenancies Order (NI) 2006 (PTO) under Article 27 provides provision of powers of entry to persons authorised by the Council, having given the appropriate notice to the occupier and the owner, for the purpose of survey and examination and for carrying out work in default as required by Notice of Unfitness (NOU) or Notice of Disrepair (NOD).

Article 28 of the PTO also details that it is an offence for obstruction of an officer under

Part III (Unfitness and Disrepair). This differs to Regulation 6 in the incoming Electrical Safety Standards legislation in that there is no power of entry for authorised persons for works in default/urgent works which may be carried out by the Council. The Council may only carry out works with consent given by the tenant. The Council noted that potentially some vulnerable tenants may not give consent fearing that if electrical faults are found within the property, they may face retaliation eviction by the landlord if they have allowed access.

### **Departmental Response**

The Department does not have the power under the proposed Electrical Safety Standards for Private Tenancies Regulations (NI) 2024 to make Regulations for tenants to allow access to the property. Council have confirmed they have the power to enter a property under the Local Government Act (Northern Ireland) 1972 Section 98, paragraph (1) to (8) refer and if they believe the property is unfit for human habitation a Notice of Unfitness can be served and applied under Article 18 of the PTO.

### **Recommendation**

No change Regulations remain as drafted.

## **Issue No 10 – Fault occurring within the interim period of testing**

Councils highlighted they would like a provision to require the landlord to arrange urgent inspection/testing if a fault occurs in the interim of test periods.

## Departmental Response

The Department has highlighted within the guidance “a landlord has an ongoing duty to ensure that the property meets the electrical safety standard. If a landlord is notified of an electrical fault at any time with the 5-year interval for inspection, the landlord must ensure that the fault is dealt with.”

This provision is included in Regulation 3, “A landlord must ensure that the electrical safety standards are met during a private tenancy”. Therefore, the onus is always on the landlord to meet that duty.

## Recommendation

Guidance amended to reflect that Regulation 3 equally applies if a fault occurs within the interim test periods.

## Issue No 11 – Single lets

The consultation states that these Regulations do not cover Houses in Multiple Occupancy (HMOs) and single let properties, as these are covered by separate legislation/guidance.

Councils highlighted they were not aware of any specific legislation/guidance in relation to single lets and sought clarification from the Department in respect of this matter. This issue was also highlighted on the online consultation.

## Departmental Response

The Housing Executive has advised that single lets are provided under licence, rather than a private tenancy. The Housing Executive has also advised that it will review these new

requirements and endeavour to mirror them in its requirements for single lets.

## Recommendation

The Housing Executive will review requirements for single lets.

## Issue No 12 – Ensuring duties are not passed to tenant via tenancy agreement

Housing Rights suggested that the duties of the landlord could be made more robust by adding an additional Regulation, ensuring that the duty will not be passed to the tenant via a tenancy agreement or by other means.

## Departmental Response

The Regulations impose a duty that “landlords must ensure that national standards are met as set out in the 18th edition of the Wiring Regulations, which are published as British Standard 7671”. There are no exceptions to that requirement and if a landlord fails to comply, they are guilty of an offence (under Regulation 12). Therefore, a landlord must not pass that duty onto a tenant via a tenancy agreement or by other means. The associated guidance also advises the tenant they are not required to pay or contribute towards the cost of an electrical safety inspection or remedial action.

## Recommendation

No change Regulations remain as drafted.

## Issue No 13 – Easily understood and accessible guidance for Tenants

Housing Rights and Propertymark highlighted the importance of tenants being able to access and understand the guidance notes associated with the Regulations to be informed on a landlord’s responsibilities in respect of electrical safety standards and the action they as tenants should take if they had any concerns or if electrical faults were occurring.

Housing Rights further urged the use of diagrams or charts to explain the various processes which may reduce the need for text. This issue was also highlighted on the online consultation by “other interested parties”.

### Departmental Response

The suggested textural amendments to the guidance were helpful, the majority of which have been accepted in amending the style of the guidance. The Department also commits to producing an effective communication strategy, to raise awareness of the electrical safety standards before the Regulations become operational and will continue to work in partnership, with all key stakeholders on publicising same and engaging on any points that require further clarification. The associated guidance will remain a live document and can be updated if required.

### Recommendation

Style of guidance notes to be amended to adopt a consistent style throughout.

## Issue No 14– Incorrect referencing / miscellaneous

The following points were highlighted for attention:

### 1. Agent/organisation acting on behalf of a landlord

Propertymark, Councils and “other interested bodies” highlighted the guidance or/and Regulations, within the Private Tenancies (Northern Ireland) Order 2006, should include advice on responsibilities, if a property is managed on behalf of a landlord by an agent.

### 2. Landlord has taken reasonable steps to gain access

The Council sought clarification if a tenant refuses a landlord entry is Article 12(2) of the PTO applicable? “Where– (a) the landlord under a private tenancy wishes to carry out any works which he is under a duty to execute, and (b)the tenant will not permit him to do so, the landlord may apply to the county court for an order empowering him, and persons authorised by him for the purpose, to enter the dwelling-house and carry out the work”.

### 3. Continuing offence after prosecution

The Council sought clarification on whether it is a continuing offence for non-compliance. A continuing offence occurs when a landlord continues to fail to meet their duties under Regulation 3 after being convicted.

#### **4. Time Period 28 days for remedial work**

Councils acknowledged there would be a resulting demand placed on the electrical industry to produce the required reports on time and to carry out any necessary remedial works within the specified 28 days. The need for an adequate supply of electricians was highlighted.

#### **5. Common area**

Councils requested more detail on how the common areas of a property will be adequately covered.

#### **6. Guidance should reflect EICR is the minimum standard**

Councils highlighted that to avoid misinterpretation guidance should be clear that an EICR is the minimum standard required and expected following an inspection.

#### **7. Communication plan**

LANI, Councils and Propertymark requested a pro-active communication strategy to raise awareness for both landlords and tenants before the Regulations are made. This will ensure landlords are fully aware of their duties, as this will be crucial for compliance.

#### **8. Enforcement and Resources**

Propertymark had concerns over the enforcement of the new requirements and recommended a tenants' reporting model be considered. They highlighted the lack of Council resources in respect of the inspecting of properties to make sure minimum standards are being met.

#### **9. Recommended amendments to improve guidance**

Electrical Contractors Association (ECA), Electrical Safety First (ESF) and Certsure (a registered company with The National Inspection Council for Electrical Installation Contracting, NICEIC), also recommended textual amendments to improve the guidance notes.

#### **10. Incorrect Costings**

Over three-fifths of qualified electricians that responded to the online consultation did not agree with the cost quoted for an electrical inspection for a standard property. Electricians who answered 'no' provided an indication of how much they believe an electrical inspection for a standard three-bedroom property may cost; £100 was considered too low and prices ranged between £150-£400.

#### **11. Charge for enforcement**

The online consultation contained a suggestion that the Regulations should make provision for the ability to charge for enforcement action, like that associated with the service of notices under Part III of the Private Tenancies Order 2006.

#### **12. Uploading of Reports to the Landlord Registration**

It was suggested by "other interested parties" via the online consultation that there should be a facility to upload Reports onto the Landlord Registration database to show compliance.



## Departmental Response

### 1. Agent/Organisation acting on behalf of a landlord

The Regulations align with the primary legislation set out in the Private Tenancies Order (NI) 2006 and therefore definitions are drawn down from and link back to the primary legislation and have not been replicated within the Electrical Safety Standards Regulations. The guidance Notes have been scripted to contain further clarification and reflect “a landlord has ultimate responsibility to ensure the property is compliant, even when someone has been engaged, such as an agent to act on their behalf”.

### 2. Landlord has taken reasonable steps to gain access.

Guidance has been amended for both the tenants and landlords, confirming a tenant should allow access under Article 12(2) of the Private Tenancies Order (NI) 2006, and the landlord should keep evidence to demonstrate, they have taken all reasonable steps to gain access to the property.

### 3. Continuing offence after prosecution

A continuing offence is when a landlord has been prosecuted for failure to meet a duty and following prosecution continues to fail to meet this duty. There is no power within the primary legislation to allow for an offence to be a repeating (continuous) offence after prosecution in respect of the Electrical Safety Standards Regulations. However, if a landlord fails to take remedial action and the Council have to send a contractor in to make the property

safe, as per Regulation 8, the Council may issue a demand to the landlord for recovery of the costs incurred.

### 4. Time period 28 days for remedial work

The Department consulted with electrical trade bodies and counterpart officials that drafted the Electrical Safety Standard Regulations in England. This confirmed the set 28 days is a sufficient turnaround timescale.

### 5. Common area

Common areas of a property are covered by the Building Regulations (Northern Ireland) 2012.

### 6. Guidance should reflect EICR is the minimum standard

The guidance has been amended to reflect that landlords must obtain a report (usually an Electrical Installation Condition Report EICR) from the person conducting the inspection and test which explains its outcomes and any investigative or remedial work required.

### 7. Communication plan

The Department has commenced an effective communication strategy to raise awareness from June 2024, detailing the minimum requirements before the Regulations become operational and continues to work in partnership with all key stakeholders on publicising same and engaging on any points that require further clarification. The associated guidance will remain a live document and can be updated if required.

## 8. Enforcement and Resources

The Councils already have policies and procedures in place which will commence any necessary action when a report of non-compliance is received. These Regulations do not have the remit to introduce a tenant reporting model and it would only serve to be a duplication of existing Council enforcement measures.

## 9. Recommended amendments to improve guidance

The Department accepted the majority of the amendments recommended to improve the guidance Notes.

## 10. Incorrect costings

The Department researched the costings with electrical bodies and Council representatives, it was estimated the cost was in the region of £100 for a small flat or bedsit and up to £300 for a large property. For a standard 3-bedroom property the cost has been estimated at £200. The cost of £200 has been used as a benchmark cost for a 5 yearly inspection and that figure has been applied to the calculations contained within the Regulatory Impact Assessment.

## 11. Charge for enforcement

If remedial action is being taken against a landlord the Council can recover costs under Regulation 10 of the new Electrical Safety Standards Regulations.

## 12. Uploading of Reports to the Landlord Registration database

The Department has been informed the intention is once the database has been redesigned, there will be a declaration incorporated so a landlord can declare, by ticking a box they have completed all relevant electrical safety checks to the required standard. The Council will perform random checks to ensure compliance.

### Recommendation

#### 1. Agent/organisation acting on behalf of a landlord

Guidance to be amended to provide clarification.

#### 2. Landlord has taken reasonable steps to gain access

Responsibilities to be reflected in guidance.

#### 3. Continuing offence after prosecution

No change Regulations remain as drafted.

#### 4. Time period 28 days for remedial work

No change Regulations remain as drafted.

#### 5. Common area

Not applicable to these Regulations.

#### 6. Guidance should reflect EICR is the minimum standard

Guidance to be amended.



## **7. Communication plan**

Resources have been allocated to commence an effective communication strategy.

Pro-active communication has commenced to notify key stakeholders on when the Regulations will come into force.

## **8. Enforcement and Resources**

No change to existing Council enforcement procedures under the Private Tenancies Order (NI) 2006.

## **9. Recommended amendments to improve guidance**

Guidance amended where appropriate.

## **10. Incorrect costings**

No change to original estimate of a 5-yearly test. Regulatory Impact Assessment remains as drafted.

## **11. Charge for enforcement**

No change Regulations remain as drafted.

## **12. Uploading of Reports to the Landlord Registration database**

To be addressed within the functionality of the design of a new Landlord Registration database.

## 5. Conclusion

5.1 The responses to the on-line survey and the stakeholder forum meetings greatly assisted in the shaping of what will become the finalised Regulations and Guidance Notes. The main changes that needed to be applied were:

- An extension to the grace period for phased introduction of the Regulations due to the lack of supply of electricians.
- More concise and easier to follow guidance notes to provide clarity.
- A breakdown of the responsibilities of the landlord and tenant.
- Enforcement process fully mapped out from end to end involving input from all District Councils.
- A commitment to deploy resources to achieve a pro-active communication strategy to alert all key stakeholders on when the Electrical Safety Standards Regulations will become operational.
- Single Lets - the NIHE has advised these are covered under licence rather than a private tenancy. The NIHE has further advised that it will review its requirements for single lets and will endeavour to mirror these new standards.

- Guidance notes amended to provide clarity on the responsibility of who is liable when an agent has been engaged by the following added in “a landlord has ultimate responsibility to ensure the property is compliant, even when someone, such as an agent has been engaged to act on their behalf”.

5.2 It was extremely helpful to have confirmation that the shaping of the original drafts had not been too far off the mark with regards to content and detail. As the draft affirmative legislative process applies to the Section 10 Regulations they will need to be laid before the Assembly following DfC Committee consideration. It is anticipated the Regulations will be made towards the end of 2024, but it is the intention to adopt a phased approach to operationalising the legislation (proposed 4 months notification period for new tenancies, and 12 months notification period for existing tenancies). The communication plan commenced in June 2024.

### Contact details:

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