

# PROPERTY COMPLIANCE DOCUMENTATION POLICY

## 1. Purpose

This policy sets out the procedures and requirements for managing property compliance documentation to ensure all properties meet legal safety and regulatory standards.

## 2. Scope

This policy applies to all properties managed or let by the agency and all staff responsible for property management and compliance.

## 3. Policy Statement

The agency will ensure that all required compliance documentation is obtained, verified, recorded, and maintained for every property. No property will be let or occupied without the required valid certification in place.

## 4. Compliance Documentation Requirements

Key:

- (Applies to ALL properties) = standard single lets and HMOs
- (HMO ONLY) = applies only to Houses in Multiple Occupation
- (Where applicable) = depends on property features

### 4.1 Gas Safety Certificate (CPI2) (Applies to ALL properties with gas)

- Required for all properties with gas appliances.
- Must be renewed every 12 months by a Gas Safe registered engineer.
- Must be in place before tenancy commencement.
- Must be provided to tenants within 28 days of the check (or before move-in for new tenants).
- Records must be retained for at least 2 years.

Penalties for Non-Compliance:

- Unlimited fines and/or imprisonment (up to 6 months).
- Section 21 notice may be invalid.
- Potential manslaughter charges in severe cases.

### 4.2 Electrical Safety (EICR) (Applies to ALL properties)

- Must be carried out at least every 5 years.
- Remedial works (C1, C2, FI) must be completed within 28 days or sooner if specified.
- Reports must be provided to tenants within 28 days and to new tenants before occupation.

Penalties for Non-Compliance:

- Civil penalties up to £30,000.
- Local authority enforcement action.

### 4.3 Energy Performance Certificate (EPC) (Applies to ALL properties)

- Must have a minimum rating of E unless exempt.
- Valid for 10 years.
- Must be provided before marketing and at tenancy start.

Penalties for Non-Compliance:

- Fines typically between £500–£5,000.
- Inability to legally let the property.

## **4.4 Smoke and Carbon Monoxide Alarms (Applies to ALL properties, enhanced in HMOs)**

- Must be installed prior to tenancy.
- Must be tested and working on the first day of tenancy.

Penalties for Non-Compliance:

- Fines up to £5,000 (or higher under updated regulations).

## **4.5 Legionella Risk Assessment (Applies to ALL properties)**

- Must be carried out before tenancy begins and reviewed periodically.

Penalties for Non-Compliance:

- Potential fines under Health and Safety legislation.
- Civil liability if tenants are harmed.

## **4.6 Fire Safety Compliance (Applies to ALL properties, enhanced in HMOs)**

- Must be in place before tenancy begins.
- Fire risk assessments required for HMOs and relevant buildings.

Penalties for Non-Compliance:

- Unlimited fines and/or imprisonment.

## **4.7 HMO Licensing (HMO ONLY) (where applicable)**

- Must be obtained before the property is occupied as an HMO.

Penalties for Non-Compliance:

- Fines up to £30,000 or unlimited fines if prosecuted.
- Rent Repayment Orders (up to 12 months' rent).

## **4.8 Right to Rent Documentation (Applies to ALL properties in England)**

- Must be completed before tenancy starts.

Penalties for Non-Compliance:

- Civil penalties up to £3,000 per tenant.
- Criminal liability for repeated breaches.

## **4.9 Deposit Protection Documentation (Applies to ALL properties)**

- Must be protected within 30 days of receipt.
- Prescribed information must be served within 30 days.

Penalties for Non-Compliance:

- Fines of 1–3 times the deposit amount.
- Section 21 notice invalid until resolved.

## **4.10 How to Rent Guide (Applies to ALL properties)**

- Must be provided at the start of tenancy and upon renewal where applicable.

Penalties for Non-Compliance:

- Section 21 notice may be invalid.

## 5. Record Management

- All documents must be securely stored (digital or physical).
- A compliance register must be maintained.
- Expiry dates must be monitored.
- Renewals should be arranged at least 60 days in advance.

### 5.1 Electrical Safety (EICR)

- Must be carried out at least every 5 years.
- Conducted by a qualified electrician.
- All remedial works must be completed within required timeframes.
- Copies issued to tenants and authorities if requested.

### 5.2 Energy Performance Certificate (EPC)

- Must have a minimum rating of E unless exempt.
- Valid for 10 years.
- Must be provided prior to marketing and at tenancy start.

### 5.3 Smoke and Carbon Monoxide Alarms

- Smoke alarms installed on every storey.
- Carbon monoxide alarms installed as required by legislation.
- Tested and working on the first day of tenancy.

### 5.4 Legionella Risk Assessment

- Risk assessment must be completed and reviewed periodically.

### 5.5 Fire Safety Compliance

- Furniture must comply with fire safety regulations.
- Fire risk assessments required where applicable (e.g., HMOs).

### 5.6 HMO Licensing (where applicable)

- Valid licence must be in place.
- Licence conditions must be adhered to.

### 5.7 Right to Rent Documentation

- Tenant identity and immigration status must be verified.
- Records must be securely stored.

### 5.8 Deposit Protection Documentation

- Deposits must be protected in a government-approved scheme.
- Prescribed information must be issued within 30 days.

### 5.9 How to Rent Guide

- Latest version must be issued to tenants.
- Proof of service must be retained.

## 6. Responsibilities

- The Compliance Officer is responsible for oversight.
- Property managers must ensure documentation is current.
- All staff must report missing or expired documents immediately.

## 7. Monitoring and Review

- Compliance will be reviewed regularly.
- This policy will be updated in line with legislative changes.