elmhurst energy | EXCELLENCE IN ENERGY ASSESSMENT

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Energy Efficiency in the Private Rental Sector

Did you know that there are new laws coming into effect from the 1st April 2016, which will affect domestic private landlords?

Six things you need to know;

2016

1. MEES (the Minimum Energy Efficiency Standards) are law now
2. According to the government data 25% of properties in England and Wales have an E rating or below
3. From April 2016 tenants can request a landlord make improvements to a property and, if this can be delivered at no upfront cost, then the landlord cannot "unreasonably refuse".

2018

4. From April 2018 a landlord cannot grant a new tenancy of the property with an Energy Performance Certificate with a rating below an E.

2020

5. From April 2020 a landlord cannot rent any property with an Energy Performance Certificate with a rating below an E.

2025 ONWARDS

6. The government has declared their wish to raise those standards further such that that the minimum standard is likely to rise to a D by 2025 and a C Rating in 2030.

Key Facts

2016

Tenants' Energy Efficiency Improvements

What are the reinforcements to tenant rights?
From the 1st April 2016 all domestic tenants have the right to request energy efficiency improvements for the properties they rent.

Can a residential private landlord refuse a tenants request for Energy Efficiency Improvements?
Yes. Your tenant must show that improvements can be installed with no upfront cost to you. Don't forget there is likely to be a scheme available, either a development or replacement for Green Deal, which is intended to facilitate energy efficiency without the need for upfront costs.

Who does this apply to?
This new regulation applies to domestic properties let under a longer term assured and regulated tenancies.

Are there any exemptions?
If the building is exempt from an EPC then you are not required to provide consent. Landlords are also exempt if required third-party consent, such as planning, for work cannot be obtained.

Are there any penalties for non compliance?
Yes. If a tenant considers that a landlord hasn't complied with the regulations, they can take the case to a First-Tier Tribunal General Regulatory Chamber.

2018

Minimum Energy Efficiency Standards (MEES)

What are the Minimum Energy Efficiency Standards?
From the 1st April 2018 changes to legislation will make it unlawful to let residential properties with an Energy Performance Certificate (EPC) with a rating of F or G.

What are the key dates?
April 2018- the regulations will only apply upon the granting of a new tenancy to a new or existing tenant.
April 2020- The regulation will apply to ALL privately rented property which is required to have an EPC.

Are there any penalties for non-compliance?
Yes. Failing to comply with a compliance notice could result in a fine up to £5000.

Why is it being enforced?
This new legislation attempts to ensure that all tenants enjoy a right to live in an energy efficient home. It also contributes to the UK legislative targets of reducing CO2 emissions for all buildings to around zero by 2050.

Are there any exemptions?
Yes landlords are exempt if:
- They have carried out all cost-effective energy efficiency improvements.
- Measures Identified by Green Deal or an alternative government scheme are not cost effective.
- If third-party consents are not available (consent from tenants, planning authority etc).

What Next?

Given the risks to landlords it is clear that a full understanding of energy efficiency is required for your property assets, in order to see if you are meeting MEES.

Elmhurst Members can assess a property's energy efficiency and produce an EPC to ensure you have an understanding of your properties energy efficiency rating .

For more information contact Elmhurst Energy:

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