

FIRE SAFETY GUIDE FOR LANDLORDS OF DWELLINGS



This guidance document is designed to assist landlords in managing the fire risks associated with let dwellings



NFU Mutual
RISK MANAGEMENT SERVICES

INTRODUCTION

Fires in let dwellings can result in significant property damage, loss of rental income and injury, or worse, to tenants.

This guidance document is designed to assist landlords of both single and multiple occupancy lets in managing the fire risks associated with domestic lettings, helping to protect their tenants and to reduce the potential for property and income loss. This guidance is not principally intended to apply to guest houses and bed and breakfast accommodation used by tourists, but the principles may still be applicable.

WHAT ARE THE FIRE RISKS ASSOCIATED WITH DOMESTIC LETS?

The main considerations are life safety and the risk of damage to property. There are inherent risks attributed to the property and the local area, including the combustibility and resilience of modern building materials, the potential for malicious damage, vandalism and arson incidents and the availability of fire-fighting water. These factors can increase the potential for a fire

starting and spreading quickly, threatening both the property and the safety of tenants. In addition, the quality of the tenants and the 'house rules' within your tenancy agreements are critical in reducing the risks attributed to the occupants and their lifestyles. The following guidance provides useful advice on reducing these risks.

RELEVANT ACTS AND FIRE SAFETY REGULATIONS OR GUIDANCE

For existing residential premises **The Housing Act 2004** applies which includes the Housing Health and Safety Rating System (HHSRS), licencing for House of Multiple Occupancy (HMOs), and management regulations for HMOs.

With regards to fire safety, the main legislation is the **Regulatory Reform (Fire Safety) Order 2005 (FSO)**. This Order requires landlords

or appointed persons to carry out fire risk assessments in the common areas of HMOs, flats, maisonettes and sheltered accommodation. A guide is available to help landlords carry out fire risk assessments ([Sleeping Accommodation Guide](#)). It is to be noted that in premises occupied by single households, only the HHSRS applies.

FIRE RISK ASSESSMENT – RESPONSIBLE PERSON

A fire risk assessment to be undertaken to identify and evaluate the potential for a serious fire at your premises. Completion of the fire risk assessment rests with the responsible person and responsible person' means "the person who has control of the premises in connection with the carrying on

of a trade, business or other undertaking". For the purposes of fire safety provision and maintenance at the residential accommodation, the responsible person will usually be the landlord, but may be a managing agent or an appointed manager in the case of HMOs.

FIRE RISK ASSESSMENT – SCOPE AND CONSIDERATIONS

The fire risk assessment to include the construction of the premises, working practices within, fire inception hazards, likely fire spread potential and the suitability and standard of fire protections including your fire alarm, fire doors, emergency lighting, escape signage and fire extinguishing appliances. Any necessary control measures to be carried out to reduce the risk and effects of fire.

We recommend the local Fire & Rescue Service are invited to visit the premises to assess the water sources and familiarise themselves with the layout and the location of the premises. It is recommended that a fire safety log book is kept and all routine maintenance and servicing activity is recorded within as proof of compliance.

FIRE RISK ASSESSMENT – IGNITION SOURCES

With regard to sources of ignition, the Order requires that potential sources of ignition are identified and should include all sources of heat which could become sufficiently hot enough to ignite any materials around them.

In the premises covered by this guide this could include:

- Smoking materials including cigarettes, matches and lighters (if smoking is permitted within the premises);
- Naked flames, for example open fires, candles and night lights but could also include heat guns and soldering equipment;
- Mains services including electric and gas;
- Heating via gas, oil or solid fuel fired boilers and to be extended to include portable devices and wood burning stoves;
- Cooking and kitchen equipment including cookers, toasters and other kitchen equipment;
- Electrical equipment for example electric blankets, computers, audio and visual equipment, washing machines and dryers;
- Lighting equipment both fixed and movable such as lamps;
- Arson attack;
- Plant or boiler rooms for larger premises and any lift motor rooms etc.

FIRE RISK ASSESSMENT – FUEL SOURCES

Fuel sources refer to items that will burn reasonably easily and are in sufficient quantity to provide fuel for a fire or cause it to spread to another fuel source. In premises covered by this guide they may include the following:

- furniture, furnishings, textiles, bedding, clothing and curtains
- laundry and linen;
- accumulations of paper or card material including post, waste paper, cardboard, newspapers and magazines plus any recycling matter
- waste storage, recycling and refuse containers
- flammable liquid-based products such as paint, varnish, thinners, adhesives, polishes, white spirit, methylated spirit and cooking oils;
- liquefied gas (LPG), paraffin, heating oils and petrol;
- decorations for seasonal and religious occasions;
- wall, floor and ceiling coverings and surface finishes.

FIRE RISK ASSESSMENT – POSSIBLE CONTROL MEASURES

Fire hazards to be removed where it is practicable to do so but where this is not possible, they should be minimised as far as is reasonable. To assess what is considered reasonable in a particular case will depend on an assessment of the potential to cause harm and the risk of that harm occurring. Common areas of concern regarding fire hazards in domestic premises could include but are not limited to the following:

ELECTRICAL INSPECTIONS

Apart from the Landlord's Common Law duty of care, the Landlord & Tenant Act 1985 requires that the electrical equipment is safe at the start of every tenancy and maintained in a safe condition throughout the tenancy. This is further enforced and amended under **The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020** which came into effect on 1st June 2020 and requirements around electrical safety standards. In summary:

1. A private landlord who grants or intends to grant a specified tenancy must ensure that the electrical safety standards are met

during any period when the residential premises are occupied under a specified tenancy.

2. The landlord must ensure every electrical installation in the residential premises is inspected and tested at regular intervals by a qualified person and
3. ensure the first inspection and testing is carried out before the tenancy commences in relation to a new specified tenancy.

The electrical safety standards referred to are the standards for electrical installations in the eighteenth edition of the Wiring Regulations, published by the Institution of Engineering and Technology and the British Standards Institution as **BS 7671: 2018 Requirements for Electrical Installations. IET Wiring Regulations.**

The frequency of electrical inspection to be completed at regular intervals and not exceeding five years, or more frequently where the most recent inspection report requires such inspection and testing to be at intervals of less than 5 years, as specified in that report.

The landlord to obtain a report from the person conducting that inspection and test, which confirms the results of the inspection and test and the date of the next inspection and test and must supply a copy of that report to each existing tenant of the residential premises within 28 days of the inspection and test. Copies to also be supplied to any new tenant before that tenant occupies those premises and any prospective tenant within 28 days of receiving a request in writing for it from that prospective tenant.

Where the report requires the private landlord to undertake further investigative or remedial work, the landlord must ensure that further investigative or remedial work is carried out by a qualified person within 28 days or the period specified in the report if less than 28 days. The landlord must obtain written confirmation from a qualified person that the further investigative or remedial work has been carried out and that the electrical safety standards are met.

To achieve this, periodic inspections (by a competent person such as NICEIC, ECA or similar approved contractors) should be undertaken and a record kept as above.

It is recommended that electrical sockets are adequate in number and sited appropriately to avoid overloading and the use of gangways and trailing leads

GAS SAFETY

Where there are gas appliances in the property provided by the landlord, the landlord to ensure that annual gas safety checks are carried out. These inspections to be only carried out by a gas fitter/engineer who is registered on the Gas Safety Register. Refer <https://www.gassaferegister.co.uk/>

A copy to be given to the tenant before they take occupancy, and the inspection to have been carried out within the 12 months before the new tenant takes up occupation.

Checks to be done annually at no more than 12 monthly intervals and copies of all certificates for the inspections must be provided to the tenant.

OIL AND BIOMASS BOILERS

Whilst not a specific legal requirement, it is advisable to have an annual inspection of oil and biomass fired boilers, mainly due to the risk of carbon monoxide from faulty appliances, but also to meet the manufacturers service requirements. For the latter, only approved fuels at the correct moisture level to be used.

It is advisable to ensure any instruction manuals for boiler operation and settings are provided as part of the 'Tenancy Pack', together with any testing regime instructions for tenants (e.g. for smoke /CO alarms). The tenant to also be provided with a copy of 'How to Rent: the Checklist for Renting in England' as it is a requirement that, upon starting a tenancy, the landlord provides the tenant with a copy of this document.

OPEN FIRES AND WOOD BURNING STOVES

We recommend all open fires or wood burning stoves are removed or isolated to prevent usage by tenants. Where this is not possible, e.g. this is the only form of heating, we recommend you provide written and practical guidance on best practice on safe usage to help reduce the risk of inexperienced tenants overloading fireplaces, operating stoves at excessive temperatures and using inappropriate fuels thus potentially increasing the risks of fire.

Ensure appropriate fire guards are provided and a reputable source of fire wood or fuel is recommended. Chimneys to be professionally swept at least once a year and it is recommended that bird guards are fitted to all chimneys in use.

PORTABLE HEATERS

We recommend amending your tenancy agreement to prohibit the use of portable heaters of any kind. Open flame heaters clearly increase the potential for fire damage, however aged electrical heaters may present an increased risk of sparking, overheating and subsequent fire damage. Portable heaters can be misplaced and located near combustible items or misused for the drying of clothes etc. and therefore it is recommended they are prohibited, and only fixed heating systems used.

SMOKING

Whilst there is no legal requirement to ban smoking within most let properties, we recommend you amend your tenancy agreement to prohibit any tenant or guest smoking tobacco products in the property, unless you have given written consent. Vaping is also a concern with the main risk being that of defective charging equipment and/or charging equipment overheating and igniting. We also recommend you amend your tenancy agreements to prohibit the use of vaping equipment and charging within the property.

FURNISHINGS AND HOUSEKEEPING

To reduce the risk of fire spread, ensure all furniture complies with the **Furniture and Furnishings (Fire)(Safety) Regulations 1988** and curtains should meet **BS5867 - British standard for drapery including curtains and blinds**, preferably to Part2C which is 50 washes/inherently flame retardant.

It is also recommended that combustible items such as furniture, laundry and decorations are stored/used away from potential ignition sources such as cookers, heaters and boilers and excess accumulations are prevented.

Refuse and recycling materials are to be correctly stored between collections and disposed of regularly and outdoor cooking

equipment is to be properly sited when in use and stored safely afterwards once cooled.

Common areas are to be kept clear of combustible materials and should be monitored on a regular basis to ensure access routes are kept clear and fire exits are accessible at all times.

SCOOTER/BUGGY CHARGING

The growth in the use of motorized scooters/buggies has led to an increase in the risks of fire damage via charging and the presence of larger batteries in the property. Where scooters/buggies are being used, you should ensure:

- A designated area is provided specifically for the storage and charging of mobility scooters/buggies away from other combustible goods in store
- The construction of the scooter/buggy room should provide at least 60 minutes' fire resistance between the charging area and other parts of the building
- Where there's an interconnecting door between the buggy room and another part of the building, this should also provide at least 60 minutes' fire resistance
- Where a scooter/buggy room is provided in a detached structure, this should be of noncombustible construction and ideally be situated at least 10m from the living accommodation
- Automatic fire detection should be provided in charging areas
- A sufficient number of socket outlets are provided in the charging area and extension leads should not be used. Consideration should be given to controlling the electricity supply to the chargers via a timer or timing circuits to prohibit charging operations during sleeping hours
- Separate provisions will be required for electric vehicle charging.

WASTE BURNING

We recommend amending your tenancy agreement to prohibit the use of bonfires or other waste burning at the let property. Where this is unavoidable, a proprietary domestic

incinerator should be provided to ensure the risk of fire spread is minimized and, if possible, placed away from the building by at least 10 metres.

FIRE DETECTION

Fire detection is crucial to alert occupiers to the presence of a fire and enables them to evacuate to a place of safety. The fire detection system must be capable of waking sleeping people and alerting the presence of a fire in the building, including hidden areas such as boiler rooms. The type of system should be in accordance with **BS 5839-6: Fire detection and fire alarm systems for buildings. Code of practice for the design, installation, commissioning and maintenance of fire detection and fire alarm systems in domestic premises** which provides a grading system as follows:

Grade A - Separate detectors, sounders and central control and indicating equipment with back-up power supply that conforms to British Standards BS EN 54.

Grade C - Separate detectors and sounders that are mains powered with back-up power supply and central control equipment

Grade D1 - A system of one or more mains powered detectors, each with a tamper proof standby supply consisting of a battery or batteries.

Grade D2 - A system of one or more mains powered detectors, each with an integral standby supply consisting of a user replaceable battery or batteries

Grade F1 - A system of one or more battery-powered detectors powered by a

tamper proof primary battery or batteries

Grade F2 - A system of one or more battery-powered detectors powered by a user replaceable primary battery or batteries

The coverage within the building by the detection system is described with the following codes:

LD1: Covers all circulation spaces that form part of escape routes plus all rooms in which a fire could start

LD2: Covers all circulation spaces that form part of escape routes plus all rooms and areas that present a high fire risk to occupants

LD3: Covers circulation spaces that form part of the escape routes

There is a degree of flexibility depending on the risk determined in the fire risk assessment which will consider the types of rooms, dwellings and the occupants' needs/characteristics.

GENERAL RECOMMENDATIONS:

Please note that these recommendations are only applicable for 'normal' risks and higher risk occupancy or buildings as identified by a fire risk assessment will result in a higher standard of protection being required.

HMO up to two storeys with no floor greater than 200m2:

- Grade D1 Category LD1 throughout.

Other HMOs where each dwelling comprises a single room: mixed system

- Common areas: Grade A Category LD2 with detectors sited in accordance with BS 5839-1: 2017 category L2 with connected heat detectors in bedsits which have cooking facilities.
- Bedsits: Grade D1 Category to protect the sleeping occupants.

Other HMOs where each dwelling comprises a two or more rooms: mixed system

- Common areas: Grade A Category LD2 with detectors sited in accordance with BS 5839-1: 2017 Category L2.
- Rooms: Grade D1 Category LD2 in the dwelling itself to protect the sleeping occupants.

Two storey house converted to self-contained flats (prior to 1991 Building Regulations): mixed system

- Common areas: Grade D1 Category LD2 and heat detector in each flat (room/ lobby opening onto escape route,
- Flats: Grade D1 Category LD3 to protect the sleeping occupants.

Three to six storey house converted to self-contained flats (prior to 1991 Building Regulations): mixed system

- Common areas: Grade A Category LD2 with detectors sited in accordance with BS 5839-1: 2017 Category L2 and with a connected heat detector in each flat,
- Flats: Grade D1 Category LD3 to protect the sleeping occupants.

Single household with fewer than four storeys:

- Grade D1 Category LD2 and cellar.

Single household with four or more storeys:

- Grade A Category LD1 and cellar.

Flat in multiple occupation (FMO) single storey:

- Grade D1 Category LD2 and additional heat detector in the kitchen and shared living room depending on the risk features.

CARBON MONOXIDE DETECTION

As per the Smoke and Carbon Monoxide Alarm (England) Regulations 2015, landlords must ensure a carbon monoxide alarm is fitted in any room that is used partly or wholly as living accommodation which also contains any appliance which burns, or is capable of burning, solid fuel. This would include log and coal burning stoves and open fires, even if they are not normally in use, but does not include gas and oil boilers. If an open

fireplace is purely decorative and not useable it is not covered by the regulations.

The regulations require the alarm is tested on the first day of a tenancy commencing. Gas is not a solid fuel and so there is no requirement to fit one near a gas boiler. It is still advisable as best practice however and we recommend carbon monoxide alarms are fitted.

FIRE FIGHTING

The provision of fire blankets and simple fire extinguishers can be useful in restricting the development and spread of small fires in their early stages. However, best advice is to evacuate the building to a place of safety and call the Fire and Rescue Service.

For houses in multiple occupancy it is recommended multi-purpose extinguishers are provided on each floor in the common parts and basic advice on their usage should be provided at the start of any new tenancy. Powder fire extinguishers are no longer recommended for indoor use and therefore landlords need to consider carefully whether foam or even water extinguishers are a suitable alternative. Water mist fire extinguishers are an excellent alternative, as they are suitable and less damaging to premises interiors owing to the reduced volume of water discharged.

Fire extinguishers to be maintain annually in accordance with **BS 5306-3: Fire extinguishing installations and equipment on premises. Commissioning and**

maintenance of portable fire extinguishers. Code of Practice and to be undertaken by fire extinguisher service engineers. If service free extinguishers have been deployed, the landlords or their representatives are to carry out a visual inspection in accordance with the guidance of the manufacturer.

Fire blankets are recommended as good practice in kitchens of all let premises and any fire blankets to comply with **BS 6575: Specification for Fire Blankets** or equivalent, be of 'light duty' type which are capable of dealing with small fires such as cooking fires or fires involving clothing; and to be mounted on the wall approximately 1.5m high and closer to the room exit than the cooking facility

Planning and design features of any new builds or conversions may require the installation of water mist protection systems to any central escape routes and hallways/atriums and professional guidance will be required to ensure the protection is appropriate.

COMPARTMENTATION AND FIRE DOORS

Compartmentation is designed to retard or prevent the spread of fire within a building to aid in the safe evacuation of the occupants. In furtherance of this, fire escape routes are usually compartmentalised between the different storeys of a building, between cellars/living accommodations and between plant rooms/risk areas and living accommodation etc.

Compartmentation can be achieved by specifying minimum standards of standard plasterboard thickness to achieve 30 or 60 minutes fire protection for walls or ceilings and by specifying fire resisting doors (fire doors) for any personnel openings .

There is usually no requirement for formal compartmentation in single household occupancy and low risk shared houses, subject to the construction being sound throughout the route of escape and the doors are close-fitting and sound. Normal glazed doors, lightweight construction and hollow core doors should not be accepted.

Larger or converted properties, however, will require a minimum of 30 minute rated fire protection including fire doors and the escape routes to be designed to remain free from smoke and fire for a time adequate to allow occupiers of the building to pass safely along it to a place of safety. Usually 30 minute rated fire doors and construction materials are required unless higher risks are present, in which case 60 minute doors and solid wall separations from risk areas will typically be required. 30 minutes fire resistance in walls can be achieved with solid walls or 12.5mm plasterboard and plaster finish. Ceilings must ideally be protected with 12.5mm plasterboard and any ducts to be fire stopped with preferably 60 minutes fire resistance. Floor/ceiling partitions between any basement or cellar and the ground floor escape route should usually provide 60 minutes fire resistance.

Where residential premises are located above commercial premises there is typically

a requirement for a 60 minute rated fire separation between both occupancies and for an interlinked fire detection system to be provided in both premises.

Protected escape routes must have no portable heaters or portable heating sources, no cooking facilities, no furniture or storage and must be kept clear at all times.

In areas where fire resisting partitions are required, any doorway must be fitted with fire doors, 30 minute rated partitions require 30 minute fire resisting doors (FD30) and 60 minute partitions require 60 minute fire resisting doors (FD60). Most fire doors require intumescent and smoke seals to be fitted. The exception are fire doors in buildings with smoke detectors only on escape routes (Category LD3), in which case smoke seals should not be fitted so as not to restrict the flow of smoke towards the smoke detectors.

Fire doors should mostly be fitted with door closers and must not be held open with door wedges. For high-traffic routes where occupants are likely to wedge doors, automatic or managed solutions are available to ensure that doors close on the activation of the fire alarm via sound detection or electromagnetic release devices. Fire door signs are only required on fire doors across escape routes and doors to communal kitchens and other communal rooms and to be clearly marked 'Fire door keep shut'.

Purpose built blocks of flats usually have at least 60 minute rated fire resistance between the flat and the means of escape, though converted flats including houses of multiple occupancy may only require 30 minutes of fire resistance or even less.

Guidance on specific fire safety requirements for your property can be found in **Approved Document B (Fire Safety) Volume 1: Dwellings**.

EMERGENCY LIGHTING IN COMMUNAL AREAS

To ensure safe means of escape at any time, staircases and escape routes must be adequately lit, even if the mains power supply is failing as a result of the fire.

Emergency lighting to illuminate the escape route after a mains power failure, is therefore generally required for buildings larger than two storeys. Smaller buildings and single households do not require emergency lighting if the escape route is short and if adequate lighting is shining into the building from the outside.

Unlike commercial premises, for dwelling-type buildings that require emergency lighting, it is typically only specified for the escape routes and general recommendations follow;

Single household occupancy up to six storeys: Emergency lighting may be required if the escape route is complex and there is no effective borrowed light.

Shared house HMO up to four storeys: Emergency lighting may be appropriate if the escape route is complex and there is no effective borrowed light.

Shared house HMO five or six storeys: Emergency escape lighting required

Bedsit HMO up to four storeys (individual cooking): Emergency escape lighting may be required if building is complex and no effective borrowed lighting available

Bedsit HMO five or six storeys (individual cooking): Emergency escape lighting required

Houses converted to self-contained flats (up to four storeys) prior to 1991 Building Regulations: Emergency escape lighting if risk requires

Houses converted to self-contained flats (five or six storeys) prior to 1991 Building Regulations: Emergency escape lighting required

Flat in multiple occupation (FMO): Emergency escape lighting if risk requires, may also be required in the common escape route

Emergency escape lighting systems must comply with **BS 5266: Emergency lighting. Code of practice for the emergency lighting of premises.** Emergency lights are required at stairs and changes in floor level or direction and to identify fire alarm points and firefighting equipment. In most cases non-maintained emergency lights providing three hours of light will be adequate. The system to incorporate a suitable means for simulating mains failure (i.e. a test switch). Emergency lighting also applies to external escape routes to ensure that occupants can reach a final place of safety outside of the premises. Emergency lighting for stairs should be on a separate circuit to any other part of the escape route.

FIRE SAFETY SIGNS

Where properties are more than three storeys, larger and/or more complicated, they are likely to require fire safety signage but for residential premises of average size and normal risk, such signage will not be required.

The following aspects will define if signage is required:

- Are occupiers familiar with the escape route?
- Is one escape route shorter than others?
- Are there changes in direction?
- Are there any areas where confusion may occur when exiting a building?

- Are there external secondary escape routes which should preferably be used?
- Is there any firefighting equipment that requires signage?

Fire exit signs with directional arrows should provide clear and unambiguous information about the escape route and the fire exit. More guidance can be found in HSE publication **'Safety Signs and Signals: Guidance on Regulations'**.

ENERGY PERFORMANCE RATING

The Domestic Minimum Energy Efficiency Standard (MEES) Regulations set a minimum energy efficiency level for domestic private rented properties.

The Regulations apply to all domestic private rented properties that are let on specific types of tenancy agreement and legally required to have an Energy Performance Certificate (EPC)

If the property is let on an assured tenancy, a regulated tenancy or a domestic agricultural tenancy and the property has been marketed for sale or let or modified in the past ten years then it will probably require a EPC certificate by law

Since 1 April 2020, landlords can no longer let or continue to let properties covered by the MEES Regulations if they have an EPC rating below E, unless they have a valid exemption in place.

There are a number of areas where the EPC rating of a property can be improved which do not alter the fire risks present but one area that does require careful consideration

is if wall insulation is being selected. Wall insulation can either be installed externally or internally and will comprise an insulation board and outer render or cladding over for the former. For internal insulation systems these can be effected in one of four ways being;

- Fixing Internal Wall Insulation Directly to the Wall
- Fixing Internal Wall Insulation with Battens
- Adding Internal Wall Insulation with a Stud Wall
- Installing a Breathable Internal Wall Insulation

The advantages and disadvantages of each system are beyond the scope of this guidance but to reduce the risk of fire spread and toxic smoke production, it is recommended that only insulation materials of a non-combustible type are employed, either external or internal to the property. Mineral wool and Loss Prevention Certification Board approved insulation are recommended.

FURTHER GUIDANCE

Lacors HOUSING - FIRE SAFETY Guidance on fire safety provisions for certain types of existing housing

Fire Risk Assessment guidance

[Fire safety risk assessment: sleeping accommodation](#)

Approved Document B (Fire Safety) Volume 1: Dwellings

[Download the guide](#)

IMPORTANT NOTE:

The information contained herein is designed for guidance only and NFU Mutual cannot accept responsibility for any errors or omissions arising from its use. Should further guidance be required please contact our local NFU Mutual Regional or Branch office, or telephone Risk Management Services on 01789 202425.



NFU Mutual

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