

Private Housing (Tenancies) (Scotland) Bill

Written submission to the Infrastructure and Capital investment Committee

Electrical Safety First

1. Overview

- 1.1 Electrical Safety First welcomes the invitation to submit written evidence to the Infrastructure and Capital Investment Committee inquiry into the Private Housing (Tenancies) (Scotland) Bill.
- 1.2 As Scotland's only charity committed to reducing electrical fires and electrical-related injuries at home, our remit is to promote and encourage public awareness of issues surrounding electrical safety.
- 1.3 As many incidents take place within the home, safety in dwellings - particularly the Private Rented Sector (PRS) - is a core concern. Poorly maintained homes often have poorly maintained (and therefore dangerous) electrical installations, which can lead to fatal consequences.
- 1.4 In the past 10 years the PRS in Scotland has doubled in size and now provides a home to 312,000, meaning 13% of all households in Scotland currently live in the sector.¹ We believe that it is essential that properties are safe and fit for purpose for tenants when they use electrical installations and appliances.
- 1.5 Despite this, tenants often face poor conditions and serious safety hazards. According to government statistics, 69% of all accidental fires in Scottish homes (more than 3,400 annually) are caused by electricity.
- 1.6 We were therefore delighted that our concerns around electrical safety within the sector will be significantly improved by the introduction of mandatory electrical safety checks.
- 1.7 Due to come into force in December 2015, the new statutory duty will introduce a requirement for five yearly checks, by a registered electrician, of both fixed electrical installations in all rented property and any electrical appliances supplied with lets.
- 1.8 However, we are concerned that tenants may not have the confidence to ask

¹ Scottish Government, Scottish Household Survey, 2013:
<http://www.scotland.gov.uk/Publications/2014/08/7973/downloads>

landlords to fulfil their legal obligations around these checks or take forward legitimate complaints about their home's electrics due to a fear of being faced with retaliatory eviction.

2. Proposals to improve security of tenure for tenants

- 2.1 Electrical Safety First welcomes measures in the Bill which will increase security of tenure for tenants and empower them to properly enforce their rights. In particular, we are pleased to see the Scottish Government remove the "no fault" route for possession in Part 5 of the Bill. This will go some way towards laying down strong legal guarantees for the 312,000 households renting privately - including some 80,000 households with children.
- 2.2 We also welcome proposals in Part 3 of the Bill which sets out a 'Landlord's duty to provide information' and the powers of the First Tier Tribunal. We believe these provisions will empower tenants to confidently request that landlords comply with their statutory duty to keep properties up to the Repairing Standard, without feeling that they may simply be asked to leave at the end of a tenancy.
- 2.3 Without such safeguards, we are concerned that tenants with legitimate complaints about their home's electrics could be faced with a difficult situation whereby they may need to choose between living in an unsafe place or could experience a retaliatory eviction.
- 2.4 A recent report jointly commissioned by British Gas and Shelter looked at the experiences of private renters and highlighted:
- High demand and increasingly low consumer mobility means that some landlords neglect their legal obligation to maintain the property in a decent condition, as they are confident their property can be let regardless.
 - Many renters feel they have no choice but to put up with poor conditions, as they dare not risk provoking their landlord. One in eight renters (12%) has chosen not to ask for repairs to be carried out in their home or to challenge a rent increase, due to fear of eviction.²
- 2.5 Given the widespread evidence indicating the existence of retaliatory eviction for tenants who complain about poor conditions in their homes, we believe increased security of tenure would provide tenants with the confidence to ask for legal standards around electrical safety to be enforced.

² YouGov 2014, base 4,544 private renting English adults. Jointly commissioned by Shelter and British Gas.

- 2.6 It might also empower tenants to be more active consumers who are able to use their rights effectively and seek landlords who go beyond their statutory duty when it comes to safety. Electrical Safety First would recommend the installation of consumer unit Residual Current Devices (RCDs) in all private rented homes. RCDs are a lifesaving device that cut current off to the electricity supply very quickly if someone comes into contact with a live part. They are included by convention in new build Scottish properties but many older dwellings do not have them.

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