

Autumn Maintenance for Landlords



NRLA and TDS joint Guide: Autumn Maintenance
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Autumn is near! The leaves are beginning to fall from the trees and schools are back in class. With the new season fast approaching, it's time to look at autumn property maintenance.

Autumn is the perfect time to uncover issues at the property that might require fixing before the cold weather hits, and to repair minor jobs before they turn into expensive projects.

In this guide, we look at what property maintenance is the landlord's responsibility and what the tenant should be maintaining, autumn maintenance Q&As, how to avoid maintenance disputes, and a property maintenance checklist to help keep your home damage-free over the autumn season.

What are a landlord's responsibilities when it comes to property maintenance?

By law, a landlord's responsibility to keep their rental property in good condition was enforced in 2019 due to the [Homes Fitness for Human Habitation Act](#) coming into force. The act ensures that rental properties are fit for human habitation.

A property could be classed as unfit for human habitation for many reasons, such as:

- **Problems with drainage** and the supply of water.
- **Issues with damp**, overcrowding and a lack of ventilation.
- **A building that is structurally unstable** or with unsafe layouts.
- **A property that is neglected** or in bad condition.
- **A property that doesn't provide sufficient** natural light or enough space to prepare and cook food.

All landlords have a duty of care to ensure the property is kept to a certain standard. In general, landlords are responsible for:

- **Problems with drainage** and the supply of water.
- **The structure and exterior of the property** (including walls, windows, external doors and stairs, external garden area, roof)
- **Drains**, gutters and external pipes
- **Basins**, sinks, baths and toilets
- **Gas** appliances
- **Electric** wiring
- **Heating** and hot water
- **Smoke and carbon** monoxide alarms
- **Damp and mould** (however, this is dependent on the cause but most frequently the landlord is liable for fixing it).



In the Tenancy Deposit Scheme's (TDS) latest property maintenance poll, the results revealed confusion surrounding who is responsible for what when it comes to property upkeep.

For example, though **94%** of Landlords understood that they are primarily responsible for the exterior and structure of the property (including walls, stairs, bannisters, doors, windows, roof and guttering), only **30%** believed they were also responsible for the garden area, and just **14%** thought they should be held responsible for clearing the guttering and ensuring external pipes/drains are free from debris.

While many of the maintenance tasks are a joint responsibility, determining who is responsible for which part of the maintenance is essential. Including

a detailed tenancy agreement is crucial to ensure both parties are well informed about what they are required to do during the tenancy.

Our poll found that **61%** of landlords agreed that they are responsible for maintaining basins, sinks, baths and taps, but when chips appear, **31%** believed this is down to the tenant to fix. This is likely to be the tenant's responsibility assuming they were in good condition at the start of the tenancy, and taking into account [product life span](#) and [fair wear and tear](#).

Having a [detailed inventory](#) of items, such as the bathroom suite, will help provide evidence if a deposit deduction is required at the end of the tenancy.

What maintenance are tenants responsible for?

Whilst this will be determined by what's written in the [tenancy agreement](#), the tenant is responsible for the general upkeep of the house, such as changing lightbulbs, mowing the lawn and replacing smoke alarm batteries when needed.

The tenant is also responsible for repairing any damage that they, or their guests, have caused at the property.

What about wear and tear?

Though the tenant is required to fix or replace damaged items within the property (or repair damage to the property itself), you must keep in mind that fair wear and tear should factor into the equation, and landlords and tenants often dispute over what 'fair wear and tear' is.

According to law, **'a reasonable use of the premises by the tenant and the ordinary operation of natural forces'** defines acceptable wear and tear.

However, there are no standard rules or lists of damages to determine this.

The landlord should consider the number of tenants, property condition and age and quality of the items.

Slight marks on the carpet and faded paint after a year of renting a home to a family of four should count as reasonable wear. But a large stain on a rug, a hole in the wall or a broken door handle would be considered chargeable damages.

Understanding fair wear and tear rules is key when deciding whether to make [deposit deductions](#) at the end of a tenancy. Items that are damaged through normal use and over time cannot be deducted from a tenant's deposit.



Common student let disputes Q&A

“My tenant has complained of a mould and damp problem, who is responsible for fixing this?”

You would need to determine the cause first. Legally, a landlord is responsible for repairing mould and damp caused by structural leakage that leads to rising damp. However, a tenant’s choice to dry clothes inside, shower without opening the window, cooking without opening the window, or heating the home insufficiently can cause interior condensation. TDS encourages landlords to include as much information as possible in the tenancy agreement, and to issue guidance regarding areas like this one, so tenants are aware of their responsibilities.

TIP: If a claim is made for mould at the end of a tenancy, then a landlord should provide evidence, such as a third-party specialist contractor’s report, to show the cause of the mould that has arisen.

“My tenants have called to complain about a blocked outside drain caused by leaves, but I supplied the property with the garden tidy with no debris. Who is responsible for clearing this?”

Autumn conditions can lead to issues such as guttering and drain blockages caused by falling leaves. Firstly, you would need to check whether the tenancy agreement states that the tenant is responsible for clearing gutters. And, whilst the tenant may be responsible for reporting problems identified within the fabric of the building like heating, structure or drainage, it does remain the landlord’s responsibility to fix the problems, unless the tenant had caused damage through negligence.

If the tenancy agreement doesn’t state that the gutters should be maintained by the tenant, then they remain a landlord’s responsibility. If it does, you may be able to make a deposit deduction for the cost of clearing this problem.

TIP: Remember to include detail about maintaining the garden and clearing leaves within the tenancy agreement or mention on the inventory that the area was clear of leaves and debris at the start of tenancy should you wish to make a deposit deduction.

“At the end of tenancy, my tenant has cleaned the fireplace but not swept the chimney, which they’ve used. Can I make a deposit deduction?”

The chimney’s condition should be recorded at the beginning and end of tenancy, whether it has been used or not.

If the chimney was swept before the tenant moved in, then the tenant should clean to the same standard, which should be detailed in the inventory. It’s useful for the tenancy agreement to outline whether fixtures and fittings must be maintained in the rental property by the tenant or landlord.

TIP: As with any tenant obligation, landlords should ensure that the deposit use clause in the tenancy agreement allows for deductions to be made from the deposit, if the tenant fails to clean the chimney as required.

If the tenant is not responsible for the cleaning of the chimney, as per the tenancy agreement, they may still be required to give access to the landlord/agent if cleaning is needed during the term of their tenancy.

How to reduce the chance of a deposit dispute surrounding property maintenance

- ✓ Before signing a tenancy agreement, **perform reference checks** on all tenants, or request a reference from the university or student housing provider if they are coming straight from residence halls.
- ✓ Act fast! It's tempting to leave a small problem unresolved if it's not causing many issues yet, but problems like damp, mould, and broken gutters will not go away on their own. Addressing them right away will save you a lot of time and money.
- ✓ When you rent a property, you are likely to work with the same contractors frequently if they've done a good job. Make sure your work relationship is friendly and productive so you can always have someone skilled and reliable to call on for maintenance work.
- ✓ Regular servicing of appliances within the property can help reduce the risk of future problems.
- ✓ [Conduct regular inspections](#) to ensure that the property is being well maintained. Regular inspections give you a good idea about the condition of the property and enable you to perform preventive maintenance if necessary.
- ✓ A clear-cut tenancy agreement will help ensure your tenant knows their responsibilities. Include the suitable clauses for your property, so that deposit deductions can be negotiated if necessary.
- ✓ [Perform a check-in and detailed inventory](#). Before your tenants move in, ensure you have a detailed inventory of all your fixtures, fittings, contents, and décor. Include photos and thorough descriptions of the condition of each item in the inventory. Have your tenants sign this inventory at check-in.
- ✓ Remember to consider reasonable wear and tear for your property; it would be considered betterment if the home is in a greater condition at the end of tenancy.

Autumn Property Maintenance Checklist

Indoors

- ✓ **Service the boiler.** Broken boilers can have disastrous consequences if neglected. A certified [Gas Safe registered engineer](#) should check boilers to ensure they are working properly. It's also worth asking your tenants to pay attention to boiler functionality, to detect problems as soon as possible.
- ✓ **Check the central heating system.** The most common time for boiler issues occurs in autumn when tenants begin to use the heating again. Be proactive and inspect the boiler, thermostat, and everything else now so that you're ready for winter.
- ✓ **Bleed the radiators.** Air bubbles can gather in radiators when they've been switched off over the summer and bleeding them is required to make sure they operate correctly.
- ✓ **Check for mould** in typical areas such as the bathroom and kitchen before the weather gets colder and the problem becomes worse. Mouldy sealants around the bath or shower are inevitable, so replacing the sealant and re-grouting the bathroom is a quick and simple job that will significantly improve the appeal of your property.
- ✓ **Check for drafts.** Drafts can increase heating bills and make your property less comfortable for your tenants. Make sure your property is free of drafts by checking and fixing around windows and doors. It's also a good idea to install draft excluders throughout the house to prevent the entry of animals and other pests seeking warmth.
- ✓ **Make sure you're insulated.** From April 1, 2020, most residential properties should have an E energy rating on their Energy Performance Certificate (EPC) to comply with the law. You should ensure that wall cavities are filled and that your loft insulation is at least 270 mm thick. Though these improvements may cause some disturbance for your tenants, [they will result in a warmer, more energy-efficient home](#) – which is always welcome.

Outdoors

- ✓ **Insulate outdoor pipes and taps.** They are prone to freezing over the colder months, so check they are sufficiently insulated to prevent bursting.
- ✓ **Clean out guttering and drainpipes.** It's important to clear gutters prior to the winter, or water might get into the house. Check gutter and pipe connections and position them sufficiently away from the house to prevent water from getting pumped back into the property.
- ✓ **Tidy up the garden.** Poor weather conditions can make outdoor areas dangerous for tenants. Footpaths and uneven paving should be cleared before winter frost arrives; Landlords could be held responsible for any accidents.
- ✓ **Check the roof.** Safely inspect the roof for any missing, broken, or dislodged tiles, slates or mortar to ensure the insulation of the property is not compromised.
- ✓ **Check the window and door glass is secure.** There should be no draughts or damp problems if the window and door glass is fixed well in their frames, with no movement.

Spending time on property maintenance will save money in the long run, provides a happy living environment for your tenants, minimises the risk of costly repairs, and preserves the property's value, all of which reduces the chance of a deposit dispute.

NRLA help landlords understand the legislation that surrounds rented properties, which include common factors such as the ones above. They offer some of the most comprehensive learning resources and market-leading intelligence available in the sector.

If you are not yet a member of the NRLA, [click here](#) to join and receive £15 off membership!

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 www.tenancydepositscheme.com

 deposits@tenancydepositscheme.com

 0300 037 1000

