

A Brief Guide to Lettings and the Furniture and Furnishings (Fire) (Safety) Regulations

The rules and regulations concerning fire safety in rented accommodation have tightened in recent years. All landlords who own property which is let out need to be aware of the implications of this safety legislation. This leaflet is designed to give a summary of the Fire and Furnishings Regulations and their impact on both private and commercial landlords. Further sources of information are given at the end of the leaflet. If you are at all unsure about the situation you are advised to consult your managing agent.



The Regulations

From March 1st 1993, landlords letting residential property have been expected to ensure that all upholstered furniture complies with the Fire and Furnishings (Fire) (Safety) Regulations 1988 (as amended in 1989, 1993 and 2010). In general, the fire resistance requirements of these Regulations are that:-

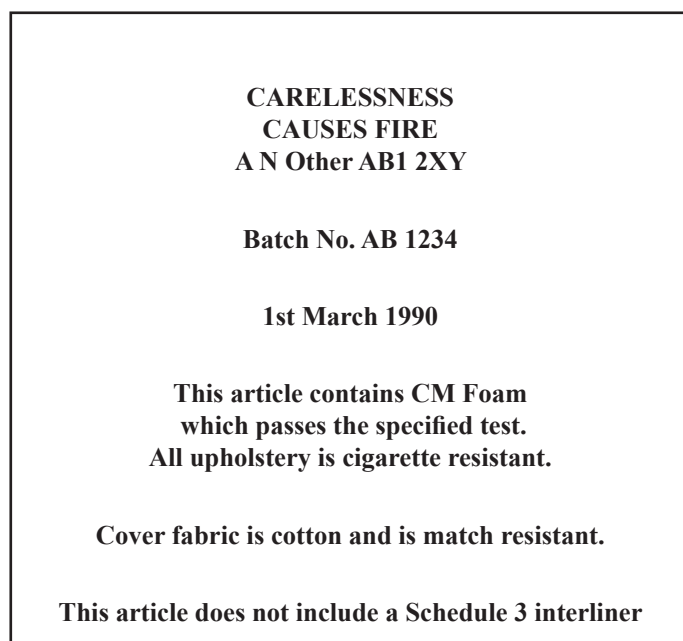
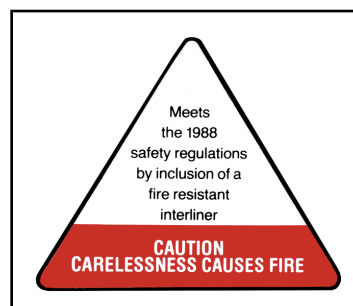
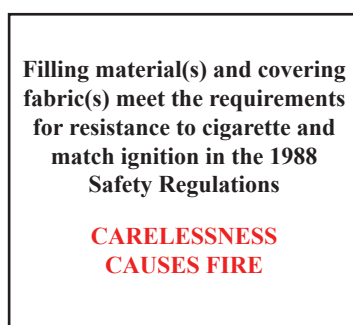
- ◆ upholstered articles (i.e. beds, sofas, armchairs etc) must have fire resistant filling material which meets the specified ignition requirements;
- ◆ upholstered articles must have passed a match resistance test or, if of certain kinds (such as cotton or silk) be used with a fire resistant interliner;
- ◆ the combination of the cover fabric and the filling material must have passed a cigarette resistance test.

Buying extra furniture

One of the important provisions of these regulations was that any extra or new furniture added to the property after 1st March 1993 must comply with the relevant fire resistance and safety requirements.

Identification

When buying new or second-hand furniture for a rental property, you should always check to see that there is an appropriate label. Furniture or furnishings manufactured after the introduction of the regulations in 1989 should all have attached labels.



DISPLAY LABEL

EXAMPLE PERMANENT LABEL

Both new and second-hand furniture and furnishings will carry labels:

Display labels - all furniture will carry the appropriate display label at point of sale.

Permanent labels - all new furniture (except mattresses and bed-bases) and covers for furniture must carry a permanent and non-detachable label. Bed bases and mattresses do not require a permanent label but compliance will be indicated if the item has a label confirming that it meets British Standard 7177.

Articles covered by Regulations

The Regulations apply to:

- ◆ Furniture purchased after 1st March 1993
- ◆ Beds, head-boards of beds and mattresses
- ◆ Sofa-beds, futons and other convertibles
- ◆ Nursery furniture
- ◆ Garden furniture which is suitable for use in a dwelling
- ◆ Scatter cushions and seat pads
- ◆ Pillows
- ◆ Loose and stretch covers for furniture

The Regulations do not apply to:

- ◆ Antique furniture or any furniture made before 1950
- ◆ Bed-Clothes (including duvets)
- ◆ Loose covers for mattresses
- ◆ Pillowcases
- ◆ Curtains
- ◆ Carpets
- ◆ Sleeping bags

Why is it important?

The penalty for non-compliance with the regulations is a substantial fine or even imprisonment in serious cases.

What action is required?

- ◆ Do not buy or provide any furniture for letting which does not comply with the regulations. Always check to see that there is an appropriate label.
- ◆ Keep all receipts for purchases of furniture and retain the statutory display labels after purchase in a safe place in case tenants wish to enquire as to the compliance of any particular item of furniture.
- ◆ Other fire safety devices (eg Fire extinguishers and smoke detectors) are currently not statutory requirements in normal residential houses (except HMO's — house in multiple occupancy) but it is sensible to include a small fire extinguisher in the kitchen and fit a smoke detector.
- ◆ If your property is classified as an HMO you may be subject to stricter regulations and a requirement to licence. HMO's generally refer to larger houses occupied by groups of people (i.e. who do not live as a single family unit).

Where do you go for more information?

If you would like more information, you could try the following sources:

- ◆ Your letting agent
- ◆ The Fire Safety Advice Centre, web: www.firesafe.org.uk
- ◆ Local Trading Standards Department
- ◆ The Letting Centre, web: www.letlink.co.uk

Agent's Stamp

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N.B. This summary is intended to assist landlords and letting agents to understand the effects of the regulations. It is not an authoritative interpretation - this is a matter for the courts. For more details, you should refer to the text of the regulations themselves.

