

Water Supply & Quality:

What are your
responsibilities?



Fixflo

Water Supply & Quality: What are your responsibilities?

Introduction



The Homes (Fitness for Human Habitation) Bill is likely to become legislation in the near future and is designed to crack down on properties in the private rented sector that are not fit for human habitation. Incorporating the Human Health and Safety Rating System (HHSRS), it covers 29 hazards (such as damp and mould, electrical hazards and asbestos) that all properties must avoid in order to be labelled safe for tenants to live in.

Water supply is singled out as a potential hazard under the HHSRS, as a poor or contaminated water supply can lead to a range of different diseases for the people using them, such as Legionnaire's Disease, bladder infections and even cholera which, though it hasn't had a national outbreak in decades, still records the odd case in the UK. When these diseases can result in death for the most vulnerable people who contract them, it's vital that letting agents and landlords ensure their properties are always safely supplied with water. Losing a hot water supply can also be extremely difficult for tenants to deal with, and can be the cause of a property falling foul of another of the HHSRS hazards; namely excess cold.

With this in mind, we've put together a quick guide for agents to cover their responsibilities as far as the fresh, uncontaminated supply of water to all of their properties is concerned. We cover:

- **The ways in which the water supply can deteriorate**
- **Who is responsible for the quality of the water supplied**
- **What to do if water supply issues occur**

We hope you find this guide informative - please don't hesitate to get in touch if you have any queries.

Legislation landlords need to be aware of

Under the Landlord and Tenant Act 1985, the landlord is responsible for:

- **Keeping in repair and proper working order the installations in the dwelling for the supply of water, gas, electricity and for sanitation (including basins, sinks, baths and sanitary conveniences)**
- **Keeping in repair and proper working order the installation in the dwelling for space heating and heating water**



This clearly shows that the landlord or letting agent is responsible for the supply of safe water, especially hot water. This will largely relate to ensuring that pipework, taps, sinks, baths, showers and so on are all in working order. In terms of contamination of the water supply, landlord responsibilities will change depending on whether the water supply is private or comes from the mains.

When the Homes (Fitness for Human Habitation) Bill becomes law, water supply responsibility will become doubly important as it could breach two of the 29 hazards on the Human Health and Safety Rating System, which will be used to judge whether a property is safe for tenants to inhabit. If the hot water supply fails, this could result in the property suffering from “excess cold”, while a poor quality water supply will breach “water supply” and potentially “sanitation and drainage problems”.

“

“When the Homes (Fitness for Human Habitation) Bill becomes law, water supply responsibility will become doubly important ”

Water Supply & Quality:
What are your responsibilities?

The quality of the water supply

The level of landlord responsibility as far as the quality of the water supply (i.e. if it is clean and safe for drinking and washing) is concerned depends on where the water is sourced from. You can ensure that Legionella does not breed in the water supply system by testing the system and keeping the water circulating - realistically, it should only be a problem if the property stands empty and unoccupied for an extended period of time. [You can download our Legionella guide for more information.](#)



If the water supply comes from the main public supply

All water suppliers in the UK are bound by law to ensure that the water they supply is safe to drink and use for washing. This extends to the chemicals the suppliers use to treat the water. The suppliers follow the EU Drinking Water Directive, which includes a clause stating that “Water is free from any micro-organisms and parasites and from any substances which, in numbers or concentrations, constitute a potential danger to human health.” This is not the landlord’s responsibility to ensure - they are only required to ensure that water supply can be easily accessed by the tenant using the fixtures, fittings and pipework within the property.

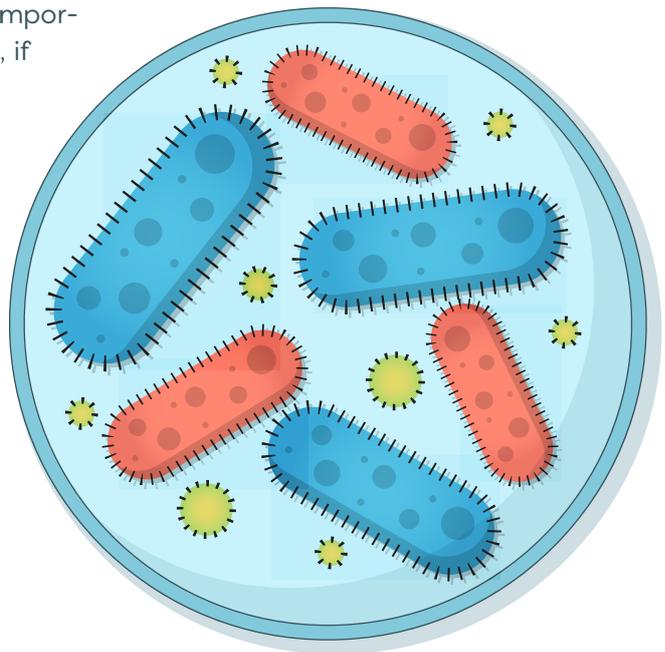


“You can ensure that Legionella does not breed in the water supply system by testing the system and keeping the water circulating”

Water Supply & Quality: What are your responsibilities?

If the water supply is private

Landlord responsibilities become much more important if the water supply is private (for instance, if it comes from a well on the property), its quality and safety cannot be guaranteed unless a filter or other safety measures are put in place. E.coli, Legionella and other bacteria can easily contaminate the water supply and cause significant health issues for tenants, leaving landlords at risk of fines and prosecution. With this in mind, prevention of this issue is easier than reacting to it. It may be worthwhile for landlords to have their supply assessed by an Environmental Health officer who can make recommendations about appropriate safety measures before a tenant moves in.



“

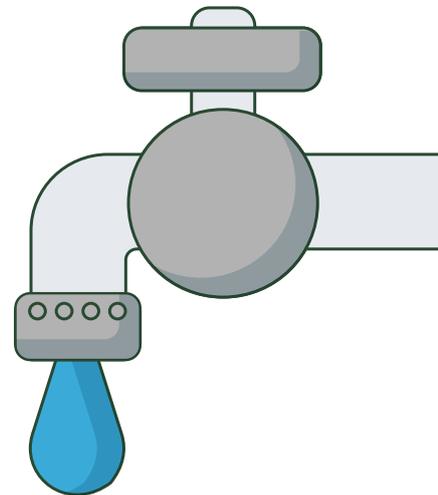
“bacteria can easily contaminate the water supply and cause significant health issues for tenants, leaving landlords at risk of fines and prosecution”

The supply of the water and condition of appliances which use it

There is more tangible responsibility for landlords attached to the condition of the appliances that use the water, in addition to the consistent supply of hot water.

Basins, sinks, baths and sanitary conveniences

It's the landlord's responsibility to keep the above installations in working order under the Landlord and Tenant Act 1985. However, if a repair to any of them is required in order to facilitate the tenant's ability to access the water supply, it will not necessarily require any special treatment - the normal required steps that would be taken on any repairs or maintenance job, according to the tenancy agreement, should be taken here.



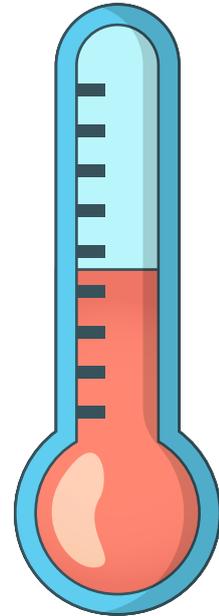
Hot water supply

The supply of hot water is specifically cited as a landlord responsibility in the Landlord and Tenant Act 1985 and, as mentioned above, is singled out as a potential hazard under the HHSRS. Unsurprisingly it is considered an extremely serious problem that needs to be resolved as quickly as possible. Regardless of the season, a consistent supply of hot water is essential for tenants - it also affects the general temperature within the property, which is another hazard cited under the HHSRS. It is therefore vital that the landlord takes steps to fix the issue at the earliest opportunity, especially if the problem is something they are at fault for.

Water Supply & Quality: What are your responsibilities?

Tenants are initially responsible for reporting the problem to the landlord - if they do not do so, the landlord can't do anything about it. If the problem relates to basic maintenance or misuse of appliances, the tenant would be expected to resolve the problem themselves, or have the cost of the landlord doing so deducted from their tenancy deposit.

Once the landlord has been made aware of the problem, he or she must resolve the issue quickly because, when the Homes (Fitness for Human Habitation) Bill is passed, a lack of hot water will result in a breach of this legislation as well as the Landlord and Tenant Act 1985, which could have financial and legal ramifications for the landlord if the tenant escalates the problem to a local authority.



Conclusion

Landlords and letting agents are responsible for the majority of areas connected with the supply of safe water within a residential property, apart from a water sanitation crisis connected to a main supplier. Using common sense and adhering to what has been stated in the tenancy agreement should though ensure that a repair never costs you more than it ought to.



“Regardless of the season, a consistent supply of hot water is essential for tenants - it also affects the general temperature within the property, which is another hazard cited under the HHSRS”

Water Supply & Quality:
What are your responsibilities?

Get your copy of the HHSRS Checklist here



Download now

Disclaimer

While every effort has been made to ensure the accuracy of the information provided, it does not constitute legal advice and cannot be relied upon as such. Fixflo does not accept any responsibility for liabilities arising as a result of reliance upon the information given.

What is Fixflo?

Fixflo is a market leading repair reporting software which is guaranteed to streamline your maintenance workflow. With over 40 languages to choose from, tenants can use their mobile device to report repairs through Fixflo's picture based system. Inbuilt guided advice educates tenants of their responsibilities, allowing them to fix small issues themselves.

A clear, concise repair report is then sent to the right property manager in seconds, saving time and money for everyone involved! Including all the benefits of Fixflo, Fixflo Plus features a centralised dashboard which provides you with a detailed overview of your entire portfolio. Fixflo Plus also automates reminders to contractors, ensuring swift issue resolution.

Fixflo Plus also provides agents with clear, concise repair reports which contain all the information needed to manage a repair to resolution. Because Fixflo repair reports contain all the detail needed, contractors can prepare for the specific issue at hand, meaning that most issues can be resolved in first contractor visit. A complete audit trail of all communication and documentation is safely stored in the system, ensuring that no issue slips through the cracks.

If you'd like to find out more about the Fixflo product range, visit www.fixflo.com.

Get in touch

info@fixflo.com

0207 183 1222



www.fixflo.com

