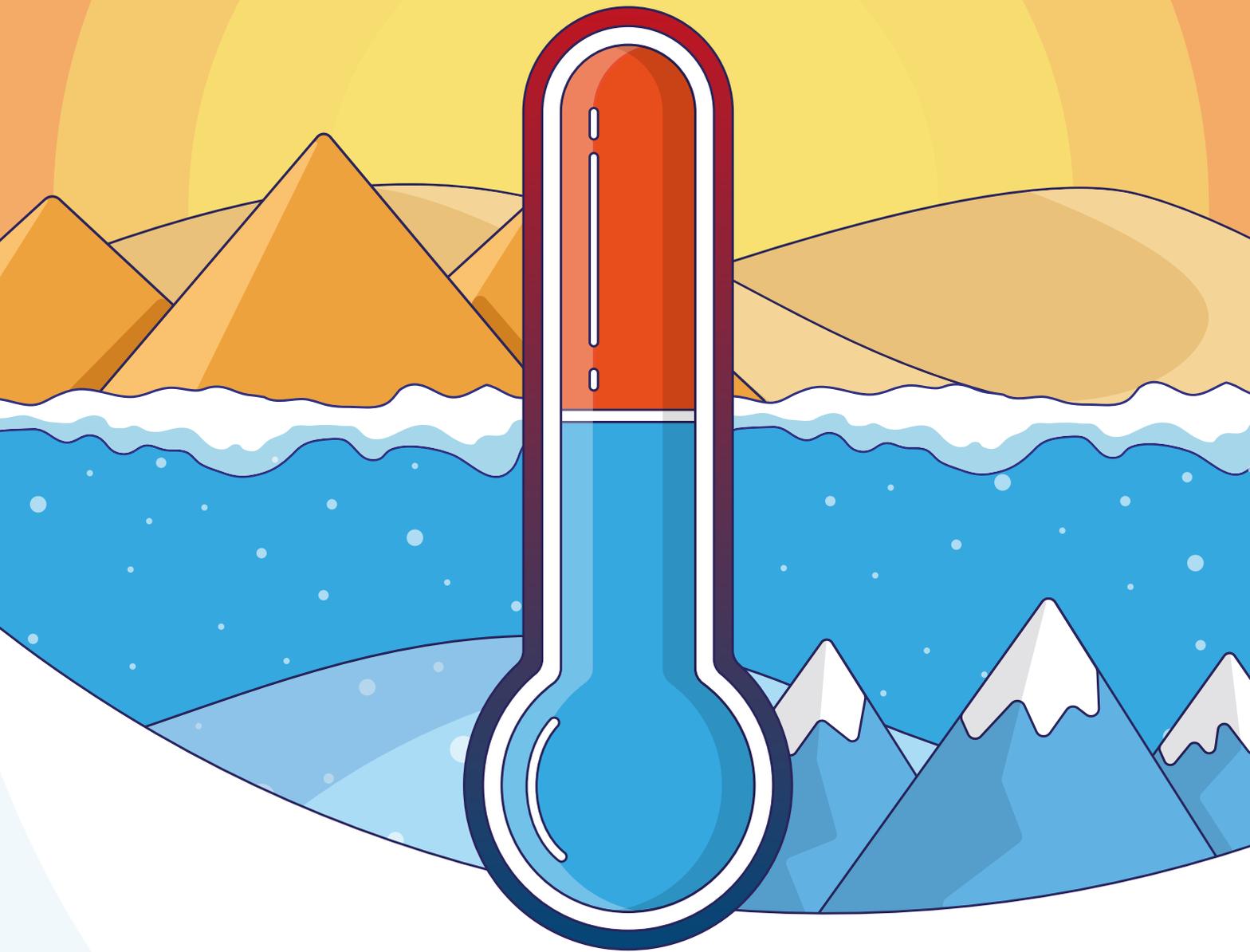


HHSRS Quick Guide:

# **Excess Heat & Excess Cold**



**Fixflo**

## **HHSRS Quick Guide:** Excess Heat & Excess Cold

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The Homes (Fitness for Human Habitation) Bill isn't far away from being passed into law, which is welcome news for tenants because it will ensure that they are always living in a home that is safe for them to inhabit. Letting agents and landlords should now be ensuring that the properties across their portfolios are all adherent to the new standards the Bill will set when it becomes law.

The Bill will incorporate the Human Health and Safety Rating System (HHSRS), a guideline previously used by local authorities without really enacting much change on a grand scale. Its inclusion in this high-profile piece of legislation, though, should see it adhered to and used to judge whether a property contravenes legislation.

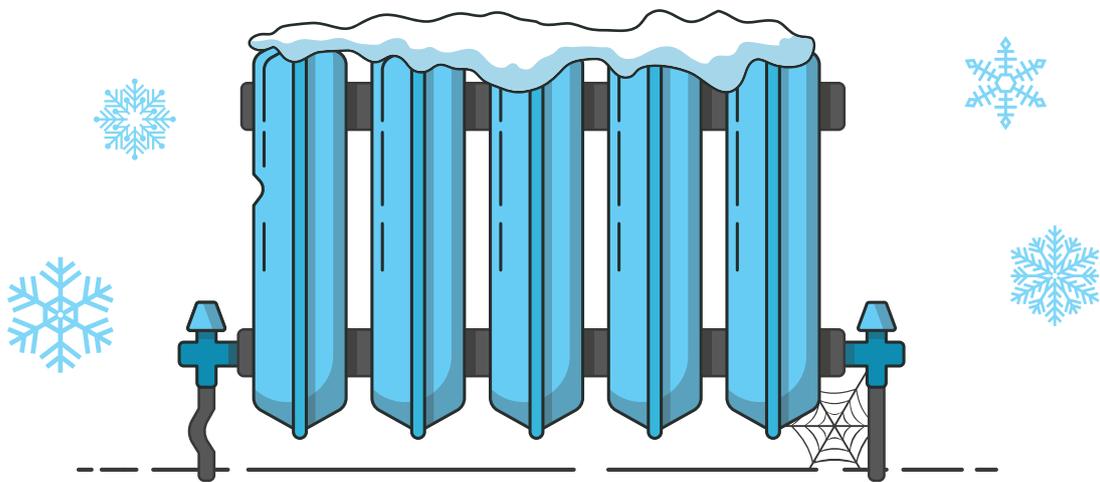
However, there are 29 hazards on the HHSRS list, all of which properties have to adhere to in order to be judged fit for human habitation. There's a lot for agents to think about when deciding whether their properties are likely to pass a check or not.

Two of the entries on the list are excess heat and excess cold. This is understandable - if a property is too hot or too cold, it will be difficult to live in comfortably, and health problems could develop as a result of a consistent temperature imbalance. But what do agents need to know about ensuring that their properties aren't too hot, or too cold, but are just right?

We've put together a quick guide that answers the following questions:

- **Whose responsibility is safe temperatures maintenance?**
- **What is the physical effect of excess heat and cold?**
- **How to prevent properties from becoming too hot or too cold**

We hope you find the guide informative and helpful in preparing for the Bill's introduction. Please let us know if you have any questions and we'll be more than happy to help!



# Whose responsibility is safe temperature maintenance?

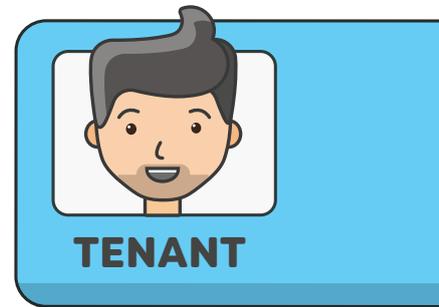
When it comes to many repairs and maintenance issues, the question of whose responsibility it is to prevent and fix them is a bit of a grey area. The starting point for most repairs and maintenance responsibility questions is the Landlord and Tenant Act 1985, which states that the landlord is responsible 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 installations in the dwelling for space heating and heating water**

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**“The property could become too cold, thus falling foul of the “excess cold” section of the HHSRS list. ”**



## **HHSRS Quick Guide:** Excess Heat & Excess Cold

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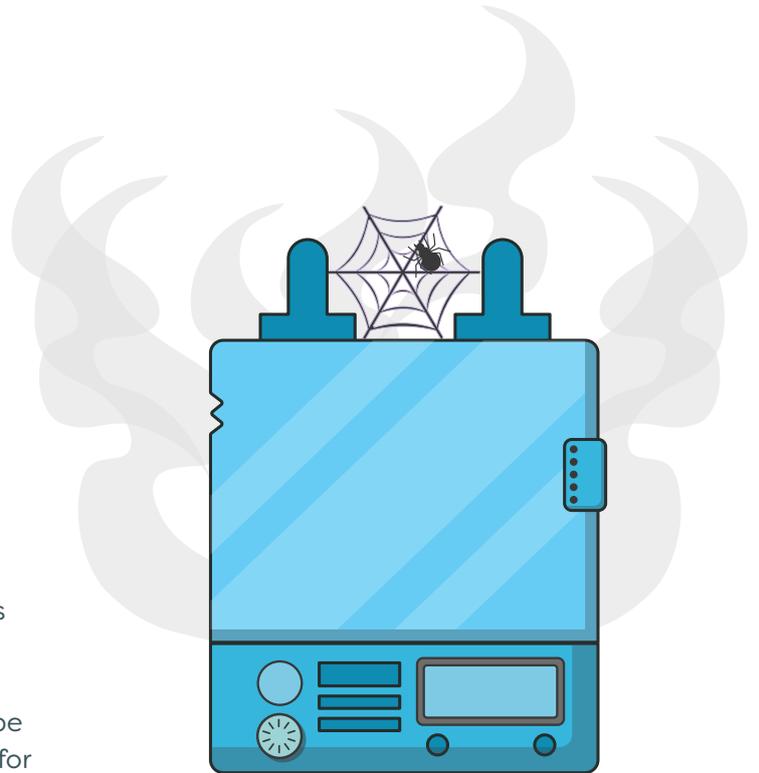
In this way, the landlord is responsible for these areas, while the tenant is responsible for everything else. This means that the landlord is, at the very least, responsible for:

- **Gas and electric boilers**
- **Water heaters**

If either of these fail then the property could become too cold, thus falling foul of the “excess cold” section of the HHSRS list. When the Bill becomes law this would put the Landlord in breach of this as well. The landlord would also be liable under the Landlord and Tenant Act 1985 for failing to keep to them in repair.

Additionally, something like a broken boiler could potentially lead to breaches of other sections of the HHSRS, such as explosions. This would result in further breaches of the Homes (Fitness for Human Habitation) Bill (though only one breach would be enough to see the landlord in trouble).

There are aspects of property maintenance that tenants are responsible for as well, which will be discussed further below, and these should be laid out clearly in the tenancy agreement to avoid any confusion or disputes arising.



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**“A broken boiler could potentially lead to breaches of other sections of the HHSRS, such as explosions”**

# What is the physical effect of excess heat and cold?

If a property is too cold, especially in winter, it can lead to a range of health problems, with children, the elderly and those already in a physically weak condition particularly at risk. While excess cold can be the cause of less serious ailments like colds and flu, it can quickly lead to more serious problems, like pneumonia, bronchitis and hypothermia, which can kill. A home can become too cold if central heating, water heating and space heating systems and appliances are broken.

Excess heat is particularly dangerous for the elderly, as it is a main cause of dehydration, breathing difficulties and, later on, strokes and heart attacks. A home can become too hot if it has ventilation issues, windows that don't easily open or a reliance on an air conditioning system which is broken.



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**“If a property is too cold, especially in winter, it can lead to a range of health problems”**

# How to prevent excess heat or cold issues

A healthy indoor temperature is usually defined as around 21 degrees celsius.

In addition to ensuring the installations specified in the Landlord and Tenant Act 1985 are all in working order, it is a legal requirement for landlords to carry out gas safety checks on an annual basis for the safety of the tenants in their properties. If they don't do this, they could be fined and prosecuted. While this is a general requirement because a faulty gas appliance could cause the tenant's death, on another but no less significant level it could also lead to a property which is too cold.



Although it could be argued that radiator maintenance comes under the Landlord and Tenant Act 1985, it is generally considered the tenant's responsibility to maintain radiators, bleeding them when necessary. Additionally, assuming all heating appliances and installations are working, it is the tenant's responsibility to keep the property at a stable, warm temperature which will prevent both health problems and the development of damp and mould. This also involves opening windows when required, not drying clothes indoors (if possible) and generally ensuring the property is well ventilated. If the tenant damages or breaks any of the appliances, it may be the landlord's responsibility to fix them, but the tenant will be required to pay costs out of their security deposit.



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**A healthy indoor temperature is usually defined as around 21 degrees celsius.**

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# 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](http://www.fixflo.com).

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