

Guidance: The non-domestic Private Rented Property minimum standard – Landlord guidance

Updated: Exemptions register pilot registration.

The Energy Efficiency (Private Rented Property)(England and Wales) Regulations 2015 mean that, from April 2018, private non-domestic (and domestic) landlords must ensure that properties they rent in England and Wales reach at least an Energy Performance Certificate (EPC) rating of E before granting a tenancy to new or existing tenants. These requirements will apply to all private rented non-domestic properties – including properties where there has been no change in the tenancy arrangements – from April 2023.

This guidance document is aimed at non-domestic landlords, Local Weights and Measures enforcement authorities and others with an interest in the non-domestic private rental sector, such as letting agents and other property management agencies. The document provides guidance and advice on:

- Scope of the regulations: the steps a landlord should take to determine whether their property is covered by the regulations, and the steps they should take to ensure their property complies with the minimum level of energy efficiency;
- Relevant improvements: how a landlord can identify appropriate energy efficiency improvements for their property;
- Cost effectiveness: how a landlord can calculate whether particular improvements would be cost effective to install;
- Exemptions and exclusions: the exemptions framework and the steps a landlord should take to register a valid exemption;
- Enforcement: the enforcement framework and the options open to enforcement authorities when policing compliance with the minimum standards, including information on fines and other penalty options;
- The appeals framework: landlord appeals will be heard by the First-tier Tribunal, part of the court system administered by Her Majesty's Courts and Tribunals Service; the guidance discusses the steps a landlord will need to take to lodge an appeal, and how that process will be run.

Where a landlord believes that an F or G EPC rated property they let qualifies for an exemption from the minimum energy efficiency standard, an exemption must be registered on the PRS Exemptions Register.

The Exemptions Register is currently being piloted and will be available on gov.uk by 1 October 2017. However landlords who wish to register an exemption for a non-domestic property as part of the pilot should e-mail the BEIS minimum standards team PRSregisteraccess@beis.gov.uk.

Any valid exemptions registered as part of the pilot will remain valid and will not need to be re-submitted at a later date.

Separate guidance to domestic private landlords on complying with their obligations under the minimum standard regulations will be published in due course.