

## Residential Accommodation: Landlords and Shared Premises

2.138 Landlords who provide residential accommodation, as the person in control of the premises or responsible for the water systems in their premises, have a legal duty to ensure that the risk of exposure of tenants to legionella is properly assessed and controlled. This duty extends to residents, guests, tenants and customers. They can carry out a risk assessment themselves if they are competent, or employ somebody who is.

2.139 Where a managing (or letting) agent is used, the management contract should clearly specify who has responsibility for maintenance and safety checks, including managing the risk from legionella. Where there is no contract or agreement in place or it does not specify who has responsibility, the duty is placed on whoever has control of the premises and the water system in it, and in most cases, this will be the landlord themselves.

2.140 All water systems require a risk assessment but not all systems require elaborate control measures. A simple risk assessment may show that there are no real risks from legionella, but if there are, implementing appropriate measures will prevent or control these risks. The law requires simple, proportionate and practical actions to be taken, including identifying and assessing sources of risk, managing the risk, preventing or controlling the risk; and periodically checking that any control measures are effective.

2.141 For most residential settings, the risk assessment may show the risks are low, in which case no further action may be necessary, e.g. housing units with small domestic-type water systems where water turnover is high. If the assessment shows the risks are insignificant and are being properly managed to comply with the law, no further action may be required, but it is important to review the assessment periodically in case anything changes in the system. However, the frequency of inspection and maintenance will depend on the system and the risks it presents.

2.142 Simple control measures can help manage the risk of exposure to legionella and should be maintained, such as:

- flushing out the system before letting the property
- avoiding debris getting into the system (e.g. ensure the cold water tanks, where fitted, have a tight-fitting lid)
- setting control parameters (e.g. setting the temperature of the calorifier to ensure water is stored at 60 °C)
- making sure any redundant pipework identified is removed
- advising tenants to regularly clean and disinfect showerheads.

## Letting or Management Agents Responsibility

### Compliance to ACoP L8 & Technical Guidance Document HSG274

- Include into your letting agreement / contract the requirement for your client to have a current Legionellosis risk assessment in place.
- Include into any or annual inspection of the property that the risk assessment is current and up to date.
- Ensure that your client has taken the appropriate action for any remedial works identified by the risk assessment.
- Ensure that the sitting tenant has been given a copy of the simple control measures for safe use of the water systems in the property
- Ensure that the water heater is fitted with an appropriate advice label.
- See - <http://www.hse.gov.uk/legionnaires/faqs.htm>