

# SMOKE AND CARBON MONOXIDE ALARMS

Legislation has been strengthened in recent years requiring landlords to ensure there are adequate working smoke and carbon monoxide alarms in privately rented properties and social housing.

Landlords are also required to respond 'as soon as is reasonably practicable' to a report of a non-working alarm and repair or replace immediately if it is faulty.

In summary, the regulations state that:

- At least one smoke alarm should be installed on each storey of a home that contains a room used as living accommodation.
- Ensure a carbon monoxide alarm is fitted in any room used as living accommodation which contains a fixed combustion appliance.
- Landlords failing to install and/or maintain alarms in appropriate rooms could face enforcement action by the Local Authority with potential fines of up to **£5,000 per offence**.



DASH Services offers landlord members a reliable signposting service to help navigate their way around an ever changing market place. Can we help you?



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## Smoke alarms

There are different types of alarms on the market and the regulations don't stipulate what is required. The choice is primarily between battery powered and mains hard-wired devices. You should select which option works best depending on their location and the needs of the tenant.



1.

Examples of kitemarked smoke alarms with mains powered on the left and a sealed lithium battery alarm on the right.

We do recommend that you look out for kitemarked alarms that comply with British Standards BS 5839-6 and if you choose a battery powered option, we recommend an alarm with a sealed longlife battery rather than those that require batteries to be changed at regular intervals.

Many longlife sealed battery alarms now have 10 year warranties so can offer peace of mind and safety for longer.

In general, smoke alarms should be fixed to the ceiling of every storey that has a habitable room and ideally should be placed in a circulation space such as a hall or landing.

## Carbon monoxide alarms

Carbon monoxide alarms are now required in **all** habitable rooms in rented accommodation.

Previously only rooms that contained a heat source such as your boiler, open fire, woodburning stove or warm air heater required an alarm but the law has now changed.

Landlords should now provide one for each other habitable room such as a bathroom, kitchen or hallway so that it can detect any escape of harmful carbon monoxide.



2.

A carbon monoxide mains powered alarm (left) and a sealed lithium battery CO alarm (right).

There are no exact specifications in the regulations as to where to position a CO alarm and you should refer to the manufacturer's instructions, however in general we recommend alarms are placed at head height on a wall or shelf. If installed in a room with a heat source it should be placed no further than three metres away from the source it is monitoring.

Look out for alarms that are compliant with British Standards BS 50291, and as with smoke alarms, we recommend a longlife sealed battery if you are choosing a battery powered option instead of a mains powered alarm.

## Alarm testing

Alarms should be tested at regular intervals according to the manufacturer's instructions. It is good practice to speak to your tenant about how and when to test their alarms.

Alarms are generally very straightforward to use and don't require any specialist skills or knowledge. It is a good idea to carry out a demonstration with the tenant on how, and how regularly, to test their alarms to make sure they are in good working order.



## Difficulties in gaining access

In the event of a tenant not allowing a landlord access to repair or replace an alarm, you should take all reasonable steps to comply with a remedial notice, short of having to go to court to gain access.

Writing to the tenant to arrange a convenient time is a recommended step along with a reminder that it is a legal requirement to have working alarms in the property.

Records of access attempts should be kept for inspection by the local authority who will require you to demonstrate that you have taken all reasonable steps to carry out the necessary work.

## Responsibilities

The landlord is responsible for repair, replacement of batteries or replacing faulty alarms 'as soon as is practicable' after it is reported.

Landlords are also responsible for ensuring that all alarms have been tested and are in working order on day one of a new tenancy. They should keep a record of when alarms have been tested in a property, so good liaison with the tenant on the best way to go about this is recommended.

The tenant is responsible for checking that alarms are in working order at intervals stipulated by the landlord and they should report issues as soon as possible.

## Penalties

The Local Housing Authority is responsible for enforcing the regulations.

Landlords found in breach will be served with a remedial notice. If this is not complied with, landlords can be fined up to £5,000 **per breach**, not per property.



## Further resources

DASH Services is a Private Rented Sector service for Local Authorities, Landlords & Tenants and is hosted by Derby City Council on behalf of a number of different Councils across England.

We will always try to ensure that all material on the site is as accurate and valid as we can make it. However, you should note that content is for general information only and we cannot guarantee that the information and advice given will always apply to a specific situation, or that the documents and forms provided will always be the most suitable for your particular situation.

The use you make of the information and services provided on site is your responsibility and we cannot accept liability for any problems resulting from your use of the DASH Services site.

## Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022

A summary of the regulations and responsibilities for landlords and tenants can be found on the Gov.uk site along with a helpful Q&A.

Find out more at [GOV.UK](https://www.gov.uk)

## Contact DASH Services

DASH Services  
Derby City Council  
The Council House  
Corporation Street  
Derby  
DE1 2FS



01332 641111

[dash@derby.gov.uk](mailto:dash@derby.gov.uk)

[dashservices.org.uk](https://dashservices.org.uk)

