

**Louth County Council**  
**Comhairle Contae Lú**

**Housing & Quality of Life**



**Guidance for Landlords on Private Rental Inspections**

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# Contents

- Introduction..... 3
- Technical Guidance ..... 3
  - Structural Condition ..... 4
  - Sanitary Facilities ..... 5
  - Heating Facilities ..... 6
  - Food Preparation and Storage and Laundry..... 7
  - Ventilation..... 8
  - Lighting ..... 9
  - Fire Safety ..... 10
  - Refuse..... 11
  - Gas, Oil and Electricity Installations ..... 11
  - Information ..... 12
- Definitions..... 13
- Useful Websites..... 15
- Appendix A: Safety Restrictors on Windows..... 16
- Appendix B: Carbon Monoxide Alarms ..... 17

## Introduction

*Housing for All – a New Housing Plan for Ireland*, which was published in September 2021, is the government’s housing plan to 2030. The long-term objective is that every citizen in the state should have access to good quality homes. Residential properties must provide safe, efficient, durable, comfortable and environmentally sustainable homes for those who live in them. They must also be solid, stable and secure investments for those who own them. Updating and improving standards and regulating their application to the sector are essential to ensuring the quality of accommodation.

It is acknowledged that the quality of rental accommodation is critical to the success and sustainability of the residential rental sector and to its attractiveness as a long-term accommodation option for households. Legislation has been introduced to promote improvements in the condition of rental accommodation. Regulations setting out minimum standards for rented accommodation were first set out in the Housing (Standards for Rented Houses) Regulations 1993. The Housing Acts 1966 to 2014 allocate responsibility to Housing Authorities for their enforcement, in their areas, of the regulations prescribing minimum standards for rented accommodation.

Arising out of the Strategy for the Private Rented Sector, a new consolidated regulations prescribing minimum standards for rented houses, the Housing (Standards for Rented Houses) Regulations 2017 (S.I. 17/2017) were published, with commencement on the 1<sup>st</sup> July 2017. Subsequently, an amendment to regulation 7, made to encourage long-term lettings (minimum of 10 years) was introduced in Housing (Standards for Rented Houses) Regulations 2019 (S.I. 137/2019). These regulations came into force on 1<sup>st</sup> of May 2019. It is the duty of landlords to ensure that their rented properties comply with the requirements of these regulations.

The Housing Acts 1966 to 2014 allocate responsibility to Housing Authorities for the enforcement, in their areas, of the regulations prescribing minimum standards for rented accommodation. In Louth County Council, the Private Rental Inspections (PRI) Section is tasked with carrying out inspections to determine if rented properties are in compliance with minimum standards. Following an inspection, the landlord will be made aware of any defects observed that constitute a contravention of the regulations; in some cases, the landlord may be required to provide confirmation or certification so that an assessment of compliance can be made. The purpose of this document is to set out what information may be requested from landlords and to provide guidance on the way in which confirmation can be achieved.

## Technical Guidance

The following sections set out the regulations that govern minimum standards in rental accommodation in Ireland. Each regulation addresses the requirements of a separate component of the property. The task of the local authorities is to ensure that these standards are being met in rental properties within their administrative area. In Louth County Council, this is done through using a combination of inspections and assessments. The Private Rental Inspection (PRI) Section includes a team of technicians who conduct property inspections across the county. The information obtained at these “visual” inspections provides the basis on which an assessment of compliance can be made. However, usually there will be some additional information required from the landlord – items that cannot be determined by visual inspection – before a final conclusion can be reached. The paragraphs below give a breakdown of what items are typically deduced through inspection and what additional information could be sought from the landlord.

## Structural Condition

### REGULATION 4

### STRUCTURAL CONDITION

(1) A house to which these Regulations apply (hereinafter referred to as “the house”) shall be maintained in a proper state of structural repair.

(2) For the purposes of Regulation 4(1) ‘a proper state of structural repair’ means sound, internally and externally, with roof, roofing tiles and slates, windows, floors, ceilings, walls, stairs, doors, skirting boards, fascia, tiles on any floor, ceiling and wall, gutters, down pipes, fittings, furnishings, gardens and common areas maintained in good condition and repair and not defective due to dampness or otherwise.

(3) Where a window has an opening section through which a person may fall, and the bottom of the opening section is more than 1400mm above external ground level, suitable safety restrictors shall be fitted. Safety restrictors shall restrain the window sufficiently to prevent such falls.

(4) Where necessary, adequate provision shall be made to prevent harbourage or ingress of pests or vermin.

#### **Private Rental Inspection:**

*External* - a visual inspection is performed to assess the structural integrity of the property. Doors, windows, walls and roof (including tiles, chimney, gutters, fascias and soffits etc) are inspected. An assessment on the ingress of water (based on visual inspection for gaps in flashing, condition of walls, doors and windows etc) is made. Gardens/common areas and any outhouses are also inspected.

*Internal* – All windows, doors, floors, stairs, ceilings and walls, tiles, furnishings and fittings are inspected. An assessment on the presence of damp based on visual inspection (condensation or mould) or with the use of a moisture-meter is made. An assessment on the ventilation of bathrooms, integrity of shower trays etc is also made.

#### **Landlord Requirements:**

In order to allow us to determine the structural condition of a property we may need the landlord to provide any or all of the following:

- Structural Condition Report from a Structural Engineer or similar competent professional
- Damp Report from a competent professional
- Report from a registered, competent, Pest Control Operative
- Confirmation that approved safety restrictors are fitted in accordance with Technical Guidance Documents Part B – Fire Safety

For further information on the approved types of safety restrictors for windows, please see appendix A.

## Sanitary Facilities

### REGULATION 5

### SANITARY FACILITIES

(1) There shall be provided within the same habitable area of the house, for the exclusive use of the house:

- (a) A water closet, with dedicated wash hand basin adjacent thereto with a continuous supply of cold water and a facility for the piped supply of hot water, and
- (b) A fixed bath or shower with continuous supply of cold water and a facility for the piped supply of hot water.

(2) The requirements of Regulation 5 (1) shall:

- (i) be maintained in a safe condition and good working order,
- (ii) have safe and effective means of drainage,
- (iii) be properly insulated,
- (iv) have minimum capacity requirements for hot and cold water storage facilities, and
- (v) be provided in a room separated from other rooms by a wall and a door and containing separate ventilation.

#### **Private Rental Inspection:**

A visual inspection will assess the standard and condition of the sanitary facilities in the property. All facilities, drains, ventilation appliances, fixtures and fittings will be inspected.

#### **Landlord Requirements:**

In order to allow us to determine if the sanitary facilities meet the minimum standard, we may need the landlord to provide any or all of the following:

- Confirmation that adequate hot and cold water storage facilities are provided (volume of storage tanks to be submitted)
- Confirmation from a plumbing contractor that all drainage systems are in working order
- Confirmation that the mechanical ventilation systems in the Sanitary Facilities are in full working order, provide an adequate level of ventilation and feature a 15 minute over-run

## Heating Facilities

### REGULATION 6

### HEATING FACILITIES

(1) Every room used, or intended for use, by the tenant of the house as a habitable room, and any bathroom, or shower-room shall contain a permanently fixed:

(a) heat emitter, (b) heat distribution system, or (c) heat producing appliance,

capable of providing effective heating.

(2) Every room referred to in Regulation 6(1) shall contain suitable and adequate facilities for the safe and effective removal of fumes and other products of combustion to the external air where a heat producing appliance is used.

(3) A heat producing appliance referred to in Regulation 6(1)(c) shall be so installed that there is an adequate supply of air to it for combustion, to prevent overheating and for the efficient working of any flue pipe or chimney serving the appliance.

(4) The operation of any:

(a) heat emitter, (b) heat distribution system, or (c) heat producing appliance

as referred to in Regulation 6(1) shall be capable of being independently manageable by the tenant.

(5) All appliances under Regulation 6(1) shall be maintained in a safe condition and in good working order and good repair.

(6) Each house shall contain, where necessary, suitably located devices for the detection and alarm of carbon monoxide.

#### **Private Rental Inspection:**

The visual inspection will verify all habitable rooms and bathrooms have permanently fixed heating appliances, that can be independently managed by the tenant and that are maintained in good condition and repair. An assessment of the size and heating capacity of the heating appliances will be made.

#### **Landlord Requirements:**

In order to allow us to determine if the heating facilities meet the minimum standard, we may need the landlord to provide any or all of the following:

- Confirmation that the heating facilities are in full working order
- Confirmation that the heating appliances are correctly sized (BTU output of appliance and dimensions of room to be submitted)
- Confirmation that suitable and adequate provision has been made for the supply of air for combustion and the safe and effective removal of fumes to the external air
- Confirmation that devices for the detection and alarm of Carbon Monoxide are in date, in working order and fitted in accordance with Technical Guidance Documents J – Heat Producing Appliances

For further information on the requirements of Carbon Monoxide alarms, see appendix B.

## Food Preparation and Storage and Laundry

### REGULATION 7

### FOOD PREPARATION AND STORAGE AND LAUNDRY

(1) Notwithstanding paragraph (4), paragraphs (2) and (3) shall not apply where the house is let or available for letting –

- (i) by a housing authority under the Housing Acts 1966 to 2014,
- (ii) by a housing body approved under Section 6 of the Housing (Miscellaneous Provisions) Act 1992, or
- (iii) for a minimum lease period of 10 years under a tenancy agreement.

(2) Subject to paragraph (1), there shall be provided, within the same habitable area of the house, for the exclusive use of the house:

- (a) 4 ring hob with oven and grill,
- (b) Suitable facilities for the effective and safe removal of fumes to the external air by means of a cooker hood or extractor fan,
- (c) Fridge and freezer or fridge-freezer,
- (d) Microwave oven,
- (e) Sink, with a piped supply of potable cold water taken direct from the service pipe supplying water from the public main or other source to the building containing the house and a facility for the piped supply of hot water, and an adequate draining area,
- (f) Suitable and adequate number of kitchen presses for food storage purposes,
- (g) Washing machine, or access to a communal washing machine facility within the curtilage of the building, and
- (h) Where the house does not contain a garden or yard for the exclusive use of that house, a dryer (vented or recirculation type) or access to a communal dryer facility.

(3) All facilities under Regulation 7(2) shall be maintained in a safe condition and in good working order and good repair.

(4) Responsibility for maintenance of facilities under Regulation 7(2) shall rest with the landlord.

(5) Where a house is let or available for letting:

- (a) by a housing authority under the Housing Acts 1966 to 2014,
- (b) by a housing body approved under Section 6 of the Housing (Miscellaneous Provisions) Act 1992, or
- (c) for a minimum lease period of 10 years under a tenancy agreement, there shall be provided, within the same habitable area of the house, for the exclusive use of the house:
  - (i) facilities for the installation of cooking equipment,
  - (ii) Sink, with a piped supply of potable cold water taken directly from the service pipe supplying water from the public main or other source to the building containing the house and a facility for the piped supply of hot water, and an adequate draining area,
  - (iii) Suitable facilities for the effective and safe removal of fumes to the external air by means of a cooker hood or extractor fan, and
  - (iv) Suitable and adequate number of kitchen presses for food storage purposes.

**Private Rental Inspections:**

The inspection comprises a visual assessment of the food preparation areas, storage fittings and laundry facilities. The inspection will establish that the required minimum standard of appliances, fixtures and fittings are provided in good condition and repair.

**Landlord Requirements:**

In order to allow us to determine if the sanitary facilities meet the minimum standard, we may need the landlord to provide any or all of the following:

- Confirmation that all appliances are in full working order
- Confirmation that the cooker hood or extractor is in working order and vents externally
- Confirmation that the cold water at the sink is supplied direct from the rising main

**Ventilation****REGULATION 8****VENTILATION**

(1) Every room used, or intended for use, by the tenant of the house as a habitable room shall have adequate ventilation.

(2) All means of ventilation shall be maintained in good repair and working order.

(3) Adequate ventilation shall be provided for the removal of water vapour from every kitchen and bathroom.

**Private Rental Inspection:**

The inspection comprises a visual assessment of the ventilation in the habitable rooms. It will establish that there is an openable window and a vent in every habitable room. An assessment will be made on the size of the openable sections of the windows.

**Landlord Requirements:**

In order to allow us to determine if the ventilation meet the minimum standard, we may need the landlord to provide any or all of the following:

- Confirmation that the openable sections of all windows are adequately sized (dimensions of openable section of window and the room may need to be submitted)
- Confirmation that all mechanical ventilation systems are in full working order and feature a 15 minute over-run
- Confirmation that all wall vents and window vents are unobstructed

## Lighting

### REGULATION 9

### LIGHTING

- (1) Every room used, or intended for use, by the tenant of the house as a habitable room, shall have adequate natural lighting.
- (2) Every hall, stairs and landing within the house, and every room used, or intended for use, by the tenant of the house shall have a suitable and adequate means of artificial lighting.
- (3) The windows of every room containing a bath or shower and a water closet shall be suitably and adequately screened to ensure privacy.

#### **Private Rental Inspection:**

The inspection will assess if there is adequate natural and artificial lighting in the property. It will also check that windows of rooms containing a bath and/or shower and water closet are adequately screened to give privacy.

#### **Landlord Requirements:**

N/A

## Fire Safety

### REGULATION 10 FIRE SAFETY

- (1) Each house shall contain a suitable, self-contained fire detection and alarm system.
- (2) Each house shall contain a suitably located fire blanket.
- (3) Each self-contained house in a multi-unit building shall contain a suitable fire detection and alarm system and an emergency evacuation plan.
- (4) A suitable fire detection and alarm system shall be provided in common areas within a multi-unit building.
- (5) Emergency lighting shall be provided in all common areas within a multi-unit building.
- (6) Fire detection and alarm systems and emergency lighting systems required under Regulation 10(4) and 10(5) shall be maintained in accordance with current standards.
- (7) In this Regulation: “current standards” means standards produced by the National Standards Authority of Ireland for Fire Detection and Fire Alarm Systems in Buildings and for Emergency Lighting; “multi-unit building” means a building that contains 2 or more houses that share a common access.

#### **Private Rental Inspection:**

The inspection comprises a visual assessment of the fire safety in the property. The provision of fire blanket complying with the appropriate standard, mounted in the kitchen will be checked. In a multi-unit dwelling, the provision of an adequate evacuation plan on display will be checked.

#### **Landlord Requirements:**

In order to allow us to determine if the fire safety facilities meet the minimum standard, we may need the landlord to provide any or all of the following:

- Confirmation that smoke alarms are in date, carry the CE mark, comply with IS EN 14604:2005 and are in full working order (Single House)
- Copy of the Emergency Lighting System Certificate (IS 3217) to show that the emergency lighting is in accordance with current standards (Multi-Unit Building)
- Copy of the Fire Detection and Alarm System Certificate (IS 3218) to show that the required fire detection and alarm system is in accordance with current standards (Multi-Unit Building)

## Refuse

### REGULATION 11

#### **REFUSE**

The house shall have access to suitable and adequate pest and vermin-proof refuse storage facilities.

#### **Private Rental Inspection:**

The visual inspection will try to determine if there are suitable and adequate facilities in place.

#### **Landlord Requirements:**

In order to allow us to determine if the sanitary facilities meet the minimum standard, we may need the landlord to provide any or all of the following:

- Confirmation that suitable and adequate refuse storage facilities are provided

## Gas, Oil and Electricity Installations

### REGULATION 12

#### **GAS, OIL, and ELECTRICITY INSTALLATIONS**

Installations for the supply of gas, oil and electricity including pipework, storage facilities and electrical distribution boxes shall be maintained in good repair and safe working order.

#### **Private Rental Inspection:**

The inspection comprises a visual assessment of the gas, oil and electricity installations.

#### **Landlord Requirements:**

In order to allow us to determine if the gas, oil and electricity installations meet the minimum standard, we may need the landlord to provide any or all of the following:

- Current (12 months) Declaration of conformance certificate for an IS 813:20149 Annex E Safety Check inspection by a Registered Gas installer
- Current (5 years) Periodic Inspection Report by an electrical contractor registered with Safe Electric stating that “no remedial work is required”.
- Current Oil Installation Report by a suitably competent person that states that the oil installation in the house is safe and in proper working order

## Information

REGULATION 13

### INFORMATION

Sufficient information shall be provided to the tenant about the rented property

#### **Private Rental Inspection:**

N/A

#### **Landlord Requirements:**

The landlord shall confirm that they have provided the tenant with the following documentation detailing the following information:

##### **1. Services**

- Location of all fixed services control points in the property:
- Mains water stop valve.
- Electrical distribution board.
- Gas and Oil shut-off / isolation valves.

##### **2. Instruction Manuals**

- Instruction manuals or an electronic link to instruction manuals for all appliances that are provided in the house as part of the tenancy, including:
- Electrical appliances.
- Alarm system & code.
- Operation of heating system
- Fire detection and alarm system (where necessary).

##### **3. Contact Numbers**

- Emergency contact numbers for landlord and / or letting agent.
- Residential Tenancies Board contact details
- Housing Authority contact details

## Definitions

<u>Common Areas:</u>	Common areas, such as access stairs, landings and corridors serving more than one dwelling, works and services, such as laundry, parking or refuse storage facilities that pertain to houses and available for use by the tenants and that are in the ownership or under the control of the landlord.
<u>Circulation Space:</u>	A space (including a stairway) mainly used as a means of access between a room and an exit from the building.
<u>Emergency Lighting:</u>	Lighting provided for use when the power supply to normal lighting fails.
<u>Fridge-Freezer:</u>	An upright unit comprising of a separate refrigerator and freezer.
<u>Habitable Room:</u>	Room used for living or sleeping purposes but does not include a kitchen having a floor area of less than 6.5 square metres, a bathroom, toilet or shower-room.
<u>Heat Detector:</u>	An automatic fire detector which responds to an increase in temperature.
<u>House:</u>	Any building or part of a building used or suitable for use as a dwelling and any out office (shed), yard, garden or other land belonging to the building and usually used by the occupants.
<u>Inner Room:</u>	A room from which escape is possible only by passing through an access room.
<u>Landlord:</u>	The person for the time being entitled to receive (otherwise than as agent for another person) the rent paid in respect of a house by the tenant thereof.
<u>Multi-Unit Building:</u>	A building containing 2 or more dwellings and using a common entrance.
<u>Passive-Stack Ventilation:</u>	A ventilation system using ducts from high level locations within rooms to terminals on or above the roof which provides a flow of air as a results of the natural stack effect, i.e. the movement of air due to the difference in temperature between inside and outside, and the effect of wind passing over the roof of the dwelling.
<u>Smoke Alarm:</u>	A smoke alarm is a stand-alone device with built in power supply (typically battery or mains electric with battery backup), a smoke detector, and alarm sounder.

<u>Smoke Detector:</u>	An automatic fire detector sensitive to particulate products of combustion and /or pyrolysis suspended in the atmosphere (aerosols).
<u>Sounder:</u>	An electrical, electronic or mechanical device which generates an audible output.
<u>Tenancy:</u>	The person for the time being entitled to the occupation of a house under a tenancy.
<u>Tenant:</u>	The person for the time being entitled to the occupation of a house under a tenancy.

## Useful Websites

Louth County Council:

[www.louthcoco.ie](http://www.louthcoco.ie)

Residential Tenancies Board (RTB):

[www.rtb.ie](http://www.rtb.ie)

Sustainable Energy Authority of Ireland (SEAI):

[www.seai.ie](http://www.seai.ie)

Registered Gas Installers of Ireland (RGII):

[www.rgii.ie](http://www.rgii.ie)

Gas Networks Ireland:

[www.gasnetworks.ie](http://www.gasnetworks.ie)

Carbon Monoxide:

[www.carbonmonoxide.ie](http://www.carbonmonoxide.ie)

National Standards Authority of Ireland (NSAI):

[www.nsai.ie](http://www.nsai.ie)

Safe Electric:

[www.safeelectric.ie](http://www.safeelectric.ie)

Housing Agency:

[www.housingagency.ie](http://www.housingagency.ie)

## Appendix A: Safety Restrictors on Windows

All windows that have an opening section through which a person may fall and the bottom of the opening section is more than 1400mm above external ground level, require suitable safety restrictors. They shall be fitted as per the manufacturer's instructions, be in good working order and are required whether or not children reside in the dwelling.

Safety restrictors should operate so that they limit the initial movement of an opening section to not more than 100mm. Lockable restrictors, which can only be released by removable keys or other tools, should not be fitted to window opening sections required for escape or rescue purposes (typically windows in bedrooms and inner rooms in dwelling houses – see Technical Guidance Document B – Fire Safety<sup>1</sup> for further information).

Safety restrictors should operate so that they:

- Limit the initial movement of an opening section so that a clear opening of not more than 100mm is achieved at any point;
- Are releasable only by manipulation not normally possible by a child under 5 years;
- Are readily identifiable and capable of being released by an adult (without prior instruction) on windows suitable as a means of escape in the case of fire;
- Re-engage automatically when an opening section is returned to the initial restricted opening position, or to a closed position (whether latched or not);
- Are not lockable by a removable key or other device on windows suitable as a means of escape or rescue in the case of fire.

Safety restrictors should be designed specifically to operate on the types of window on which they are to be installed.

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<sup>1</sup> <https://www.gov.ie/en/publication/263ee-technical-guidance-document-b-fire-safety/>

## Appendix B: Carbon Monoxide Alarms

Carbon Monoxide (chemical symbol "CO") is an odourless, tasteless, colourless gas, which is toxic to humans in quite low concentrations. Carbon Monoxide poisoning can cause illness, loss of consciousness and even death. Not to be confused with its much less harmful relative, Carbon Dioxide (CO<sub>2</sub>), carbon monoxide can be produced in pretty much any combustion process that burns a carbon-based substance (or "fossil fuel") - including natural gas, LPG, oil, petrol, wood, charcoal. To avoid a build-up of carbon monoxide, heat producing appliances should be correctly installed and regularly serviced to ensure proper combustion and adequate ventilation should be provided to ensure the removal of the products of combustion.

In addition to prevention, a supplementary safeguard against the dangers posed by Carbon Monoxide are alarms which can detect its presence. Carbon Monoxide alarms should be provided in accordance with Technical Guidance Document J<sup>2</sup>. Where a chimney is being used with any heat producing appliance and the flue passes within or over a habitable room, (whether encased or not), then a CO alarm should be fitted in the room. Where an open-flued or flueless combustion appliance, not designed solely for cooking purposes, is installed in a dwelling, a carbon monoxide (CO) alarm should be provided:

- (a) in the room where the appliance is located, and
- (b) either inside each bedroom or, within 5 m (16 ft.) of the bedroom door, measured along the path of the corridor.

The carbon monoxide alarm in a room containing an open-flued or flueless combustion appliance should be located

- (a) either on the ceiling at least 300 mm from any wall or, if it is located on a wall, as high up as possible (above any doors and windows) but not within 150 mm of the ceiling; and
- (b) between 1000 mm and 3000 mm horizontally from the appliance; or
- (c) in accordance with the manufacturer's instruction.

Alarms located in bedrooms should be located relatively close to the breathing zone of the occupants. Where a single room serves as living accommodation then the alarm should be positioned as far from the cooking appliances as possible but near to where the person sleeps.

Carbon monoxide alarms should:

- (a) be audible
- (b) carry the CE mark and comply with the European Standard EN 50291
- (c) have an 'end-of-life' indicator to tell you when it needs to be replaced
- (d) carry a mark of independent certification such as a Kitemark

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<sup>2</sup> <https://www.gov.ie/en/publication/25ed9-technical-guidance-document-j-heat-producing-appliances/>