

Consumer and Trading Standards

# Energy Performance Certificates

The Energy Performance of Buildings (Scotland) Regulations 2008

## Guidance note for landlords and letting agents



Community and  
Enterprise Resources

## Background

From 4 January 2009 owners of buildings have a legal obligation to supply a copy of a valid Energy Performance Certificate when that building is to be sold or let.

The purpose of the Energy Performance Certificate (EPC) is to give owners better information about how energy efficient their building is and includes simple cost-effective home improvement measures that will help save energy, reduce bills and reduce carbon dioxide emissions. It also assists prospective tenants or purchasers make an informed choice on whether to buy or lease the property.

## Requirements

The requirements for provision of EPC's relate to new tenancies entered into from 4 January 2009. If you have existing tenancies which commenced prior to 4 January 2009 you are not required to provide an EPC until a new tenancy agreement is entered into.

A copy of the certificate must be affixed to the property (usually in the meter cupboard adjacent to the gas and electricity meters).

## At what point must an EPC be supplied?

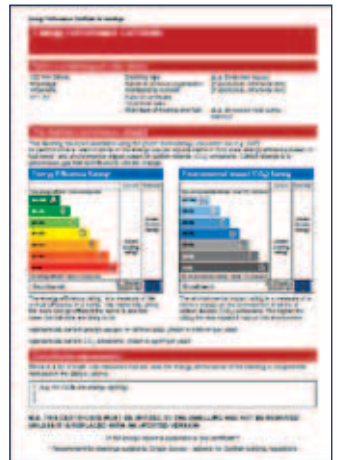
The EPC has to be provided, free of charge, either when or before;

- any information about the building is requested by prospective tenants for the purpose of deciding whether to lease the building or a viewing is conducted
- when a request is made to view the building or
- when an offer is made to buy or lease the building

This extends to private landlords and agents acting on behalf of owners.

## What information does the EPC include?

EPCs for dwellings rate the energy performance of buildings on a scale of 'A' to 'G' - This is given in a way similar to that used to provide energy information on white goods such as fridges and washing machines but does not include efficiency ratings of appliances within the building. Recommendations to improve efficiency are also indicated.



## Is there a legal responsibility to carry out these recommendations?

No, there is no legal responsibility to carry out these recommendations but they show the potential annual savings that can be made by implementing these measures.

## **Are there additional incentives for Landlords to invest in energy efficiency?**

Yes, grants are currently being provided by the Energy Savings Trust to carry out improvements and improve efficiency. Details of grants and offers can be found on the Energy Savings Trusts website:

<http://www.energysavingtrust.org.uk/Easy-ways-to-stop-wasting-energy/Energy-saving-grants-and-offers>

## **Who can produce EPC's?**

EPCs may only be produced by authorised Domestic Energy Assessors (DEAs) who have been able to demonstrate appropriate qualifications or competence. Details of accredited Assessors can be found on the Scottish Government - Building Standards Division website:

<http://www.scotland.gov.uk/Topics/Built-Environment/Building/Building-standards/profinfo/epcintro/epcguidadvice>

## **How long is an EPC valid for?**

An EPC is valid for a period of 10 years. You are not required to commission a fresh EPC for each new tenancy, however should you carry out major improvement works to your property you may wish to update your EPC to ensure it is as accurate as possible.

## **How much do they cost?**

Initially costs were expected to be in the region of £100 - £150, however as prices have fallen and costs will vary depending on the size of the property, it is recommended that you contact a number of organisations in order to get the most competitive price. If you have more than one property which requires an EPC, some assessors may offer a discount.

## **What if I don't have or haven't supplied an EPC?**

As the provision for EPC's is a legal requirement failure to produce a valid certificate within nine days of a request by a prospective tenant (seven days if requested by Trading Standards) can lead to enforcement action by the Council. In these instances a penalty charge notice of £500 can be issued.

Instances of non-compliance may lead to subsequent formal action and may have an impact upon the 'fit and proper person test' applied by the Council under the landlord registration process.

## **Please note**

Advice is given gratuitously and without liability on the part of South Lanarkshire Council or any of its officers. Advice is based on the information supplied by you and on this Department's interpretation of the law. It is subject to review in light of new legislation or new interpretation of the law by the Courts.

## Where can I get further help?

For advice, information or assistance contact:

### **Consumer and Trading Standards**

Montrose House  
154 Montrose Crescent  
Hamilton  
ML3 6LB

Phone: 08457 406080

Email: [business.enquiries@southlanarkshire.gov.uk](mailto:business.enquiries@southlanarkshire.gov.uk)

We are open from 8.45am to 4.45pm Monday to Thursday  
and 8.45am to 4.15pm on a Friday.

### **Landlord Registration Team**

Phone: 0141 584 2537, 0141 584 2536, 0141 584 2535 or 0141 584 2534

Email: [landlordregistrationteam@southlanarkshire.gov.uk](mailto:landlordregistrationteam@southlanarkshire.gov.uk)

Additional information on EPC's is available from the Scottish  
Government - Building Standards Division website:

[http://www.scotland.gov.uk/Topics/Built-Environment/Housing/  
BuyingSelling/Home-Report/epcs](http://www.scotland.gov.uk/Topics/Built-Environment/Housing/BuyingSelling/Home-Report/epcs)



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