

Halesowen Landlord prosecuted for breach of the Gas Safety Regulations 1998 at the end of March 2009

As a Halesowen Landlord is prosecuted for failing to maintain a safe gas system, resulting in two of his tenants suffering from carbon monoxide poisoning; MyClaim reminds landlords of their responsibilities towards their tenants, and urges tenants to ensure that their landlords are meeting these responsibilities.

The landlord was fined £1,200 and ordered to pay £1,748 in costs by the West Bromwich Magistrates' for breaching regulation 36(2) of the Gas Safety (Installation and Use) Regulations 1998.

The Court heard that despite the fact the landlord was aware in early March 2008, that there were black soot marks above one of the gas fires, and that numerous endeavors had been made by the Health and Safety Executive (HSE) to contact him; there was no attempt made by him to rectify matters, to service appliances, or issue a legally-required Landlord Gas Safety Certificate.

Pam Folsom, one of the HSE investigating inspectors commented:

"Carbon monoxide is a killer. You can't see it, taste it or smell it. On average 20 people are killed every year because of faulty gas appliances, if gas appliances are not maintained people die..."

Clearly a poorly maintained gas appliance is just one example of housing disrepair, and MyClaim therefore urges tenants to take heed of the condition of their rented property.

MyClaim advises that the Defective Premises Act 1972 places a duty on landlords to take such care as is reasonable in the circumstances to see that all persons who might reasonably be expected to be affected by defects in the state of the premises are reasonably safe from personal injury.

Importantly therefore if the tenant believes that any part of the premises needs repair or is dangerous, they should notify their landlord, so they can take action to remedy the defect.

Myclaim urges tenants to check their tenancy agreement carefully to ensure that they are familiar with both their landlord's and their own obligations with regard to the maintenance and repair of the property.

If you are unfortunate enough to be or have been involved in an accident as a result of disrepair to your or another's rented property, then MyClaim can help. MyClaim can offer a "No Win No Fee" basis of funding and guarantees that you will receive 100% of your compensation. MyClaim's solicitors have years of experience in bringing claims against landlords for disrepair, and will ensure that your claim is given the best chance of success.