

# Case 357 - Consultants and Letting Agents misinterpreting the risks of exposure to legionella of their tenants

## Issue

Consultants and letting agents are i) using the revised L8 ACOP to infer there is new legislation regarding landlords responsibilities and ii) misrepresenting what the law requires of landlords of domestic rented properties in relation to assessing and controlling the risks of exposure to Legionella bacteria of their tenants, for financial gain.

## Panel opinion

Health and Safety law does not require landlords to produce a 'Legionnaires testing certificate'. Legionella testing is required only in exceptional circumstances and generally not in domestic hot and cold water systems. Such letting agents and consultants are scaremongering landlords, for financial gain, by misinterpreting and exaggerating the legal requirements to manage and control legionella in domestic premises.

HSE has published guidance for landlords, free to download from HSE's website:

<http://www.hse.gov.uk/legionnaires/faqs.htm><sup>[1]</sup> - As a landlord, what are my duties?

<http://www.hse.gov.uk/pubns/priced/hsg274part2.pdf><sup>[2]</sup> - Paragraphs 2.138-2.146

## Link URLs in this page

1. <http://www.hse.gov.uk/legionnaires/faqs.htm>
2. <http://www.hse.gov.uk/pubns/priced/hsg274part2.pdf>