

Furniture and furnishings supplied in let accommodation must comply with 'The Furniture & Furnishings (Fire) (Safety) Regulations 1988 (as amended)'

Some materials used to fill or cover furniture may be a fire risk, highly flammable and may produce poisonous gases on burning e.g. cyanide or carbon monoxide. The regulations are set to phase out potentially dangerous furniture and furnishings and ensure that those left or newly provided can pass tests for fire safety.

The Regulations apply to furniture provided in rented accommodation i.e. accommodation let in the course of a business. They therefore affect landlords (including estate agents and letting agents) who let such accommodation.

Responsibilities of agents and landlords

The responsibility imposed by the Regulations may apply to the landlord or the agent depending on the capacity in which the agent acts for the landlord. In general:

- Where the contract for the letting of the property, including the furniture, is between the owner and the tenant, the landlord is responsible for complying with the Regulations
- Where the agent, acting in the course of their business, enters into a contract with the tenant to let furnished property on behalf of the landlord then the agent would have assumed responsibility for complying with the Regulations.

Application of the Regulations

The Regulations require that:

- Furniture and furnishings in accommodation let for the first time since 1st March 1993 must comply with the Regulations;
- Any new, replacement or additional furniture (including second-hand furniture) provided for an existing letting since 1st March 1993 must comply with the Regulations;
- Where a new tenancy was created on or after 1st March 1993, all furniture and furnishings must comply with the Regulations.

The only exemption for furniture manufactured after 1st January 1950 applies in very specific circumstances relating to provision of furniture before 1st March 1993. If you think this exemption may apply, please contact us for further advice.

Identifying furniture

As guidance, the following accepted principles may apply:

- The Regulations were progressively introduced since November 1988 and all domestic furniture made since March 1990 should be fit for use in let accommodation;
- The best way to assess compliance may be by looking for a permanent manufacturer's label stating that the item complies with the Regulations together with the warning

'CARELESSNESS CAUSES FIRE'.

Please note:

This guide is not an authoritative interpretation of the Regulations. You should refer to the Regulations themselves for a full statement of the requirements.

Furniture and Furnishings affected:

Some products covered by the Regulations:

- furniture intended for use in a dwelling (e.g. armchairs, sofas, padded seats);
- beds, headboards and mattresses (of any size);
- sofa-beds, futons and other convertibles;
- nursery furniture;
- pillows, scatter cushions, seat pads, bean-bags;
- garden furniture suitable for use in a dwelling; loose and stretch covers for furniture.

The Regulations do **not** apply to:

- Sleeping bags;
- Bed-clothes (including duvets and pillowcases);
- Loose covers for mattresses;
- Curtains or carpets;
- Furniture manufactured before 1st January 1950;
- Any furniture the tenant owns and brought to the letting.