

LANDLORD COMPLIANCE CHECKLIST

Commercial property compliance obligations — the essentials

Who is this for?

Commercial property landlords of any size — from a single shop to a multi-asset portfolio. This checklist covers the core compliance obligations you must stay on top of. It is a starting point, not legal advice.

Why compliance matters

Commercial property compliance failures can be expensive, embarrassing, and in extreme cases, criminal. Fines for serious health and safety breaches are unlimited. EPC non-compliance can prevent you from letting a property at all. And a compliance failure that contributes to harm can result in personal prosecution of directors.

The good news: getting this right is mostly about systems, not complexity. Build a compliance register, diarise renewals, audit annually, and you'll avoid 95% of problems.

1. Energy Performance Certificate (EPC)

- Required whenever a property is constructed, sold, or let
- Must be rated E or above to let (MEES Regulations)
- From April 2027, rating B is proposed as the new minimum (subject to consultation)
- Valid for 10 years
- Must be displayed on marketing materials and provided to prospective tenants
- Penalties for non-compliance: £750 to £150,000 depending on rateable value

2. Fire Safety

- Regulatory Reform (Fire Safety) Order 2005 applies in England & Wales
- Fire (Scotland) Act 2005 in Scotland
- Written fire risk assessment required (if 5+ employees; recommended for all)
- Review annually or when circumstances change
- Maintain all fire safety equipment and keep records
- Enforced by local Fire and Rescue Service
- Penalties: unlimited fines and up to 2 years imprisonment

3. Asbestos

- Control of Asbestos Regulations 2012
- Duty to manage applies to all non-domestic buildings
- Survey required for properties built before 2000
- Asbestos register must be maintained and made available to anyone carrying out works
- Management plan must be in place for any asbestos present
- Review annually

4. Electrical Safety

- Electrical Installation Condition Report (EICR) every 5 years
- Carried out by a competent person (NICEIC, ECA or equivalent)
- All remedial works must be completed and signed off
- PAT testing for portable appliances — annual recommended
- Records must be kept and available for inspection

5. Gas Safety

- Gas Safety (Installation and Use) Regulations 1998
- Annual inspection of all gas appliances and installations by a Gas Safe engineer
- Landlord Gas Safety Record (CP12) must be retained
- Tenants must be provided with a copy
- Applies to commercial properties where the landlord supplies gas appliances

6. Legionella

- Health and Safety at Work Act 1974 and COSHH Regulations
- Risk assessment required for water systems
- Review every 2 years or when circumstances change
- Temperature monitoring and tank cleaning for at-risk systems
- Management plan in place with competent person

7. Water Hygiene

- Water Supply (Water Fittings) Regulations 1999
- Regular inspection and maintenance of water systems
- Annual flushing of infrequently used outlets
- Records maintained

8. Buildings Insurance

- Usually a lease requirement for landlord to maintain
- Commonly recharged to tenants via insurance rent
- Must cover full reinstatement value (not market value)
- Reviewed annually
- Policy details must be provided to tenants on request

9. Planning & Use

- Ensure property's planning use class matches actual use
- Check conditions on any planning permission
- Listed building consents, if applicable
- Advertising consent for signage
- Change of use permissions required for class changes

10. Business Rates

- Landlord is liable for rates during vacant periods
- Empty rates relief available for 3 months (or 6 for industrial)

- Keep VOA records up to date
- Challenge valuations that appear incorrect

11. Tax & VAT

- Option to tax — charge VAT on rent (reclaim input VAT)
- Non-resident landlord scheme if based outside UK
- Stamp Duty Land Tax on lease grants over £150k NPV (England & NI)
- LBTT in Scotland, LTT in Wales
- Capital Gains Tax on disposal

12. Data Protection

- UK GDPR and Data Protection Act 2018
- Privacy notice required for tenant data
- Records kept only as long as necessary
- Breach notification within 72 hours

Annual compliance cycle

The most effective approach is to run a single annual compliance review. Set a recurring diary date each year and work through this checklist systematically. Here's a suggested schedule:

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| January | Insurance review, VAT returns |
| February | Fire risk assessment review |
| March | EPC register check (properties expiring soon) |
| April | Gas safety renewals |
| May | Electrical / PAT testing reviews |
| June | Asbestos register review |
| July | Mid-year compliance audit |
| August | Legionella assessment review |
| September | Budget for next year compliance costs |
| October | Health and safety policy review |
| November | Planning and use audit |
| December | Full annual compliance review |

Need help?

Managing compliance across a portfolio is exactly what we do every day. If you'd like a free portfolio audit to identify any gaps, or ongoing compliance tracking as part of our management service, get in touch. Call 0141 255 0742 or visit levinandwhitmore.com/contact.