14th January 2010

Dear Sirs

Re:

Housing Act 2004 - House in Multiple Occupation (HMO)

The above premises has been brought to the attention of the Environmental Health Team.

The allegations related to this premises are that it is occupied as a House in Multiple Occupation (HMO) and that the premises is considered to be overcrowded. It is reported that there are nine tenants currently occupying this premises.

Please find enclosed, literature that is essential to understand and follow for managing an HMO. Although the guidance makes reference to HMO Licensing, which only applies to premises that are 3 storeys or more and occupied by 5 persons or more – which this premises is not. The information relating to Fire Safety, the Housing Health and Safety Rating System and the Management of Houses in Multiple Occupation (England) Regulations 2006, applies to all HMOs regardless of whether the premises requires licensing or not.

As part of operating an HMO it is essential that all legal requirements are complied with. As such please submit within 21 days of the date of this letter:

1. A copy of your current gas safety certificate for the gas appliances contained within this premises and including all service documentation

2. A copy of the most recent Periodic Inspection Report for the fixed electrical installation

3. A copy of the current Energy Performance Certificate

4. A copy of the test report relating to the fire detection system (BS 5839)

5. A copy of the test report relating to the emergency lighting system (if appropriate) (BS 5266)
These documents can either be, marked for my attention and faxed to 01628 683594, or placed in the post (address at top right of this letter).

Please also note that I have passed on these concerns to the Planning Enforcement Team as they will also wish to investigate this premises for operating as an HMO with reference to Planning legislation.

Please do contact me upon my direct number 07970 446 523 to discuss this further.

Yours sincerely

Lisa Pigeon
Environmental Health Officer
Residential Services - Environmental Health

Enclosures
Literature regarding Fire Safety, Housing Health and Safety Rating System (HHSRS) and Management Regulations
3rd March 2010

Dear

Re: Housing Act 2004 - House in Multiple Occupation (HMO)

Thank you for your letter dated the 15th February 2010, in response to my letter dated the 14th January 2010.

Thank you also for the enclosed information, which included: an expired gas safety certificate (certificate dated the 20/12/2008); an electrical installation work certificate of compliance which covers only the building extension or conservatory and the energy performance certificate dated the 18th March 2009.

In you letter it is stated: I would like to point out that this house does not fall under the Housing Act 2004- House in Multiple Occupation (HMO).

Please explain why you consider this premises not to be an HMO?

By definition of an HMO as prescribed by the Housing Act 2004, three or more tenants who are not related but whom live together are considered to be living in an HMO.

As such, a number of documents remain outstanding as previously requested in my letter dated the 14th January 2010.
It will be necessary to submit the following documentation:

1. A copy of your current gas safety certificate for the gas appliances contained within this premises and including all service documentation. Gas safety certificates for all gas appliances within the premises are valid for one year only. If not done so already, it will be necessary to instruct a Gas Safe Registered engineer to undertake such checks upon all gas appliances within this premises.

2. A copy of the most recent Periodic Inspection Report which covers the entire fixed electrical installation at this premises.

3. A copy of the test report relating to the fire detection system (BS 5839)

4. A copy of the test report relating to the emergency lighting system (if appropriate) (BS 5266)

Please do not hesitate to contact me upon my direct number 07970 446 523 to discuss this letter further.

Yours sincerely

Lisa Pigeon
Environmental Health Officer
Residential Services - Environmental Health
9th August 2012

Dear Sir/Madam

Re:  
House in Multiple Occupation (HMO)  
Housing Act 2004

I have received further complaints regarding the occupation of this premises and the tenant’s behaviour.

Having looked at the premises file, I note that I did not receive a response to previous letter dated the 3rd March 2010.

Under the Housing Act 2004 the Environmental Health service has a responsibility to ensure accommodation in the rented sector is free from hazards to health. Please see the enclosed information sheet relating to hazards to health and responsibilities under the Housing Act 2004.

I will be visiting this property on Thursday 16th August at 11.00 am and I enclose a notice served under Section 239 of the Housing Act relating to Power of Entry. Access to all rooms and areas of this premises will be required.

If you are attending I would be grateful if you could bring with you copies of the following documents, if you are unable to attend please forward details of them to me at the above postal or email address, prior to the visit.

- A copy of your letting agreement,
- Details of your tenancy deposit guarantee arrangements,
- Gas safety certificate, covering all gas appliances,
- Any certification relating to the electrical installation,
- Test and inspection certificates for the fire alarm system,
- Fire risk assessment
I have enclosed with this letter a pamphlet – Houses in Multiple Occupation A Guide for Landlords, Managers and Tenants. This explains in greater depth the requirements of operating an HMO.

Further details on these documents can be found in the attached leaflet or on the borough website www.rbwm.gov.uk.

Please contact me on 07970 446523 to discuss this further.

Yours sincerely

Lisa Pigeon
Environmental Health Officer
Residential Services - Environmental Health
Dear Residents

Re:  
House in Multiple Occupation (HMO)  
Housing Act 2004

I write with regards to the above-mentioned premises, it has been brought to my attention that this premises is occupied as an House in Multiple Occupation (HMO).

Under the Housing Act 2004 the Environmental Health service has a responsibility to ensure accommodation in the rented sector is free from hazards to health. Please see the enclosed information sheet relating to hazards to health and responsibilities under the Housing Act 2004.

I will be visiting this property on Thursday 16th August at 11.00 am and I enclose a notice served under Section 239 of the Housing Act relating to Power of Entry. Access to all rooms and areas of this premises will be required.

Further details on these documents can be found in the attached leaflet or on the borough website www.rbwm.gov.uk.

Please contact me on 07970446523 to discuss this further.

Yours sincerely

Lisa Pigeon  
Environmental Health Officer  
Residential Services- Environmental Health
Your certificate of compliance for your electrical installation work has arrived. Please take time to read the notes on the reverse.

The Domestic Installer named below has certified that the electrical installation work detailed is compliant with Regulations 4 & 7 of the Building Regulations 2000 for England and Wales.

Electrical installation work certificate of compliance

Certificate Number
3362708

Date Complete
02/12/2008

Address of Electrical Installation

Description of notifiable work:
Main supplementary equipotential bonding, Ring/ radial power circuit, Lighting circuit

Building extension or conservatory

NICEIC Domestic Installer:
Electrolite Ltd
Registered no. 04004000

This certificate is issued by the NICEIC as agent for and on behalf of the NICEIC Domestic Installer named above. Accordingly, the NICEIC does not accept any responsibility for the content of this certificate or the quality of the work described.

This certificate is a valuable document. Please retain in a safe place. If it is not an original certificate or if there is any doubt as to its authenticity, call 0870 013 0462.
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<th>Application Date</th>
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<td>Date</td>
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<td>Location</td>
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For the safety of your premises, please contact CORGI on 0870 40 2300 or www.warmupinspections.com.

LANDLORD/HOME OWNER GAS SAFETY RECORD

Serial No. 9740931
Notice before exercising power of entry

To

of

Notice Reference: 12/00124/HP9

You are the [occupier] [owner] of premises known as

("the premises")

I, Lisa Pigeon

[a person authorised by Royal Borough of Windsor & Maidenhead
acting under section 239(1) of the Housing Act 2004 ("the Act") intend on Thursday 16th August 2012
between the hours of 11.00 hrs and 12.00 hrs, to enter the premises as the Authority considers that a
[survey] [examination] of the premises is necessary and the following condition is met:-

[the authority consider that the survey or examination is necessary in order to carry out an inspection
under section 4(1) of the Act or otherwise to determine whether any functions under Parts 1 to 4 or 7 of
the Act should be exercised in relation to the premises]

[the premises are (within the meaning of Part 1 of the Act) specified premises in relation to an improve-
ment notice or prohibition order]

[a management order is in force under Chapter 1 or 2 of Part 4 of the Act in respect of the premises]

[a proper officer authorised by

acting under section 239(2) of the Housing Act 2004 ("the Act") intend on 01.14 under
between the hours of and , to enter the premises as the Authority considers that a
[survey] [examination] of the premises is necessary in order to carry out an inspection under section 4(2)
of the Act.]

Dated 9th August 2012

Signed

Designation† Environmental Health Officer

The officer appointed for this purpose

Delete any words in square brackets which do not apply

† Insert title of proper officer
Powers of entry

(1) Subsection (3) applies where the local housing authority consider that a survey or examination of any premises is necessary and any of the following conditions is met:
(a) the authority consider that the survey or examination is necessary in order to carry out an inspection under section 4(1) or otherwise to determine whether any functions under any of Parts 1 to 4 or this Part should be exercised in relation to the premises;
(b) the premises are (within the meaning of Part 1) specified premises in relation to an improvement notice or prohibition order;
(c) a management order is in force under Chapter 1 or 2 of Part 4 in respect of the premises.

(2) Subsection (3) applies where the proper officer of the local housing authority considers that a survey or examination of any premises is necessary in order to carry out an inspection under section 4(2).

(3) Where this subsection applies:
(a) a person authorised by the local housing authority (in a case within subsection (1)), or
(b) the proper officer (in a case within subsection (2)),
may enter the premises in question at any reasonable time for the purpose of carrying out a survey or examination of the premises.

(4) If:
(a) an interim or final management order is in force under Chapter 1 or Part 4 in respect of any premises consisting of part of a house ("the relevant premises"); and
(b) another part of the house is excluded from the order by virtue of section 102(8) or 113(7),
the power of entry conferred by subsection (3) is exercisable in relation to any premises comprised in that other part so far as is necessary for the purpose of carrying out a survey or examination of the relevant premises.

(5) Before entering any premises in exercise of the power conferred by subsection (3), the authorised person or proper officer must have given at least 24 hours' notice of his intention to do so:
(a) to the owner of the premises (if known), and
(b) to the occupier (if any).

(6) Subsection (7) applies where the local housing authority consider that any premises need to be entered for the purpose of ascertaining whether an offence has been committed under section 72, 95 or 234(3).

(7) A person authorised by the local housing authority may enter the premises for that purpose:
(a) at any reasonable time, but
(b) without giving any prior notice as mentioned in subsection (5).

A person exercising the power of entry conferred by subsection (3) or (7) may do such of the following as he thinks necessary for the purpose for which the power is being exercised:
(a) take other persons with him;
(b) take equipment or materials with him;
(c) take measurements or materials or make recordings;
(d) leave recording equipment on the premises for later collection;
(e) take samples of any articles or substances found on the premises.

(8) An authorisation for the purposes of this section:
(a) must be in writing; and
(b) must state the particular purpose or purposes for which the entry is authorised.

(9) A person authorised for the purposes of this section must, if required to do so, produce his authorisation for inspection by the owner or any occupier of the premises or anyone acting on his behalf.

(10) If the premises are unoccupied or the occupier is temporarily absent, a person exercising the power of entry conferred by subsection (3) or (7) must leave the premises as effectively secured against trespassers as he found them.

(11) In this section "occupier", in relation to premises, means a person who occupies the premises, whether for residential or other purposes.

Advice:
If you do not understand this notice or wish to know more about it, you should contact the Local Authority. If you want independent advice about your rights and obligations, you should go to a Citizens' Advice Bureau, Housing Aid Centre, Law Centre or a solicitor. You may be able to obtain help with all or part of the cost of legal advice from a solicitor under the Legal Aid Scheme. If you do not know whether you could apply for Legal Aid you can see a solicitor who may be prepared to give you half-an-hour of legal advice for a small fee. If you want to know more about the works the Local Authority require you to do, you may wish to consult a surveyor.
Notice before exercising power of entry

To Occupiers Notice Reference: 12/00122/HP9

of

You are the occupier of premises known as

("the premises")

1. Lisa Pigeon

[a person authorised by Royal Borough of Windsor & Maidenhead ("the Authority")
acting under section 239(1) of the Housing Act 2004 ("the Act") intend on Thursday 16th August 2012
between the hours of 11.00 hrs and 12.00 hrs, to enter the premises as the Authority considers that a
[survey] [examination] of the premises is necessary and the following condition is met:-

[the authority consider that the survey or examination is necessary in order to carry out an inspection
under section 4(1) of the Act or otherwise to determine whether any functions under Parts 1 to 4 or 7 of
the Act should be exercised in relation to the premises]

[the premises are (within the meaning of Part 4 of the Act) specified premises in relation to an improve-
ment notice or prohibition order]

[a management order is in force under Chapter 1 or 2 of Part 4 of the Act in respect of the premises]

[a proper officer authorised by ("the Authority")
acting under section 239(2) of the Housing Act 2004 ("the Act") intend on01-11-under
between the hours of and , to enter the premises as the Authority considers that a
[survey] [examination] of the premises is necessary in order to carry out an inspection under section 4(2)
of the Act.]

Dated 9th August 2012

Signed

Designation† Environmental Health Officer

The officer appointed for this purpose

Delete any words in square brackets which do not apply

† Insert title of proper officer
What can I do today?

Actions that will save money and reduce the impact of your home on the environment include:

- Ensure that you understand the dwelling and how its energy systems are intended to work so as to obtain the maximum benefit in terms of reducing energy use and CO2 emissions.
- Check that your heating system thermostat is not set too high (in a home, 21°C in the living room is suggested) and use the timer to ensure you only heat the building when necessary.
- Turn off lights when not needed and do not leave appliances on standby. Remember not to leave chargers (e.g. for mobile phones) turned on when you are not using them.
- Close your curtains at night to reduce heat escaping through the windows.
- If you’re not filling up the washing machine, tumble dryer or dishwasher, use the half-load or economy programme.

1 For information on approved competent persons schemes enter “existing competent person schemes” into an internet search engine or contact your local Energy Saving Trust advice centre on 0800 512 012.

Esher Healthcare Systems Limited Registered Office Unit 16, St. John's Business Park, Luton, Bedfordshire LU1 5EB
Notice before exercising power of entry

To
Notice Reference: 12/00126/HP9
of

You are the [occupier] [owner] of premises known as

("the premises")

1. Lisa Pigeon
[a person authorised by Royal Borough of Windsor & Maidenhead
acting under section 239(1) of the Housing Act 2004 ("the Act") intend on Thursday 16th August 2012
between the hours of 11.00 hrs and 12.00 hrs , to enter the premises as the Authority considers that a
[survey] [examination] of the premises is necessary and the following condition is met:-

[the authority consider that the survey or examination is necessary in order to carry out an inspection
under section 4(1) of the Act or otherwise to determine whether any functions under Parts 1 to 4 or 7 of
the Act should be exercised in relation to the premises]
[the premises are (within the meaning of Part 1 of the Act) specified premises in relation to an improve-
ment notice or prohibition order]
[a management order is in force under Chapter 1 or 2 of Part 4 of the Act in respect of the premises]
[a pre-approval officer authorised by
acting under section 239(2) of the Housing Act 2004 ("the Act") intend on using Act 2
between the hours of and , to enter the premises as the Authority considers that a
[survey] [examination] of the premises is necessary in order to carry out an inspection under section 4(2)
of the Act.]

Dated 9th August 2012

Signed

Designation† Environmental Health Officer

The officer appointed for this purpose

Delete any words in square brackets which do not apply
† Insert title of proper officer
15 February 2010

Ms Lisa Pigeon
Environmental Health Officer
Residential Services – Environmental Health
York House
Sheet Street
Windsor
SL4 1DD

Your Ref: 10/00085/HOUHMO / 10/00002/DOM

Dear Mr Melvin,

We write further to your correspondence dated 14 January 2010. Please find enclosed information as requested. I would like to also point out that this house does not fall under the Housing Act 2004 – House in Multiple Occupation (HMO).

I have forwarded on documents to this affect to Mr Jonathan Murray (Planning & Development).

Encls
16 March 2009

Energy Performance Certificate

About this document

The Energy Performance Certificate for this dwelling was produced following an energy assessment undertaken by a qualified assessor, accredited by Elmhurst Energy Systems Ltd, to a scheme authorised by the Government. This certificate was produced using the RdSAP 2005 assessment methodology and has been produced under the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007 as amended. A copy of the certificate has been lodged on a national register.

Assessor’s accreditation number: EES/005136
Assessor’s name: 
Company name/trading name: 
Address: 

Phone number: 
Fax number: 
E-mail address: 

Related party disclosure:

If you have a complaint or wish to confirm that the certificate is genuine

Details of the assessor and the relevant accreditation scheme are as above. You can get contact details of the accreditation scheme from their website at www.elmhurstenergy.co.uk, together with details of their procedures for confirming authenticity of a certificate and for making a complaint.

About the building's performance ratings

The ratings on the certificate provide a measure of the building’s overall energy efficiency and its environmental impact, calculated in accordance with a national methodology that takes into account factors such as insulation, heating and hot water systems, ventilation and fuels used. The average Energy Efficiency Rating for a dwelling in England and Wales is band E (rating 46).

Not all buildings are used in the same way, so energy ratings use 'standard occupancy' assumptions which may be different from the specific way you use your home. Different methods of calculation are used for homes and for other buildings. Details can be found at www.communities.gov.uk/epbd.

Buildings that are more energy efficient use less energy, save money and help protect the environment. A building with a rating of 100 would cost almost nothing to heat and light and would cause almost no carbon emissions. The potential ratings on the certificate describe how close this building could get to 100 if all the cost effective recommended improvements were implemented.

About the impact of buildings on the environment

One of the biggest contributors to global warming is carbon dioxide. The way we use energy in buildings causes emissions of carbon. The energy we use for heating, lighting and power in homes produces over a quarter of the UK’s carbon dioxide emissions and other buildings produce a further one-sixth.

The average household causes about 6 tonnes of carbon dioxide every year. Adopting the recommendations in this report can reduce emissions and protect the environment. You could reduce emissions even more by switching to renewable energy sources. In addition there are many simple everyday measures that will save money, improve comfort and reduce the impact on the environment. Some examples are given at the end of this report.

Visit the Government’s website at www.communities.gov.uk/epbd to:

• Find how to confirm the authenticity of an energy performance certificate
• Find how to make a complaint about a certificate or the assessor who produced it
• Learn more about the national register where this certificate has been lodged
• Learn more about energy efficiency and reducing energy consumption
Energy Performance Certificate

Dwelling type: Semi-detached house
Date of assessment: 18 March 2009
Date of certificate: 18 March 2009
Reference number: 0947-2866-6973-0291-5825
Total floor area: 135 m²

This home's performance is rated in terms of the energy use per square metre of floor area, energy efficiency based on fuel costs and environmental impact based on carbon dioxide (CO₂) emissions.

### Energy Efficiency Rating

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<tr>
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<td>D</td>
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<td>C</td>
<td>7.2</td>
<td>7.7</td>
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<td>A</td>
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</table>

England & Wales

The energy efficiency rating is a measure of the overall efficiency of a home. The higher the rating the more energy efficient the home is and the lower the fuel bills are likely to be.

### Environmental Impact (CO₂) Rating

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<tr>
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<tr>
<td>Not environmentally friendly - higher CO₂ emissions</td>
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<td>6.7</td>
<td>7.4</td>
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</table>

England & Wales

The environmental impact rating is a measure of this home's impact on the environment in terms of Carbon dioxide (CO₂) emissions. The higher the rating the less impact it has on the environment.

### Estimated energy use, carbon dioxide (CO₂) emissions and fuel costs of this home

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<thead>
<tr>
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<th>Potential</th>
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<tbody>
<tr>
<td>Energy use</td>
<td>194 kWh/m² per year</td>
<td>187 kWh/m² per year</td>
</tr>
<tr>
<td>Carbon dioxide emissions</td>
<td>4.4 tonnes per year</td>
<td>3.6 tonnes per year</td>
</tr>
<tr>
<td>Lighting</td>
<td>£83 per year</td>
<td>£66 per year</td>
</tr>
<tr>
<td>Heating</td>
<td>£585 per year</td>
<td>£474 per year</td>
</tr>
<tr>
<td>Hot water</td>
<td>£110 per year</td>
<td>£110 per year</td>
</tr>
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</table>

Based on standardised assumptions about occupancy, heating patterns and geographical location, the above table provides an indication of how much it will cost to provide lighting, heating and hot water to this home. The fuel costs only take into account the cost of fuel and not any associated service, maintenance or safety inspection. This certificate has been provided for comparative purposes only and enables one home to be compared with another. Always check the date the certificate was issued, because fuel prices can increase over time and energy saving recommendations will evolve.

To see how this home can achieve its potential rating please see the recommended measures.

The address and energy rating of the dwelling in the EPC may be given to EST to provide information on financial help for improving its energy performance.

For advice on how to take action and to find out about offers available to make your home more energy efficient, call 0800 512 012 or visit www.energysavingtrust.org.uk/myhome.
About the cost effective measures to improve this home’s energy ratings

If you are a tenant, before undertaking any work you should check the terms of your lease and obtain approval from your landlord if the lease either requires it, or makes no express provision for such work.

**Lower cost measures (typically up to £500 each)**

These measures are relatively inexpensive to install and are worth tackling first. Some of them may be installed as DIY projects. DIY is not always straightforward, and sometimes there are health and safety risks, so take advice before carrying out DIY improvements.

1 **Loft insulation**

Loft insulation laid in the loft space or between roof rafters to a depth of at least 270 mm will significantly reduce heat loss through the roof. This will improve levels of comfort, reduce energy use and lower fuel bills. Insulation should not be placed below any cold water storage tank, any such tank should also be insulated on its sides and top, and there should be boarding on battens over the insulation to provide safe access between the loft hatch and the cold water tank. The insulation can be installed by professional contractors but also by a capable DIY enthusiast. Loose granules may be used instead of insulation quilt; this form of loft insulation can be blown into place and be useful where access is difficult. The loft space must have adequate ventilation to prevent dampness, seek advice about this if unsure. Further information about loft insulation and details of local contractors can be obtained from the National Insulation Association (www.nationalinsulationassociation.org.uk).

2 **Cavity wall insulation**

Cavity wall insulation, to fill the gap between the inner and outer layers of external walls with an insulating material, reduces heat loss; this will improve levels of comfort, reduce energy use and lower fuel bills. The insulation material is pumped into the gap through small holes that are drilled into the outer walls, and the holes are made good afterwards. As specialist machinery is used to fill the cavity, a professional installation company should carry out this work, and they should carry out a thorough survey before commencing work to ensure that this type of insulation is suitable for this home. They should also provide a guarantee for the work and handle any building control issues. Further information about cavity wall insulation and details of local installers can be obtained from the National Insulation Association (www.nationalinsulationassociation.org.uk).

3 **Low energy lighting**

Replacement of traditional light bulbs with energy saving recommended ones will reduce lighting costs over the lifetime of the bulb, and they last up to 12 times longer than ordinary light bulbs. Also consider selecting low energy light fittings when redecorating; contact the Lighting Association for your nearest stocks list of Domestic Energy Efficient Lighting Scheme fittings.

4 **Heating controls (thermostatic radiator valves)**

Thermostatic radiator valves allow the temperature of each room to be controlled to suit individual needs, adding to comfort and reducing heating bills provided internal doors are kept closed. For example, they can be set to be warmer in the living room and bathroom than in the bedrooms. Ask a competent heating engineer to install thermostatic radiator valves. Thermostatic radiator valves should be fitted to every radiator except the radiator in the same room as the room thermostat. Remember the room thermostat is needed as well as the thermostatic radiator valves, to enable the boiler to switch off when no heat is required.

**About the further measures to achieve even higher standards**

Further measures that could deliver even higher standards for this home. You should check the conditions in any covenants, planning conditions, warranties or sale contracts before undertaking any of these measures. If you are a tenant, before undertaking any work you should check the terms of your lease and obtain approval from your landlord if the lease either requires it, or makes no express provision for such work.

5 **Solar photovoltaic (PV) panels**

A solar PV system is one which converts light directly into electricity via panels placed on the roof with no waste and no emissions. This electricity is used throughout the home in the same way as the electricity purchased from an energy supplier. The British Photovoltaic Association has up-to-date information on local installers who are qualified electricians and on any grant that may be available. Planning restrictions may apply in certain neighbourhoods and you should check this with the local authority. Building Regulations apply to this work, so your local authority building control department should be informed, unless the installer is appropriately qualified and registered as such with a competent persons scheme, and can therefore self-certify the work for Building Regulation compliance.