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Property Maintenance

Wear and Tear, Escape of Water, Trace and Access, and External Maintenance

As a property owner you will appreciate the importance of maintaining your building; it means that your property is safe and habitable. Keeping on top of potential issues reduces the likelihood of making a claim on your insurance. This guide provides some recommendations on the main areas that can cause extra work and hopefully help prevent you from making a claim.

Internal Wear and Tear

WHAT IS WEAR AND TEAR?

Wear and tear is inevitable in properties especially in rentals, so clearly understanding what 'wear and tear' actually means is essential for all, particularly for both landlords and tenants.

The House of Lords defines the term as the "reasonable use of the premises by the tenant, and the ordinary operation of natural forces." So normal wear and tear refers to gradual damage that you would expect to see in a property over time. Items such as faded curtains, worn carpets and slight scuffs to walls would be considered unavoidable over time and would be classified as fair wear and tear.



It is worth noting that wear and tear refers to the 'condition' but not the 'cleanliness' of the item. The property and contents should be cleaned to the same standard at the end of the tenancy, or tenants could face a deposit deduction.

Whilst wear and tear is an unavoidable process, **damage caused to the property** and its contents is a different story. Damage resulting from tenant carelessness, recklessness, or negligence, means that the person responsible for that damage will be financially accountable for fixing it.

For example, a worn carpet is to be expected, but a stained and ripped carpet would be defined as damage. A worn kitchen countertop would be classed as wear and tear but burn marks across the worktop is damage.

To establish whether the damage has exceeded 'normal wear and tear', consider the product age, product quality, product lifespan, number of tenants in the property, whether pets have been in the property and length of the tenancy (a 5-year tenancy would cause a lot more wear and tear than a 6-month let).

Landlords are responsible for the maintenance of the rental property, and tenants have their own obligations as laid out in the tenancy agreement, the tenant is not responsible for wear and tear deterioration, which occurs as the property ages.

As to whether an item is damaged, or its condition deteriorated due to wear and tear is one of the biggest causes of disputes between landlords and tenants. Therefore, to protect yourself when dealing with a potential dispute around this subject:

- Ensure you have a detailed check-in and check-out inventory report, detailing the property and its contents accurately.
- Remember that the burden of proof lies with the landlord, so ensure you keep written records of anything that may help you in disputes, such as invoices, emails, and receipts.
- Communicate well with your tenants! Happy tenants are likely to stay longer, reducing further wear and tear with a low tenant turnover.
- Maintain the property well, replacing worn interiors or updating with a fresh coat of paint.
- Perform mid-tenancy checks to ensure the property is being looked after and address any potential problems as soon as possible.
- Avoid betterment (a landlord replacing old items for new and the tenant footing the cost); you must avoid improving the property or the value of its contents. Landlords are not entitled to end up financially or materially better off once a tenancy ends.

ESCAPE OF WATER AND TRACE AND ACCESS

WHAT YOU NEED TO KNOW

Identifying a water leak in a property is one thing, finding and fixing it is altogether different. Many companies offer 'trace and access' services utilising non-destructive technologies such as **tracer gas, thermography, and endoscopy** to find the source of the leak allowing it to be fixed with minimal damage and disruption. The costs of these services can be covered by **'Trace and Access' insurance**, which is a common extension to a Buildings insurance policy. **It is not however a standard extension in all Building insurance policies.**

Burst pipes and water leaks, often referred to as 'escape of water' by the insurance market, caused annual insurable losses of nearly **£1 billion in 2019 and 2020**. The majority of these occurred in the domestic / residential sector with the Association of British Insurers (ABI) estimating that escape of water claims average £1.8 million per day. What is more, the number and costs of these claims appears to be increasing driven by factors such as the **increasing number and height of apartment buildings, the increase in the ratio of bathrooms to bedrooms, and the increase in the number of water-using appliances.**



WHAT ARE THE CAUSES OF WATER LEAKS?

From a building / property perspective the causes of water leaks can include frozen pipes, taps being left on, poor quality pipe fittings, valve failures such as stopcocks, leaking appliances, overflowing sinks, blocked pipes, corroded pipework, and poor-quality installation.

PREVENTATIVE MEASURE TO ABATE WATER LEAKS

Applying the maxim that 'prevention is better than cure', there are measures that can be taken to reduce the likelihood of leaks occurring in the first place:

- Regularly inspect seals around sanitaryware and inspect joints of any accessible or visible pipes and fittings.
- Make sure all exposed pipes and tanks are lagged with at least 32mm of lagging material.
- Ensure areas that are vulnerable to frost are heated to at least 5°C.
- Make sure the location of any water stopcocks and other isolation points are known to the apartment owner or occupier and that any isolation points outside the apartment are known to the caretaker or concierge and one or more responsible occupiers of the apartments within the block or each floor level within the block.
- Regularly check that stopcocks operate freely.
- Keep full contact records for all owners and tenants.
- Encourage all owners and occupiers to advise the caretaker or concierge when they are away from their property for more than two or three days and encourage them to leave keys and permit access in the event of an emergency.
- If possible, ensure the property management can access any of the properties when an incident has been identified and deal with it.
- Consider fitting a leak detection system within the property. These systems are designed to identify a potential leak, either as a result of an irregular change in flowrates of the supply or from a sustained flow of water for a longer than a specified period. Depending on the system installed, once a leak is detected the system will either automatically isolate the supply by activating a shut-off valve, or notify the owner, occupier or concierge / caretaker of a leak, either at the property or apartment block itself using a control panel and audible alert, or remotely via an app or text to a smart phone. A company specialising in leak detection equipment should be engaged to ensure that the most appropriate solution for the property is specified prior to any installation work being carried out.



External Maintenance

Routine, ongoing, and preventative maintenance is essential in making sure your property is in a good state of repair. Carrying out regular external inspections will enable you to spot potential issues and deal with them before they result in expensive remedial repairs.

ROOFS

Roofs should be inspected at least once a year or following particularly stormy or windy weather – debris on the ground from broken slates and tiles may indicate that there is a problem. In most cases roofs can be inspected using binoculars or vantage points from nearby higher buildings. The use of drones is also an effective method of surveying a roof.

If safe to do so, additional inspection through the loft access may show daylight or water penetration which is not always apparent from external inspection.

Repair or replace:

- Missing, slipped or broken slates or tiles
- Cracked flat roof coverings. A bitumen roofing felt may need to be completely renewed after 10 years.
- Leaking or damaged roof lights.
- Damaged flashing.
- Gaps and missing mortar between ridge tiles.

Moss, which retains damp, needs to be removed since it can cause slate to delaminate and can gradually erode all metals particularly lead work – a seasonal brushing down is often all that is required to prevent excessive build up.

Where puddles occur on flat roofing advice should be sought from a qualified building surveyor.



LIGHTNING CONDUCTORS

Any lightning conductor systems need to be checked and maintained every 14/15 months by a suitably qualified and experienced person to ensure that they are undamaged, continue to conform to the relevant standards and provide the protection for which they were designed.

WALLS

Walls need to be checked annually not only for damage but also for evidence of dampness which may highlight another problem such as rising damp or damaged/blocked gutters or downpipes.

Damaged/cracked bricks may be a sign of subsidence or settlement. Cracks may require monthly monitoring, particularly if diagonal. When in doubt seek specialist advice.

Unless designed otherwise external ground levels should be at least 150mm or two bricks below internal floor levels so as not to affect any damp proofing.

Climbing plants should be avoided or strictly controlled since they can hide problems, cause damage to the building fabric and block vents or gutters.

Clean, repair or replace:

- ◆ Air bricks.
- ◆ Damaged or missing mortar.
- ◆ Damaged cladding.

CHIMNEYS

Chimneys should be visually inspected at least once a year and particularly following a storm or period of high winds.

Repair or replace:

- ◆ Damaged flashing.
- ◆ Damaged/missing mortar.





RAINWATER REMOVAL

GUTTERS, GULLEYS, DOWNPIPES AND DRAINS

Blocked or damaged rainwater goods may allow water ingress or damage to the fabric of the building. The underground drainage system also needs to effectively remove water away from the property and not become blocked with leaves, silt, or vegetation.

Drainage systems should be checked regularly and cleaned as necessary, particularly when close to trees. The best time to inspect is during or straight after heavy rain as this will enable you to more easily identify any problem areas. A small handheld mirror can aid inspection behind rainwater pipes as cracks in old cast iron or aluminium sometimes occur there and might not be noticed.

Clean, repair or replace:

- ◆ Gutters. Valley and parapet types requiring especially close and regular attention.
- ◆ Downpipes.
- ◆ The fixings for downpipes and gutters.
- ◆ Drains.
- ◆ Manholes. Also ensure that these are accessible at all times.
- ◆ Ground gutters, surface channels.

It can be beneficial to fit proprietary plastic leaf guards to gutters and above downpipes. Also, regular painting of cast iron gutters and downpipes is important to prevent rust.

EXTERNAL JOINERY

External timberwork will deteriorate, rot, and allow water ingress unless it is regularly maintained. An annual visual inspection should be carried out and redecoration should be expected every 3 – 5 years depending on the location.

Check for cracking, rot, and peeling paintwork.

Repair, renovate, replace as necessary::

- ◆ Windows. Also examine any putty and look for missing sealants around the frame.
- ◆ Doors, sills, and frames.
- ◆ Fascias, bargeboards, etc.

TREES

Trees can cause building movement and damage by removing moisture from the ground (subsidence) and conversely if removed when mature by allowing soils to expand (heave). In addition, tree roots notoriously invade underground drainage pipes causing blockages and damage.

Not only is careful planting required, depending on the variety, but also regular pruning by a competent person – Tree Preservation Orders should be considered before any work commences.