
DRAFT STATUTORY INSTRUMENTS

2015 No.

**The Energy Efficiency (Private Rented Property)
(England and Wales) Regulations 2015**

PART 3

Minimum level of energy efficiency

CHAPTER 1

Interpretation of Part 3

Non-domestic PR property

20.—(1) For the purposes of this Part, “non-domestic PR property” means a property which falls within section 42(1)(b) of the Act, subject to paragraphs (2) and (3).

(2) A property is not a non-domestic PR property if—

- (a) it was not required, and is not part of a building which was required, to have an energy performance certificate by the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007, and
- (b) it is not required, and is not part of a building which is required, to have an energy performance certificate by the Building Regulations 2010 or the EPB Regulations.

(3) A property is not a non-domestic PR property if it is let—

- (a) on a tenancy granted for a term certain not exceeding six months, unless—
 - (i) the tenancy agreement contains provision for renewing the term or for extending it beyond six months from its beginning, or
 - (ii) at the time when the tenancy is granted, the tenant has been in occupation for a continuous period which exceeds 12 months, or
- (b) on a tenancy granted for a term certain of 99 years or more.