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trading standards law explained

Energy Performance Certificates

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In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for England and Wales

Energy Performance Certificates (EPCs) give information on the energy performance of a building in a sliding scale from A (very efficient) to G (least efficient). This enables potential buyers, tenants or building occupiers to consider a building's energy efficiency and typical energy costs before making a commitment to the contract. It also gives suggestions on how to reduce the energy usage of that building. If there is an outstanding Green Deal plan attached to the property, the EPC also includes specific Green Deal information.

All buildings (or self-contained units) constructed, sold or rented require an EPC (subject to the listed exemptions below) and certain public buildings are required to display information about their energy

consumption.

The information in this guide applies to EPCs issued on or after 9 January 2013.

What information will an EPC provide?

EPCs must:

- Contain information on the building's current and potential energy use and carbon dioxide emissions, expressed as an asset rating from A (most efficient) to G (least efficient)
- Include a reference value, such as a current legal standard or benchmark
- Be issued by an energy assessor who is accredited to produce EPCs for the category of building to which the certificate relates
- Include a recommendation report with suggestions on how to reduce energy use and carbon dioxide emissions. The report may also state whether these improvements are eligible for Green Deal finance*
- Provide reference information (unique certificate reference number, date of issue)
- Include the address of the building and its total useful floor area
- Be valid. An EPC is valid if it was entered on to the register no more than 10 years before the date it is made available or until a newer EPC is produced and registered, whichever is earlier

[*Where the EPC relates to a property that has funded improvements through Green Deal finance, which is still outstanding, the EPC must also provide specified information in relation to each Green Deal plan that is attached to the property. The EPC does not need to provide this information for plans that have been paid in full.]

Certification for parts of buildings and blocks:

- **Non-residential buildings.** Certification may be based on either:
  - A common certification for the whole building where there is a common heating system or
  - An assessment of another representative unit in the same block
- **Single dwellings.** Certification may be based on the assessment of another representative building of similar design and size with similar actual energy performance quality, provided that the energy assessor guarantees the correspondence
- **Blocks of flats.** Each self-contained flat sold or let generally requires its own EPC; where appropriate, assessors may use representative-unit approaches permitted by the Regulations

A sample EPC in PDF format is available on the GOV.UK website.

What is the Green Deal?

The Government-funded phase of the Green Deal ended in 2015, but privately financed Green Deal plans can still exist. If a property has an outstanding Green Deal plan, the EPC must include specified Green Deal information (for example, the plan number and repayment details) so prospective occupiers understand the charge attached to the electricity bill. Sellers / landlords should ensure this information is provided.

Other schemes (outside EPC duties) exist from time to time (for example, the Boiler Upgrade Scheme and local authority grants.). These may be relevant to improvement recommendations, but do not alter your EPC obligations.

Whose responsibility is it to obtain an EPC?

If the building is being offered for sale, it is the responsibility of the seller to provide the EPC to the potential buyer. If it is being rented, then it is the responsibility of the landlord to provide the EPC to the potential tenant. Where a building is under construction it is the responsibility of the person who carries out the construction. Certificates in relation to air conditioning systems should be obtained by the person who has control of the air conditioning system.

When should an EPC be given?

An EPC must be made available free of charge by landlords and sellers to prospective tenants and buyers at the earliest opportunity. As soon as an EPC is available in writing, it must be given to any person who has requested it; where a person has made a request to view a building, it must be given at the time of viewing. A copy of the EPC must be given free of charge to the successful tenant or buyer.

The energy performance indicator (A-G rating) must also be stated in any advertisement of the sale or rental in commercial media.

Where a building is placed on the market for sale or rent, the relevant person (for example, the seller or landlord) and their agent must ensure that a valid EPC has been obtained for the property. If there is no valid EPC, they must satisfy themselves that an EPC has been commissioned for the property before it is placed on the market and before it is marketed; they must also make all reasonable efforts to ensure that the EPC has been obtained within seven days of first marketing the property.

EPCs do not have to be provided if the relevant person believes, on reasonable grounds, that one or more of the following apply to the prospective buyer or tenant:

- They are unlikely to have sufficient means to buy or rent the building
- They are not genuinely interested in buying or renting a building of a general description that applies to the building
- They are not a person to whom the relevant person is likely to be prepared to sell or rent out the building

This does not authorise the relevant person to do anything that may be considered an unlawful act of discrimination.

An EPC can be produced for the whole building or may be required for a separate building unit. An example of a building unit could include a flat within a larger building that has its own access and within which the heating and ventilation can be independently controlled.

Certain buildings that are not dwellings must display a valid EPC in a prominent place that is clearly visible to members of the public visiting the building. This only applies to buildings that fulfil all of the following criteria:

- Have a total useful floor area of 500 m^2 or more
- Are frequently visited by the public
- Have an EPC made available on sale, rent or construction

There is a separate requirement for public authority buildings to have a Display Energy Certificate (see below).

Are there any exemptions to the Regulations?

EPCs are not required for:

- Buildings officially protected as part of a designated environment or because of their special architectural or historical merit, in so far as compliance with certain minimum energy performance requirements would unacceptably alter their character or appearance
- Buildings used as places of worship and for religious activities
- Temporary buildings that are only planned to be used for two years or less
- Industrial sites, workshops and non-residential agricultural buildings with low energy demand
- Non-residential agricultural buildings that are in use by a sector covered by a national sectoral agreement on energy performance
- Residential buildings that are used or intended to be used for less than four months of the year or, for a limited annual time of use and with an expected energy consumption of less than 25% of what would be the result of all-year use. (Only those properties let frequently and where tenants pay for energy costs need an EPC)
- Stand-alone buildings that have a total useful floor area less than 50 m^2
- Buildings suitable for demolition and the resulting site is suitable for redevelopment (further conditions apply in respect to relevant consents)

EPCs are not required to be given or made available to a prospective buyer or tenant at any time before the construction of a building has been completed.

Who prepares an EPC?

Only an accredited energy assessor can produce a EPC and a recommendation report. You can find an energy assessor on the GOV.UK website. All EPC reports have to be published on the register, which can be viewed by the public for free.

How much will it cost?

The cost of the EPC will vary from one company to another and you will have to shop around for the best price. However, the price will also depend on other factors, including size, location and age of building.

How long does it take to get an EPC?

This depends on the availability of the energy assessor. Before choosing an assessor, ensure that you have clarified the timescales for the report to be produced. On average, a report can be obtained within three working days and you must ensure that you have commissioned the report before the property is placed on the market and marketed (if a valid EPC does not already exist).

For how long is an EPC valid?

An EPC is valid for a maximum of ten years or until another EPC is commissioned for the same building, whichever is sooner.

Holiday lets

An EPC is only required for a property rented out as a furnished holiday let when all of the following apply:

- The building is occupied for the purposes of a holiday as a result of a short-term letting arrangement of 31 days or less for each tenant
- It is rented out for a combined total of four months or more in any 12-month period
- The occupier is responsible for meeting the energy costs for the property

Display Energy Certificates (DEC)

A DEC shows the operational rating of the building it was commissioned for; this conveys the actual energy use by the building and its carbon dioxide emissions. A DEC must also show the building's previous ratings from the last two years. As with an EPC it must be issued by an accredited energy assessor and include mandatory information, including the building's address, total useful floor area, date of issue, nominated date, reference value and details of the issuing energy assessor, their company and accreditation details.

Currently only public authorities (those providing services traditionally associated with local or national government) occupying a building of total useful floor area of 250 m^2 or more and frequently visited by the public must display a valid DEC. This must be displayed at all times in a prominent place that is easily visible to visiting members of the public; a valid recommendation report must be available on request where it is appropriate to have one.

Certificates issued for buildings with over 1,000 m^2 total useful floor space are valid for a period of 12 months only; for all other buildings the certificate validity is 10 years from the nominated date.

Other private occupants of the same building are not required to display a DEC but may be required to obtain an EPC if they sell or rent their property.

Air conditioning reports

All air conditioning systems with an effective rated output of more than 12 kW must be regularly inspected by an energy assessor, who will issue a report to the person in control of the air conditioning system. There must not be more than five years between inspections.

Having air conditioning systems inspected by an energy assessor is designed to improve efficiency and reduce the electricity consumption, operating costs and carbon emissions for your system.

Rental properties

There are minimum energy efficiency standards for rental properties (MEES):

- **Non-domestic.** Since April 2023, it has been unlawful to let a property with an EPC below E, unless an exemption is registered. The Government consulted on tighter standards (a window from 1 April 2025 leading to EPC C by 1 April 2027 and EPC B by 1 April 2030), but these proposals are not yet in force. Further information can be found in 'Energy efficiency of rented property: non-domestic'
- **Domestic.** The current minimum remains E. Government proposals to raise the minimum (previously mooted for 2025 / 2028) were withdrawn in 2023 and the regime is under review. Further information can be found in 'Energy efficiency of rented property: domestic'

Unfair trading

False or misleading information in an EPC may constitute an offence under the Digital Markets, Competition and Consumers Act 2024 (DMCCA). For more information on the DMCCA, please see 'Protection from unfair trading (criminal law)'.

Trading Standards

For more information on the work of Trading Standards services and the possible consequences of not abiding by the law, please see 'Trading Standards: powers, enforcement and penalties'.

In this update

General detail added and the current position regarding minimum energy efficiency standards for rental properties (MEES) has been clarified.

Last reviewed / updated: September 2025

Key legislation

- Housing Act 2004
- Energy Performance of Buildings (England and Wales) Regulations 2012
- Digital Markets, Competition and Consumers Act 2024

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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