

# DEFINITE AND EXPECTED CHANGES TO MEES REGULATIONS FOR DOMESTIC AND NON-DOMESTIC PROPERTY



With many changes coming into force for both domestic and non-domestic MEES energy efficiency regulations, this note aims to provide a clear and simple breakdown of the current regulations and those proposed up until 2030.

## SECTOR - NON-DOMESTIC, ENGLAND & WALES

What's definite	What's likely	What's the potential penalty?	What action should be taken?	Spending cap
<p>Since 1st April 2018 – it is unlawful to enter a new let with an EPC of worse than an E</p> <p>Since April 2023, it is unlawful to let a property with an EPC of worse than an E</p>	<p>1st April 2030 – it will be unlawful to let with an EPC of worse than a B</p>	<p>Up to £150,000 per breach of letting restrictions</p> <p>Up to £5,000 for submitting false or misleading information to the register</p> <p>Reputational damage from inclusion on public PRS register</p>	<p>Check all property EPCs and identify if any are below an E</p> <p>Consider getting a new EPC done</p> <p>Check tenant obligations in leases</p> <p>Encourage landlords (or tenants) to undertake works necessary</p> <p>Ensure exemptions have been registered if necessary</p>	<p>7 year payback test</p>

## SECTOR - NON-DOMESTIC, SCOTLAND

What's definite	What's likely	What's the potential penalty?	What action should be taken?	Spending cap
<p>MEES does not currently apply in Scotland, however, commercial properties in Scotland above 1000m<sup>2</sup> must EITHER be compliant with Scottish Building Regulations 2002 or have an Energy Action Plan in place and lodged to the <a href="#">Scottish EPC register</a> alongside its EPC. Once an Energy Action Plan has been made, the building owner must either carry out the recommended improvements (within 42 months) or defer by instructing and displaying display energy certificates every year.</p>	<p>An update is expected in 2025 to require further improvements, set minimum standards or adopt an in-use operational ratings approach</p>	<p>TBC</p>	<p>TBC</p>	<p>TBC</p>

## SECTOR - DOMESTIC (RENTED), ENGLAND & WALES

What's definite	What's likely	What's the potential penalty?	What action should be taken?	Spending cap
<p>Since 1st April 2020, it is unlawful to let any property rented on an assured, regulated or domestic agricultural tenancy with an EPC of worse than an E</p> <p>Tenancies of 6 months or less, licences, or leases over 99 years can still be granted even if the EPC is below E</p>		Up to £5,000 per property	<p>Check all property EPCS</p> <p>Those that are below an E – must undertake improvement works or if that is not possible, apply for an exemption</p>	

## SECTOR - DOMESTIC (RENTED), SCOTLAND

What's definite	What's likely	What's the potential penalty?	What action should be taken?	Spending cap
<p>The Scottish Government have postponed their initial 2022 EPC minimum requirement standards.</p> <p>They have instead proposed that by 2025 all new tenancies granted for private rented properties must have an EPC of C or above.</p>	TBC	Up to £1,000 for failing to have a compliant EPC	<p>Check all property EPCS</p> <p>Those that are below an E – apply for an exemption or undertake improvement works</p>	Update expected 6 months ahead of legislation change

## DOMESTIC (OWNED), ENGLAND & WALES

What's definite	What's likely	What's the potential penalty?	What action should be taken?	Spending cap
<p>Since 2008, all properties must have a valid EPC when being sold</p> <p>Listed properties may be exempt, however, not having an EPC may slow down the conveyancing process</p>	2033 – all homes must have an EPC of C or above	TBC	<p>Await further information from government</p> <p>Potentially proactively review EPCs and start to undertake works to improve</p>	TBC

## DOMESTIC (OWNED), SCOTLAND

What's definite	What's likely	What's the potential penalty?	What action should be taken?	Spending cap
<p>All properties must have a valid EPC when being sold</p> <p>Listed properties may be exempt, however, not having an EPC may slow down the conveyancing process</p>	2033 – all homes must have an EPC of C or above	Up to £1,000 for failing to have EPC	<p>Await further information from government</p> <p>Potentially proactively review EPCs and start to undertake works to improve</p>	Update expected 6 months ahead of legislation change



**FOR MORE INFORMATION REGARDING MEES REGULATIONS OR IMPROVING ENERGY EFFICIENCY IN BUILDINGS,  
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