

Standards for Houses in Multiple Occupation

May 2018

| Contents | Page |
|--|-------------|
| Part 1. INTRODUCTION AND APPLICATION ----- | 3-4 |
| Part 2. HMO STANDARDS TO BE APPLIED | |
| 2.1 Space and Occupancy Standards ----- | 4-6 |
| 2.2 Personal Washing and Toilet Facilities ----- | 6-7 |
| 2.3 Kitchens ----- | 7-9 |
| 2.4 Heating ----- | 9 |
| 2.5 Lighting and Ventilation ----- | 10 |
| 2.6 Fire Safety ----- | 10-11 |
| 2.7 Waste and Recycling ----- | 11 |
| PART 3: MANAGEMENT STANDARDS ----- | 11-13 |
| PART 4. HOUSING STANDARDS - (HHSRS) ----- | 13-15 |
| PART 5: FURTHER INFORMATION ----- | 15 |

Part 1. INTRODUCTION AND APPLICATION

This guidance lays down the minimum standards that the London Borough of Hounslow will apply to Houses in Multiple Occupation (HMOs) and will assist you in meeting your legal responsibilities.

1.1 Definition of HMO

A house in multiple occupation (HMO) is a Building, house or flat which is occupied by persons who do not form a single household. The full definition of HMO is found in sections 254 to 260 of the Housing Act 2004. (“The Housing Act”)

Houses or Flats where there is sharing of one or more amenities. (toilet, washing and cooking facilities) or where the amenities are lacking;

Converted buildings where one or more of the units of living accommodation are not fully self-contained;

Converted buildings consisting of self-contained flats where the conversion works do not meet the standards of the 1991 or more recent Building Regulations and where less than two-thirds of the flats are owner-occupied.

1.2 National legal Requirements

These Standards will be applied alongside other legislation including

- Part 1 of the Housing Act 2004 - **the Housing Health and Safety Rating System (HHSRS)** – which will be used to assess housing conditions and enforce housing standards.
- Part 2 of the Housing Act 2004 - Licensing of Houses in Multiple Occupation
- Part 7 of the Housing Act – National Management Regulations applicable to all HMOs

1.3 Scope and Application

The Council has a separate standard for Hostels which provide accommodation for a short duration but are the main and only residence for that period. Hotels and bed and breakfast accommodation used for temporary placements by Council’s has a separate joint London standard. “Setting the Standard for Temporary Accommodation in London”

The guidance is intended to be applied with a degree of flexibility and discretion can be exercised by the Council. Discretion cannot be applied in licensed HMOs where national minimum HMO standards must be complied with.

PART 2. HMO STANDARDS TO BE APPLIED

2.1 Space and Occupancy Standards Rooms used for Sleeping

When measuring the size of the room and assessing usable space, the shape of the room should be considered as well as the total floor area.

Space taken up by fitted units are counted in the floor area calculation, but chimney breasts, lobbies and bathroom/shower rooms or toilets are not.

Rooms must have a minimum floor to ceiling height of at least 2.14 m over 75% of the floor area. Any floor area where the ceiling height is less than 1.53 m is disregarded. Where bunk beds are used there shall be a minimum floor to ceiling height of 2.5 metres.

A maximum of two people is permitted to share a room for sleeping **irrespective of age**. If there are two occupiers, they must be living together as partners, family members or consenting friends. A room used for sleeping must not be shared by people of the opposite sex who are 10 and over, unless they are married or living together as husband and wife.

Bed Room sizes must comply with the following minimum standards:

| Letting rooms where shared kitchen facilities are provided separately | Size of Room | Maximum Number of Occupants |
|---|-------------------------------|-----------------------------|
| All rooms | 0 - 6.5 m ² | 0 |
| Room – where a communal living room or dining area is provided | 6.5 - 10.2 m ² | 1 |
| Room - where a communal living room or dining area is provided | More than 10.2 m ² | 2 |
| Room – where no communal living room or dining area is provided | 9 -12 m ² | 1 |
| Room – where no communal living room or dining area is provided | More than 12 m ² | 2 |

| Room which contains its own kitchen facilities | Size of room | Maximum number of occupants |
|--|-----------------------------|-----------------------------|
| | 0 -10.5 m ² | 0 |
| | 10.5 – 14 m ² | 1 |
| | More than 14 m ² | 2 |
| | | |

| Buildings converted into flats (S257HMOs) | Size of room | Maximum number of occupants |
|---|-------------------------------|------------------------------------|
| All bed rooms | 0 – 6.5 m ² | 0 |
| Flats consisting of one-bedroom room with en suite and kitchen facilities | 13.5 – 16 m ² | 1 |
| Flats consisting of one-bedroom room with en suite and kitchen facilities | More than 16 m ² | 2 |
| Bedroom in a flat – with separate living room or kitchen/dining area | 6.5 - 10.2 m ² | 1 |
| Bedroom in a flat – with separate living room | More than 10.2 m ² | 2 |
| Bedroom in a flat – without separate living room | 9 -12 m ² | 1 |
| bedroom in a flat – without separate living room | More than 12 m ² | 2 |
| Additional bedroom | 6.5 - 10.2 m ² | 1 |
| Additional bedroom | More than 10.2 m ² | 2 |

Spaces Standards for Shared Kitchens

| Kitchens | Minimum Room Size [square metres] |
|--------------------------------|--|
| Up to 5 people sharing | 6.5 m ² |
| Up to 10 people sharing | 11 m ² |

Living Rooms

Living rooms should be fully furnished and be of sufficient size to enable adequate comfortable seating, such as sofas and armchairs to accommodate all of the occupiers at any one time (to avoid incidences where some occupiers are unable to make use of the communal living room at certain times) and would usually have a television and coffee table.

Dining areas should be of sufficient size to enable provision of sufficient dining table and chairs to accommodate all the occupiers at any one time as above.

2.2 Personal Washing and Toilet Facilities

Where facilities are shared They must be adequate for the number of occupiers, and the following guide should be followed when determining the adequacy of the provision. External WC's are not counted.

| Number of Occupants | Number of Bathrooms Required | Number of WCs Required | Minimum number of WCs required in a separate compartment |
|----------------------------|-------------------------------------|-------------------------------|---|
| 0 to 4 persons | 1 | 1 | 0 |
| 5 persons | 1 | 1 | 1 |

| | | | |
|-------------------------|----------|----------|----------|
| 6 to 10 persons | 2 | 2 | 1 |
| 11 to 15 persons | 3 | 3 | 2 |

Those persons having exclusive use of a bath/shower or WC will be discounted when calculating the level of shared facilities required.

Where Bathrooms and WC's are shared they should be within one floor of lettings and, be accessible from a common area.

Bath/shower rooms and WC's must be adequately lit and ventilated, and bath and shower rooms must be adequately heated, such as by radiator, wall-mounted convector or fan heater, or under floor heating. Electric bar heaters are not permitted. In newly provided bathrooms, a mechanical extractor must be installed in addition to any openable window.

All glazing to windows in bathrooms and WCs shall be obscure.

All baths showers and wash hand basins must be equipped with taps providing an adequate piped supply of cold and constant hot water

Bath/shower rooms and WCs must have surfaces, which are designed to be reasonably smooth and non-absorbent and capable of being readily, and easily cleansed. Floors should be slip resistant.

A suitable splash back must be provided to all baths and wash hand basins. Shower cubicles must have fully tiled walls or other impervious surfaces, and be provided with a suitable shower curtain or door to the cubicle.

Bath/shower rooms must be of an adequate size to provide adequate circulation space between fixtures and fittings and to allow for changing and drying. The space must be able to support the installation of a bath (1700x 700mm) or a shower tray (800x800) as well as a WC and Wash hand basin where provided.

A wash hand basin shall be provided in each separate WC compartment together with its own supply of hot and cold running water. If not practicable a wash hand basin with its own supply of hot and cold running water should be provided in the nearest communal bathroom.

All WCs must have a flushing apparatus and be connected through a suitable trap to an effective foul drainage system.

WC compartments must be separated from areas used for the preparation of food.

WC's and bath/shower rooms must be fitted with a suitable and functioning lock.

All new bath/shower rooms and WCs shall satisfy current Building Regulations.

2.3 Kitchens

The facilities should include:

| Facilities | Specifications |
|------------------------------|--|
| Cooker | An oven, grill, and at least four hobs. Cookers must not be sited adjacent to exit doors A tiled surface as a cooker splash back; (minimum 300mm high). A lift-up cover to the appliance would be a suitable alternative |
| Sink/drainer | A suitable size sink and integral drainer set on a base unit. The sink is to be provided with constant and adequate supply of hot and cold water and properly connected to the drainage system. A tiled splash back (minimum 300mm high) shall be provided to the sink and drainer |
| Worktops | A suitable worktop fixed at an appropriate height and made of suitable impervious material - minimum size 1000m x 600mm, and provided with a tiled splash back (minimum 300mm high) |
| Electrical Sockets | One suitably located electrical socket for each dedicated appliance such as a cooker, refrigerator and washing machine. In addition, 4 sockets (in either double or single combinations) to be provided above the worktop |
| Food storage cupboard | One double wall cupboard [1000mm wide] or one single base cupboard [500mm wide] per household – may be provided within the unit of accommodation or within the shared kitchen. The storage space below the sink unit should not be used for food storage. |
| Refrigerator/Freezer | Where provided in a shared kitchen, equivalent of 2 worktop height refrigerators both with freezer compartments, or 1 worktop height fridge and 1 worktop height freezer Where provided within lettings a small fridge freezer |

Where all or some of the units of accommodation share kitchen facilities they must be provided as a minimum of one set of facilities for every 5 people sharing

If two sets of facilities are in the same shared kitchen, each set must be separated and in distinct areas of the room. No more than two sets of kitchen facilities may be accommodated in any one kitchen.

Kitchen facilities should be no more than one floor away from the letting. Where this is not practicable, a dining area of a size suitable for the number of occupiers should be provided on the same floor as, and close to, the kitchen.

All kitchen areas should be large enough for the facilities to be used safely and cookers should be located remote from doorways. Facilities and appliances should be designed and installed safely.

A kitchen must not be the sole access to a room used for sleeping and must not be installed in a hallway.

A humidistat-controlled mechanical extractor must be provided where there is inadequate natural ventilation by means of a window. Newly converted kitchens must have a mechanical extractor regardless of whether there is an openable window.

With the exception of an extractor hood, fixtures and fittings are not to be directly located above cooking appliances.

Suitable and sufficient provision shall be made for refuse storage and disposal both within the unit of accommodation and outside.

Kitchen facilities provided within lettings

Kitchen facilities must be sited remote from the entrance door. The cooker should not be situated below a window.

Kitchen facilities must be provided together in a suitable area of the room. For this area, provide a suitable area of non-slip impervious flooring. The new floor covering to be separated from the existing with a metal edging strip.

An oven, grill, and at least four hobs. (In some circumstances and for single lettings two hobs, oven and grill or two hobs and a combination microwave are acceptable).

'Space saver' kitchens are acceptable in single person units of accommodation only.

The following to be provided as specified in the table above

- a suitable sink and integral drainer (minimum size 1000mm x 500mm)
- a suitable worktop (minimum size 1000mm x 600mm)
- A storage cupboard,
- a fridge **with** freezer compartment
- four (13 amp) electric sockets in the food preparation area.

Laundry facilities

Laundry and drying facilities should be provided in large shared houses.

2.4 Heating

All habitable rooms and bathrooms shall be provided with a suitable appliance properly maintained and capable of giving a temperature of 21° c in the occupancy/letting room and 18°c elsewhere (when the outside temperature is -1°c).

Appliance means: A fixed gas fire with an adequate flue; or

A fixed electric heater; i.e. the wiring to be spurred into the main electrical supply; or

An efficient, effective and economical space heating system.

The occupier of each unit of accommodation must be able to control the temperature within their dwelling, for example via thermostatic temperature valves where central heating is provided, or individual wall mounted electric heaters. Structural thermal insulation may be required where electric heating is provided and where the walls are solid or have cavities.

Portable oil or gas heaters shall be not used in any part of the building

2.5 Lighting and Ventilation

All habitable rooms shall be ventilated directly to the external air by a window, the openable area of which shall be equivalent to at least 1/20 of the floor area of the room. Where a basement room is used as a habitable room there should be an unobstructed space immediately outside the window opening which extends the entire width of the window or more and has a depth of not less than 0.6m measured from the external wall or not less than 0.3m in the case of a bay window with side lights.

All habitable rooms shall be provided with adequate natural lighting with an area of clear glazing situated in a window, opening to the external air, equivalent in total area to at least 1/10th of the floor area of the room.

All habitable rooms, kitchens, bathrooms, WCs, staircases, landings and passages shall have adequate artificial lighting.

All lighting to common parts should be provided maintained and paid for by the landlord or their agent.

There should be sufficient switches to operate the artificial lighting on each landing, hallway or passage and each switch should allow hallways, passages and stairways to be lit at the same time.

Time switches are only allowed to common landings, hallways and staircases and should stay on for an adequate time to allow a person to climb stairs etc. and enter a room.

2.6 Fire Safety

HMOs must be provided with a safe means of escape in case of fire, adequate fire detection and emergency fire fighting equipment.

The requirements will vary according to the observations and findings arising from any HHSRS inspection undertaken. In general terms the following fire safety measures must be considered:

Provision of a protected escape route

The protected escape route leads from the letting to the street exit through the building, and normally includes staircases, passageways and landings.

- All rooms leading on to the escape route should be protected with 30-minute fire resistant doors, partitions and ceilings. The protected escape route must be kept free of obstruction and flammable items.
- There must be 60-minute adequate fire separation from any commercial areas of the building.

Provision of Fire Precautionary Facilities

- Provision of smoke and fire detections systems to provide early warning of fire within a letting or the common parts. Provision of any form of system requires specialist advice to design and install. In general:
 - Houses and Flats of no more than 2 stories (Grade D, LD2 System)
 - Houses and Flats of 3 or More Stories (Grade A, LD2 System)
- Provision of fire fighting equipment.
- Emergency lighting may be necessary in larger properties with complicated layouts.

2.7 Waste and Recycling

The Licence Holder must ensure that sufficient bins or other suitable receptacles are provided for the storage of refuse and litter pending their disposal. The facilities provided must be adequate for the households in occupation.

The Licence Holder must make further or supplementary arrangements for the disposal of refuse and litter from the HMO as may be necessary, having regard to any service for such disposal provided by the local authority.

If this is not achievable within the Council's standard weekly collection arrangements, then the license holder must make adequate alternative arrangements for the collection of refuse and recycling.

The tenants must be informed in writing at the beginning of their tenancy on which days refuse and recycling collections take place. This information should also be permanently displayed in a prominent position within the property

The License Holder is responsible for ensuring occupiers manage the waste appropriately and liaise with the local authority to ensure the property is supplied with the appropriate bins and recycling containers for the number of occupants.

For advice contact Waste and Recycling services at the London Borough of Hounslow. Visit www.hounslow.gov.uk, Email recycling@hounslow.gov.uk, or call 020 8583 5555 for details.

PART 3: MANAGEMENT STANDARDS

The Management of Houses in Multiple Occupation (England) Regulations 2006 apply to all HMOs except those consisting entirely of self-contained flats. For HMOs consisting of self-contained flats, then The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 apply.

Failure by a manager to comply with the regulations may result in prosecution.

The Regulations can be accessed in full at www.legislation.gov.uk. Under both sets of Regulations the person in control of or managing the HMO has a number of duties:

3.1 Provision and display of the manager's contact information to the occupiers

The manager's name, address and any telephone contact number must be made available and be clearly displayed in a prominent position in the property.

3.2 Maintenance of common parts, fixtures, fittings and appliances –

All stairs, banisters, floor coverings, windows, lighting, means of ventilation, shared amenities, yards, gardens and boundaries must be maintained in good and clean decorative repair, in a safe working condition and kept reasonably clear from obstruction.

3.3 Maintenance of living accommodation –

Each letting must be in a clean condition at the beginning of any rental period and that the internal structure, fixtures/fittings, appliances, windows and mechanical ventilation are maintained in good repair and clean working order

3.4 Safety measures, including fire safety

All means of escape from fire, any automatic fire detection system and fire fighting equipment must be maintained in good working order and kept free from obstruction.

All reasonable steps must be taken to protect the occupiers of the HMO from injury, ensuring structural safety within the HMO, and that windows set close to or at floor level are suitably safeguarded

3.5 Supply and maintenance of gas and electricity

Annual gas safety tests must be carried out on all gas appliances within the HMO by a GasSafe registered engineer, and evidence must be supplied to support this if requested by the Council.

The electrical installation must be inspected and tested at intervals not exceeding five years by a person qualified to undertake such inspection and testing, and evidence must be supplied to support this if requested by the Council

The gas or electricity supply, used by any occupier within the HMO, must not be unreasonably interrupted

3.6 Maintenance of water supply and drainage

The water supply must be constant and not unreasonably interrupted and the drainage system must be maintained in good, clean and working condition

3.7 Provision of waste disposal facilities.

Sufficient refuse storage bins must be provided for the requirements of each household occupying the HMO

Suitable further arrangements for the disposal of refuse and litter must be made having regard to any service for such disposal provided by the local authority.

3.8 Duty of Occupiers

Occupiers of HMOs have a duty to ensure that they take reasonable care to avoid damage and disrepair to the property, and do not act in such a way as to obstruct the manager in complying with any Management Regulation.

Other Management Requirements

3.9 Furniture and Furnishings (Fire) (Safety) Regulations 1998 (amended 1989 & 1993)

Furniture and furnishings supplied in conjunction with the accommodation must comply with specified levels of fire resistance.

3.10 Gas Safety (Installation and Use) Regulations 1994

Gas safety inspections and tests must be completed by a GasSafe registered gas installer/engineer annually. Certificates are required in relation to ALL gas appliances and the gas installation.

All servicing and repairs are to be carried out by GasSafe approved contractors.

Records of annual safety inspections and tests must be made available to the Council for inspection, with a copy supplied to the tenant.

PART 4. HOUSING STANDARDS - THE HOUSING HEALTH AND SAFETY RATING SYSTEM (HHSRS)

The Housing Health and Safety Rating System is a method used to inspect properties and to assess the health and safety risks in dwellings. The principle of HHSRS is that any residential premises (including the structure, means of access, and any associated outbuilding, garden or yard) should provide a safe and healthy environment for any potential occupier or visitor. The HHSRS guidance identifies 29 potential hazards, the most common found in HMOs are listed below.

Where significant health and safety risks are found The Council will take action to ensure that any hazards are removed by either requiring work to be carried out or by prohibiting the use of the dwelling or part of the dwelling as appropriate.

Fire hazards

HMOs must be provided with a safe means of escape in case of fire, adequate fire detection and emergency fire fighting equipment. (See part 2.6 above)

Electrical hazards

The electrical installation should be maintained in a safe condition. There is a legal requirement for the electrical installations in Houses in Multiple Occupation (HMOs) to be inspected every five years. Electrical installations must be inspected by a competent person.

Flames, hot surfaces etc.

Heating and cooking appliances should all be maintained in a safe condition and be suitably located so as not to become unreasonably hazardous. Cooking appliances should be set on an even surface and heating appliances securely fixed with a suitable position within the room.

Personal hygiene, sanitation and drainage

Bathroom and kitchen, surface finishes should be capable of being readily cleaned. The external of the property should be free from disrepair and free from access by pests, such as rats and mice. There should also be suitable provision for the storage of domestic waste inside and adequate receptacles outside the property.

Water supply

An adequate supply of cold potable drinking water should be available from the kitchen sink. All pipework should be adequately protected from frost damage.

Falls

Externally, paths and walkways should be even, be properly drained and steps should be maintained in good condition and be free from disrepair. Internally, floors should be even and comprise a non-slip finish and be maintained in a good condition. Stairs should be maintained in good condition, and be free from disrepair. Stair coverings should be properly and securely fitted and should not be worn or loose. A securely fixed handrail should be provided the

full length of the stairway. Balconies and basement light wells should have securely fixed guarding.

Entry by intruders

Houses should be capable of being secured to deter against unauthorised entry. Windows and doors should be robust and fitted with adequate security. Externally, the curtilage of the property should be restricted and be properly gated. Sheds or outbuildings should be maintained in good order and made secure.

Lighting

All habitable rooms should have an adequate level of natural lighting. Where practicable, all staircases, landings, passages, kitchens, bathrooms and toilets should be provided, with a window. All rooms and circulations areas within the property should have provision for electric lighting.

Damp and mould growth

Houses should be warm, dry and well-ventilated, maintained free from rising, penetrating and persistent condensation and there should be adequate provision for the safe removal of moisture-laden air to prevent damp and mould growth.

Excess cold

Houses should be adequately insulated to prevent excessive heat loss; in particular, roof spaces should be properly insulated and windows and doors draught proofed. The property should have an efficient heating system capable of maintaining temperature.

PART 5: FURTHER INFORMATION

5.1 Planning consent

Compliance with these standards or the grant of an HMO licence does not confer planning approval for any particular use.

HMOs with 7 or more occupiers require planning permission and owners and managers are recommended to contact the Planning Authority to clarify the planning status of the property.

5.2 Building Control

Works of alteration and/or improvement, including those requested by the Council such as drainage works to provide additional bathroom facilities, window replacement or alterations to the electrical system, may require Building Regulation or Building Notice approval.