

Prescribed Standards for deciding the suitability for occupation of a House of Multiple Occupation

These are standards for deciding the suitability for occupation of an HMO by a particular maximum number of households or persons.

The standards are assessed alongside:

- The Housing Act 2004 HHSRS Operating Guidance.
- The Licensing and Management of Houses in Multiple Occupation and other houses (miscellaneous provision) (England) Regulations 2007
- The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2006
- The Lacors fire service guidance 2004
- The Mandatory Conditions Regulations 2018

Heating

1. Each unit of living accommodation in an HMO shall be equipped with adequate means of space heating.

- Heating must be capable of reaching and maintaining 18oC when the external temperature is -1oC.
- Adequate fixed space heating to be provided in every room including bathrooms and kitchens.
- The heating should be provided with controls which allow the occupants to regulate the temperature within each individual room (TRV's).
- Systems should be designed to be of adequate size for the dwelling.
- Adequate structural thermal insulation should be provided to the building. This would include minimum 270mm of loft insulation and where appropriate cavity walls should be insulated.

Washing facilities

2. Where all or some of the units of living accommodation in an HMO do not contain bathing and toilet facilities for the exclusive use of each individual household (ensuites) the following will apply:

*Where there are **4 or less** occupiers sharing those facilities there must be at least one bathroom, not more than 1 floor distant to living accommodation, with a fixed bath or shower and a toilet (which may be situated in the bathroom);*

- A wash hand basin must be provided with an adequate and constant supply of hot and cold water and connected to the foul water drainage system.
- Each bathroom shall have either a bath or a shower with an adequate and constant supply of hot and cold water designed to ensure reasonable temperature control and connected to the foul water drainage system.
- Each toilet shall be properly connected to the foul drainage system.
- Appropriate splash backs and sealant/ quadrant shall be provided to each wash hand basin, bath, or shower.
- Each bathroom or shower room shall be of an appropriate size to provide adequate changing and drying space for the users.

- Landlords should ensure the provision of suitable floor covering to WCs, bathrooms, and kitchens; these shall be slip resistant, impervious and easily cleansable.

Where there are **5 or more** occupiers sharing those facilities there must be;

One separate toilet with wash hand basin with appropriate splash back for every five sharing occupiers; and

At least one bathroom (which may contain a toilet) with a fixed bath or shower for every five sharing occupiers

- A wash hand basin must be provided with an adequate and constant supply of hot and cold water and connected to the foul water drainage system.
- Each bathroom shall have either a bath or a shower with an adequate and constant supply of hot and cold water designed to ensure reasonable temperature control and connected to the foul water drainage system.
- Each toilet shall be properly connected to the foul drainage system.
- Appropriate splash backs and sealant/ quadrant shall be provided to each wash hand basin, bath, or shower.
- Each bathroom or shower room shall be of an appropriate size to provide adequate changing and drying space for the users.
- Landlords should ensure the provision of suitable floor covering to WCs, bathrooms, and kitchens; these shall be slip resistant, impervious and easily cleansable.

All bathrooms in an HMO must be suitably and adequately heated and ventilated (see heating section above. Adequate mechanical ventilation in accordance with Approved document F of the Building Regulations 2010.)

All bathrooms and toilets in an HMO must be fit for purpose.

- No toilet should open directly onto an area of kitchen where food is prepared unless mechanical extract ventilation and a wash hand basin is provided in the compartment.

Schedule of Amenity Standards in Relation to Number of Persons 5+

6-10 persons	2 bathrooms And 2 separate WC's with wash hand basins (one of the WC's can be contained within one of the bathrooms).
11-15 persons	3 bathrooms And 3 separate WC's with wash hand basins (two of the WC's can be contained within 2 of the bathrooms).

† Bathroom means a room containing a bath or shower

(2). Where there are no adequate shared washing facilities provided for a unit of living accommodation as mentioned in paragraph 2, an enclosed and adequately laid out and ventilated room with a toilet and bath or fixed shower supplying adequate cold and constant hot water must be provided for the exclusive use of the occupiers of that unit either –

(a) within the living accommodation; or

(b) within reasonable proximity to the living accommodation – These amenities must be located not more than 30 metres away on the same floor, or normally no more than one floor distant from the unit of accommodation.

Shared Kitchens

3. Where all or some of the units of accommodation within the HMO do not contain any facilities for the cooking of food there must be a kitchen, not more than one floor distant, suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities to adequately enable those sharing the facilities to store, prepare and cook food.

The kitchen must be equipped with the following equipment, which must be fit for the purpose. The facilities should be provided at a ratio of **one set per 5 occupiers**:

- (1) A sink with an adequate hot and cold water supply, and a draining board;
- (2) A cooker, minimum of 4 rings, plus oven and grill
- (3) At least 3 double power sockets placed at sensible intervals along the work top (excluding sockets for dedicated appliances such as cooker, freezer, microwave etc.)
- (4) worktops for the preparation of food (minimum depth 500mm, length 0.5m per person, plus additional 0.5m length) NOTE: ignore 300mm on each side of the cooker, the section containing the sink and any inaccessible corners as useable food preparation space.
- (5) Individual occupier cupboards for the storage of food or kitchen and cooking utensils.
- (6) A refrigerator (per 5 occupants) with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezer);
- (7) The appropriate heat alarm connected to the main system.

Each kitchen must also have.

- **Enough refuse bins (internally and externally) for the storage of refuse awaiting collection.**
- **A mechanical extract fan in accordance with Approved Document F under the Building Regulations 2006.**
- **A fire blanket, wall mounted at around 1.5m high and closer to the room exit than the cooking source.**
- **Adequate provision of fire doors and fire detection. A 30-minute fire door set fitted with cold smoke seals, intumescent strip and a suitable self closing device (garden gate and rising butt hinges are not acceptable).**
- **Cleansable floor coverings.**
- **Impervious splash backs to walls adjacent to cookers, sinks and food preparation areas.**
- **Ceilings, walls and floors should be kept in good repair.**

For 6 occupiers, the following relaxed standard can apply:

- Two cookers, each with a four-ring gas or electric hob plus oven and grill **or** a single 4 ring hob with an oven and grill, plus a combination microwave oven (positioned so that the hobs are at worktop level.)
- Two sinks with integrated drainers with a tiled splashback and a constant supply of hot and cold running water for food preparation, **or** a single sink and a dishwasher.
- Adequate worktop with a minimum of 2500mm of linear useable worktop and the standard depth of generally 600mm. NOTE: ignore 300mm on each side of the cooker and any inaccessible corners as useable food preparation space.
- A food storage lockable unit of standard depth (300mm) and height (720mm) x 400mm width, or base unit (not a sink unit) of equivalent volume (0.08m³) for each person.
- At least 6 double plug socket outlets in addition to those servicing major appliances.
- A large refrigerator sized fridge freezer.

Units of living accommodation without shared basic amenities

4. (1). Where a unit of living accommodation contains kitchen facilities for the exclusive use of the individual household, and there are no other kitchen facilities available for that household, that unit must be provided with –

ITEM	MINIMUM STANDARD	EACH UNIT
Adequate appliances and equipment for the cooking of food	A cooker with and oven, grill and 4 rings (2 rings acceptable for a single person)	Per unit
A sink with an adequate supply of cold and constant hot water	A fixed impervious sink with a drainer with an adequate and wholesome supply of cold water and constant hot water	Per unit
A worktop for the preparation of food	The worktop shall be fixed, secure and of impervious material	Minimum depth 500mm, length 1 metre.
Sufficient electrical sockets	Sockets should be set at a convenient height and safe position	At least 4 sockets (2 doubles). Additional dedicated sockets are required for a cooker and refrigerator etc
A cupboard for the storage of kitchen utensils and crockery	Floor or double wall mounted cupboard. The space below the sink is not acceptable.	Double wall unit for one person (more for larger households)
A refrigerator	A standard size fridge with freezer compartment	A standard fridge with freezer compartment.

Standard of facilities as already indicated in points 2 above.

Room sizes

The sharing of rooms by persons of the opposite sex over the age of 12 and who do not live as partners shall not be permitted.

HMO's of 7 or more rooms must evidence permission for the change of use from the planning department, and must evidence a building regulations application for the same where appropriate. Advice should be sought from those respective departments regarding this.

The minimum room sizes are also subject to each room being of a shape offering adequate useable living space in determining whether it is suitable for occupation. Any area of the room with a ceiling height of less than 1.5m cannot be counted towards the minimum room size.

One person units of accommodation (Bedsits)		
One room units	13m ² with kitchen facilities	
	10m ² with separate shared kitchen	
	Shared kitchens must be 3m ² per person	
Two or more room units	Each bedroom	6.51m ² <u>And</u> total floor area of letting 15m ²
	Each kitchen	5.5m ²
	Each living/kitchen	11m ²
	Each living room	9m ²
	Each living/bedroom	10m ²

Two or more person units of accommodation (living together as a single household) (Bedsits)		
One room units	18m ² with kitchen facilities	
	16m ² with separate exclusive kitchen	
	No room shall be occupied by more than two persons irrespective of age.	
Two or more room units	Each single bedroom	6.51m ²
	Each double bedroom	10.22m ²
	<u>And</u> total floor area of letting 18.5 / 16m ² (according to above)	
	Each kitchen	7m ²
	Each living/kitchen	15m ²
	Each living room	10m ²
	Each living/bedroom	14m ²

Shared Houses		
One person bedroom	6.51m ² for persons over the age of 10 years	
One child bedroom	*4.64 m ² for 1 child under 10 years	
Two person bedroom	10.22m ² for 1 household comprising of 2 persons	
Common Rooms	Kitchens	Used by 1-5 persons 7m ²
		For 6-10 persons an

		additional 3m ²
	Dining Kitchens	Used by 1-5 persons 11.5m ²
		Used by 6-10 persons 16.5m ² - but dependent on kitchen facilities
	Living rooms and Dining rooms	Used by 1-5 persons 11.5m ²
		Used by 6-10 persons 16.5m ²

† the floor to ceiling height should normally be no less than 2.4m

*any room of less than 4.64m² may not be used as sleeping accommodation and the landlord/agent will need to notify the local housing authority of any room in the HMO with a floor area of less than 4.64m²

Fire precautionary facilities

6. Appropriate fire precaution facilities and equipment must be provided of such type, number and location as are considered necessary.

The facilities required may vary from property to property. The guidance below is given as a guide only. Please contact Environmental Health for individual advice.

- All doors opening onto an escape route (apart from some WC's and bathrooms, not containing an ignition source and fire loading) must be FD30S with the appropriate door furniture including a self-closing device, three hinges and intumescent strips. These must close fully without assistance. – Not required in some instances of smaller shared houses.
- In smaller HMO's (2 story or less, 4 person or less) – mains wired detection alarm system to (BS 5839 Part 1 2002) interconnected smoke detectors to be fitted to common hallways with heat detectors to kitchens and any cellar/ basement.
- In HMO's (3 story or more, 5 person or more) – mains wired panel controlled detection alarm system to (BS 5839 Part 1 2002) interconnected smoke detectors to be fitted to every bedroom and common hallway with heat detectors to kitchens and any cellar/ basement.
- In a property with cooking facilities located in the bedroom unit, interconnected heat detectors to be fitted to each bedroom, and interlinked smoke detector to common hallways, plus a stand-alone smoke alarm (BS 5466) in each bedsit for earlier warning to occupant.
- Emergency lighting to be fitted through the escape route in 3 story or larger properties or where there are complex escape routes, or where there is little or ineffective borrowed light.

All recommendations should only be drawn up by persons with appropriate fire experience and all recommendations must be approved by the respective Fire Authority.

Duty of manager to supply and maintain gas and electricity

The manager must supply to the local housing authority within 7 days of receiving a request in writing from that authority the latest gas appliance test certificate it has received in relation to the testing of any gas appliance at the HMO by a recognised engineer.

Recognised engineer” means an engineer approved under regulation 3 of the Gas Safety (Installation and Use) Regulations 1998 as being competent to undertake such testing.

The manager must ensure that every fixed electrical installation is inspected and tested at intervals not exceeding five years by a person qualified to undertake such inspection and testing;

- obtain a certificate from the person conducting that test, specifying the results of the test; and
- supply that certificate to the local housing authority within 7 days of receiving a request in writing for it from that authority.

The manager must not unreasonably cause the gas or electricity supply that is used by any occupier within the HMO to be interrupted.

Issuing the HMO licence

Where a property is unsuitable for the application’s proposed number of occupiers the local authority may, where the property can be made suitable by certain works, place conditions on the issued licence for certain works to be completed by certain dates.

Where a property cannot be made suitable for the proposed number of occupiers the local authority may propose to grant a licence for the number of occupiers and households the property is presently suitable for.

Where a property is considered unsuitable for the proposed use, or the management arrangements are inadequate, or significant health and safety failings are noted at inspection the authority may choose to refuse an application or may grant a licence for a reduce time period.