

1. HEATING

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

- a) Heating shall be provided in every habitable room, and bathroom. The means of heating shall be capable of maintaining a temperature of 20 degrees Celsius (°C) when the outside temperature is -1 °C. (The provision of insulation can assist in meeting this standard.)
- b) The heating appliances must be capable of being safely used at any time, and be suitably guarded. All such appliances shall be maintained by a competent person. Gas appliances shall be inspected annually, and certificated in accordance with the Gas Safety (Installation & Use) Regulations 1994.
- c) The use of portable paraffin or oil fired heaters, and liquefied petroleum gas (LPG) (bottled gas) heaters are prohibited under any circumstances, whether provided by the landlord or the tenant.
- d) Heating may be provided by means of:-
 - (i) Central Heating, or
 - (ii) Gas heaters connected to a suitable flue and terminal outlet, or
 - (iii) Oil heaters connected to a suitable flue and terminal outlet, or
 - (iv) Electricity, which if used to provide heating to a room, should include the provision of an electric point for that exclusive purpose, and the individual electric heaters (except oil filled radiators) must be a fixed installation, or
 - (v) Solid Fuel (in the form of an authorised smokeless fuel, or, alternatively, solid fuel burnt in a smokeless appliance). If solid fuel is used, proper fuel storage facilities shall be provided outside the building, in a readily accessible position, for each unit of accommodation.
- e) Wherever practicable, heaters (including radiators) shall be fixed to an existing chimney breast, or otherwise positioned so as to direct heat towards the centre of the room.

2. WASHING FACILITIES, SANITARY CONVENIENCES,

(Shared)

2.1 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:

- a) there must be an adequate number of bathrooms, toilets, and washhand basins, suitable for personal washing, for the number of persons sharing those facilities;

Washing facilities

Number of occupiers sharing Washing Facilities

- Up to 5 people - One bathroom with wash basin and bath or shower
- 6 to 10 people - Two bathrooms
- 10 + people - An additional bathroom per each additional 5 persons

Wash Basins

One standard sized wash basin, (approx. 550mm x 400mm), with a 300mm high waterproof splash back, with cold and constant hot running water, shall be supplied in each shared bath/shower room serving a maximum of five occupiers. The wash basin shall be connected to the drainage system via a suitable trap and provided with a plug.

Bath and Shower Facilities

Where practicable, each unit of accommodation shall be provided with a bath or shower, located in a separate room. Otherwise, a readily accessible, standard sized bath in a bathroom, or a standard sized shower in a suitable room, together with adequate drying and changing space, shall be provided. A 300mm waterproof splash back to the bath is to be provided. In the case of a shower, whether it is over a bath, or in its own compartment, the splash back shall be 150mm above the showerhead and to at least the edge of a fixed shower screen. Where a shower curtain is used the splash back should extend 300mm beyond the shower curtain. All joints shall be adequately sealed.

Toilet Facilities

Number of occupiers sharing Toilet Facilities required

- 4 occupiers - 1 toilet which may be incorporated within the bathroom
- 5 – 8 occupiers - 2 toilets, each of which may be sited within

a separate bathroom

- 9-10 occupiers - 2 toilets, 1 of which must be separate from any bathrooms
- 11-16 occupiers - 3 toilets, 1 of which must be separate from any bathrooms.

Each separate toilet compartment shall be provided with a suitable wash basin with cold and constant hot water and a 300mm tiled splash back.

External toilets shall be ignored.

- 2.2 (b) Where reasonably practicable there must be a wash hand basin with appropriate splash back in each unit other than a unit in which a sink has been provided, having regard to the age and character of the HMO, the size and layout of each unit and the existing provision for wash hand basins, toilets and bathrooms.**

The splash back to a wash hand basin shall be a minimum of 300mm high and at least equal to the width of the wash hand basin. All joints shall be adequately sealed

- 2.3 All baths, showers and wash hand basins in an HMO must be equipped with taps providing an adequate supply of cold and constant hot water.**

The bath or shower, with adequate cold, and adequate constant hot water supplies, shall be available at all times.

- 2.4 All bathrooms in an HMO must be suitably and adequately heated and ventilated.**

Heating provisions are detailed previously in Section 1 and the ventilation provisions are detailed in Section 7 below.

- 2.5 All bathrooms and toilets in an HMO must be of an adequate size and layout.**

- 2.6 All baths, toilets and wash hand basins in an HMO must be fit for the purpose.**
-

- (i) The walls and floor of any toilet, bathroom or shower room must be reasonably smooth and non-absorbent and capable of being readily cleansed.
- (ii) All sanitary fittings must be of non-absorbent material and capable of being easily cleaned.
- (iii) All sanitary fittings must be located at an appropriate height and with sufficient free user space to facilitate use without strain.

2.7 All bathrooms and toilets in an HMO must be suitably located in or in relation to the living accommodation in the HMO.

- (i) A bathroom shall be no more than one floor distant in relation to the bedroom, where practicable.
- (ii) A toilet shall be no more than one floor distant from living rooms and bedrooms.

3.0 SHARED KITCHENS

3.1 Where all or some of the units of accommodation within the HMO do not contain any facilities for the cooking of food:

a) there must be a kitchen, suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food;

(b) the kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in sufficient quantity for the number of those sharing the facilities –

(i) sinks with draining boards

- (i) A metal or ceramic sink and drainer in good condition and of minimum dimensions 500 mm x 600 mm, set on a stable base or support, shall be supplied at the ratio of one sink for each set of 5 occupiers.
- (ii) Where a house is occupied by 6 occupiers, either the provision of a double bowled sink, or a dishwasher in addition to a single sink, may be treated as meeting this standard, where the Council considers that such a provision adequately meets the occupiers' needs. Where practicable, a waterproof splash back shall be provided to the sink and draining board and all joints shall be adequately sealed. The sink(s) shall be connected to the drainage system via a suitable trap and provided with a plug.

(iii) A wash basin shall not be used in place of a sink.

(ii) an adequate supply of cold and constant hot water to each sink supplied;

iii) installations, or equipment, for the cooking of food;

Number of occupiers sharing and Cooking Facilities required

- 5 occupiers - 1 full sized cooker with a minimum of 4 ring burners, a standard size oven and a grill.
- 6 occupiers - As above plus a microwave and full size dishwasher.
- 7-10 occupiers - 2 full sized cookers each with a minimum of 4 ring burners, a standard size oven and a grill or 1 full size cooker + microwaves.

All appliances must be properly connected to the gas or electricity supply and must be working correctly. All gas appliances shall be maintained by a competent person

(iv) electrical sockets;

(a) Six power outlets per five occupiers sharing the kitchen shall be provided to be sited above the worktops, plus one power outlet for each fixed appliance set at a convenient height and safe position.

(b) Electric cookers shall be provided with a dedicated cooker point outlet suitable for the rating of the cooker.

(c) Fixed electric space or water heating appliances sited in the kitchen shall be provided with a separate, dedicated point.

(v) worktops for the preparation of food;

A worktop or table of smooth and impervious material of minimum size 600 mm depth x 500 mm length per occupier and suitably located; this is to be in addition to any space taken up by any large appliance, sink unit or cooker.

(vi) cupboards for the storage of food or kitchen and cooking utensils;

Each household shall be provided with dry goods storage space either within the kitchen, or in an adjacent and readily accessible position. One double wall cupboard or a single base unit is required per occupancy for the storage of dry goods and utensils. If located in a communal kitchen, the dry goods storage may need to be lockable or otherwise secure. The space in a sink unit below the sink will not be accepted for the above purposes.

(vii) refrigerators with an adequate freezer compartment (or where the freezer compartment is not adequate, sufficient separate freezers);

If possible, separate fridges should be provided per household. Each separate household shall be provided with refrigerator space either within the kitchen, or in an adjacent and readily accessible position. Adequate freezer space shall also be provided.

(viii) appropriate refuse disposal facilities (see Section 9.0); and

(ix) appropriate extractor fans, fire blankets and fire doors (for fire precautions see Section 5.0).

All kitchens shall be ventilated by means of suitably sited extractor fan providing a minimum of 10 air changes per hour.

4. 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:-

(a) adequate appliances and equipment for the cooking of food

The minimum requirement is four rings/hot plates together with a minimum of 1cu ft (28 litres) oven and a grill. All appliances must be properly connected to the gas or electricity supply and must be working correctly. All gas appliances shall be maintained by a competent person.

(b) a sink with an adequate supply of cold and constant hot water;

A metal or ceramic sink and drainer in good condition and of minimum dimensions 500 mm x 600 mm, set on a stable base or support. Where practicable, a waterproof splash back shall be provided to the sink and draining board and all joints shall be adequately sealed. The sink shall be connected to the drainage system via a suitable trap and provided with a plug. A wash basin shall not be used in place of a sink.

(c) a work top for the preparation of food;

A worktop or table of smooth and impervious material that is capable of being easily cleaned and of minimum size 600mm x 1000mm for single person units, or 600mm x 1500mm for two person units. A suitable waterproof splash-back 300mm high should be provided where any work surface abuts a wall and all joints shall be adequately sealed.

(d) sufficient electrical sockets;

Four power sockets in addition to any serving major appliances set at a convenient height and safe position above the work surface.

(e) a cupboard for the storage of kitchen utensils and crockery;

The unit shall be provided with dry goods storage space either within the kitchen, or in an adjacent and readily accessible position. One double wall cupboard or a single base unit is required for the storage of dry goods and utensils, although occupancies comprising more than one individual will require additional space. The space in a sink unit below the sink will not be accepted for the above purposes

(f) a refrigerator.

Each separate unit shall be provided with refrigerator space either

within its kitchen, or in an adjacent and readily accessible position. Adequate freezer space shall also be provided.

4.1 A The standards referred to in (a) and (f) of sub-paragraph (1) shall not apply where the landlord is not contractually bound to provide such appliances or equipment, the occupier of the unit is entitled to remove such appliances or equipment or the appliances or equipment are otherwise outside the control of the landlord.

4.2 Where there are no adequate shared washing facilities provided for a unit of living accommodation as mentioned in paragraph 2.0, 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.**

(i) "Reasonable proximity to the living accommodation" shall mean no more than one floor away from the living accommodation.

(ii) Each unit of accommodation shall be provided, where practicable, with a bath or shower, located in a separate room. A readily accessible, standard sized bath in a bathroom, or a standard sized shower in a suitable room together with adequate drying and changing space, shall be provided. A 300mm waterproof splash back to the bath is to be provided. In the case of a shower whether it is over a bath or in its own compartment, the splash back shall be 150mm above the shower head and up to at least the edge of a fixed shower screen. Where a shower curtain is used the splash back should extend 300mm beyond the shower curtain. All joints shall be adequately sealed. Any shower shall have fully tiled walls or a complete self standing cubicle.

(iii) One standard sized wash basin, (approx 550mm x 400mm) with a 300mm waterproof splash back with cold and constant hot water shall be supplied in the bath/shower room.

(iv) Each separate toilet compartment shall be provided with a suitable wash hand basin with cold and constant hot water and a 300mm tiled splash back. Externally entered toilets shall not be counted.

(v) The bath/shower shall be provided with an adequate supply of cold and hot water and these shall be available at all times.

(vi) The walls and floor of any toilet, bathroom or shower room must be reasonably smooth and non-absorbent and capable of being readily cleansed.

(vii) All sanitary fittings must be of non-absorbent material and capable of being easily cleaned.

5.0 FIRE PRECAUTIONARY FACILITIES

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

The property shall be provided with an adequate protected means of escape from fire, together with other fire precautions including so far as necessary, a fire detection and warning system with emergency lighting to the satisfaction of the inspecting officer. Guidance is available in a separate document entitled - 'Guide to Fire Protection in Houses in Multiple Occupation – Guide for Owners, Agents, and Managers of HMOs'
http://www.stalbans.gov.uk/Images/LACORS%20gude%20to%20Housing%20Fire%20Safety_tcm15-2350.pdf

OTHER MATTERS

The following matters are not covered specifically in the Licensing and Management of Houses in Multiple Occupation (Miscellaneous Provisions) (England) Regulations but must be considered in regard to the Housing Health and Safety Rating System, and other regulations.

6.0 NATURAL AND ARTIFICIAL LIGHTING

- (i) All habitable rooms shall have an adequate level of natural lighting, provided via a clear glazed window, or combined windows and/or door(s), the glazed area to be equivalent to at least 1/10th of the floor area and to extend normally to a point 1.75m above floor level. The window shall be so positioned that the light from the window is able to illuminate most of the room.
- (ii) Windows to bathrooms and toilets are to be glazed with obscured glass.
- (iii) Adequate electric lighting points are to be provided to all habitable rooms, staircases, landings, passages, kitchens, bathrooms and toilets. All lighting to common parts to be provided, maintained, and paid for by the landlord. Lighting to staircases, landings and passages may be controlled by time switches or other devices having a similar effect but should be illuminated for ease of location. Two way switches shall be provided on stairs and passageways as necessary.
- (iv) Glazing in critical locations (i.e. where there is a danger of falling through or of lacerations) may need to meet both fire resistance and safety standards i.e. the use of fire resisting safety glazing complying with current British Standard 6206: 1981 (or

equivalent).

7.0 VENTILATION

(i) All habitable rooms shall be ventilated directly to the external air by a window that has an openable area not less than 1/20th of the floor area of that room. Alternatively a whole house ventilation system, suitable for use in habitable rooms will satisfy this standard providing it is installed and serviced in accordance with manufacturer's recommendations and has room by room control.

(ii) All bathrooms and toilet compartments shall have mechanical ventilation providing a minimum of 6 air changes an hour. Such an installation shall be fitted with an adequate period overrun device. In the case of bathrooms, this will usually be connected to the lighting circuit of the room but in certain cases, for example, where the fan is humidity controlled, this may not be possible.

(iii) A kitchen shall have extract ventilation capable of providing at least 10 air changes per hour.

(iv) All rooms, kitchens, bathrooms, and toilet compartments shall have a minimum floor to ceiling height of 2130mm. In the case of rooms with sloping ceilings, there shall be a minimum height of 2130mm over half of the floor area of the room. Measurements shall be taken on a plane 1500mm above the floor. Any floor area where the ceiling height is less than 1500mm high shall be disregarded.

8.0 DRAINAGE

(i) All new drainage shall comply with current Building Regulations.

(ii) The whole house shall be provided with an effective system, both above and below ground for the drainage of foul, waste and surface water.

9.0 REFUSE, STORAGE AND DISPOSAL

(i) Refuse and recycling bins or containers shall be provided in sufficient numbers to meet the needs of the house and requirements of the local authority, and an acceptable means of storage and disposal provided.

(ii) All refuse containers should be located away from habitable rooms, and wherever practicable, at the rear of the premises. All

bins to be positioned so that they do not cause obstruction of footways, and access ways, and do not obscure natural lighting from windows below bin height.

10. ELECTRICITY SUPPLY

0

(i) Electrical socket outlets shall be provided to individual rooms or lettings to a minimum standard as follows:

- Living room - 4 sockets
- Bedroom/study - 4 sockets
- Bedroom within a letting comprising more than one room - 4 sockets
- Bedsits containing cooking facilities - 4 in kitchen area plus 4 elsewhere

(ii) In the kitchen area of a bedsit, at least 4 socket outlets shall be located above the work surface for the use of portable appliances.

(iii) All socket outlets shall be located in positions which permit safe convenient and proper use at all times, having regard to the room layout. They shall not be positioned where the appliance cables are likely to pose a safety hazard.

(iv) All new electrical installations shall comply with Building Regulations and shall be suitably certified.

(v) Installations must be checked at 5 yearly intervals by a competent person and a suitable certificate obtained. Visual inspection for mechanical damage must be done annually or on a change of tenancy whichever comes first.

(vi) Portable appliance testing (PAT) must be done either annually or on a change of tenancy, which ever comes first.

11. GAS SAFETY

0

Gas Installations

Landlords are required to ensure that gas appliances, fittings and flues provided for tenants' use are safe. An annual safety check must be carried out and records kept for 2 years. A copy of the safety record must be provided to each tenant and if the property is licensable, a copy must be sent to the Council.

12. FURNITURE SAFETY

0

- (i) The Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended) set down levels of fire resistance for items of domestic upholstered furniture, furnishings and other products containing upholstery. They require that certain furniture included in accommodation that is made available for let complies with the fire safety requirements detailed in the regulations.
- (ii) Any relevant furniture supplied as part of the letting will need to comply.
- (iii) In licensed premises the furniture safety requirements form part of the licence condition.
- (iv) Further information can be obtained from your local Trading Standards Service or from the Department of Trade and Industry.

13 PERSONAL SAFETY AND SECURITY

.0

- (i) Sufficient measures must be in place to provide a secure environment for the occupiers, including appropriate locks to external doors and tenants' own rooms to prevent unauthorised access but permit safe egress.
- (ii) Vulnerable windows must also be capable of being effectively secured against entry without compromising the means of escape in case of fire.
- (iii) Appropriate arrangements must be in place to control the issue and return of house keys on changes of tenancy, or the changing of locks. Any advice on crime prevention measures provided by the Police Crime Prevention Officer must be acted on.
- (iv) Simple locks must be provided to communal bathrooms and toilets to provide privacy.

14. THERMAL EFFICIENCY

0

- (i) All dwellings should have structural thermal insulation, where practical, to minimise heat loss, and be capable of maintaining a suitable room temperature. Where appropriate every property should have cavity wall insulation and/or loft insulation, to current standards, and/or other appropriate works. You should contact your local authority or your energy provider for details of any grant aid that may be available.
- (ii) Heating should be controllable by each occupant, and properly installed.
- (iii) There should be means of providing low level background ventilation without excessive heat loss or draughts.

15. ASBESTOS

0

(i) Landlords have a duty to identify and manage any Asbestos containing materials in their property. Any asbestos identified should be managed in situ if it is in good condition, not likely to be damaged, or not likely to be worked on, or disturbed. Management of asbestos containing materials involves identifying the location and condition, ensuring it is effectively sealed and making it inaccessible to prevent damage, labelling, and keeping a record of its location in the building.

(ii) If the material is in good condition and not liable to damage or disruption, for example, during work of alteration, then it is normally appropriate to leave it alone. Where the asbestos is damaged or is likely to be damaged or disturbed, an assessment needs to be made and action taken to repair, seal, enclose or remove it. There are specific requirements for working with asbestos material and you should consult with your local authority and seek further advice.

(iii) If you are aware of any Asbestos containing materials you should keep a record of the location and type of material and confirm that it is in a sound condition. You should then check every 6 months to see there has been no damage etc, and date and sign the record to show that you have done this.

16. SPACE STANDARDS

0

(i) The number of people sharing includes babies and children. Everyone must have their own allocation of space.

(ii) Everyone over the age of 10 years must be able to occupy sleeping accommodation so that they do not have to share with someone who is not a close relative or with someone of the opposite sex unless they are living together/co-habiting.

(iii) Close relative means parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin.

16. One Person Units Of Accommodation

1

(i) One room units

- | | |
|---|------------------|
| (a) where there is a separate individual kitchen, or a shared kitchen | 8m ² |
| (b) where kitchen facilities are included in the room | 11m ² |

Note: These room sizes can be reduced by up to 1.5m², to a

minimum of 6.5m² at the discretion of the inspecting officer, where a communal living/dining room, or kitchen with suitable dining area, exists. The discretion will depend on the size and nature of the communal facilities, and adequate standards of management. Health and Safety issues will also be taken into consideration when accepting reduced space standards.

(ii) Two or more room units

As a guide, rooms in two or more roomed units of accommodation should meet the following sizes:

Each kitchen/living room	10m²
Each Living room	8.5m²
Each bedroom	6.5m²

Note: Trade off between room sizes in a 2 or more roomed unit may be acceptable at the discretion of the inspecting officer, providing the proposed layout is acceptable, and the aggregate habitable floor area of the rooms is not less than 15m².

A staircase, landing, or any room which has been appointed as a kitchen or bathroom, shall not be used as sleeping accommodation.

16. Two Person Units Of Accommodation

2

i) One room units

(a) where there is a separate individual kitchen, or shared kitchen	13m²
(b) where kitchen facilities are included in the room	16m²

NB. Not normally suitable for persons who are not either married couples, or co-habitees.

Note: Room sizes can be reduced by up to 2m² at the discretion of the inspecting officer where a communal living room or kitchen with dining area exists. This will depend on the size and nature of the communal facilities and adequate standards of management. Health and Safety issues will also be taken into consideration when accepting reduced space standards.

(ii) Two or more room units

As a guide, rooms in two or more roomed units of accommodation should meet

the following sizes:

Each kitchen/living room	10m²
Each Living room	8.5m²
Each bedroom	11m²

Note: Trade off between room sizes in 2 or more roomed units may be

acceptable at the discretion of the inspecting officer, providing the proposed layout is acceptable and the aggregate habitable floor area of the rooms is not less than 19.5m

16. Common Rooms

3

	Numbers Sharing	Minimum Floor Area
(i)	Kitchens	
	Used by 1-5 occupiers Used by 6-10 occupiers	6m² 11m²
	The kitchen must be sited no more than one floor distant from the bedroom or living/dining room where practicable.	
(ii)	Dining/kitchens	
	Used by 1-5 occupiers Used by 6-10 occupiers	8.5m² 12.5m²
(iii)	Living Rooms or Dining Rooms	
	Used by 1-5 occupiers Used by 6-10 occupiers	8.5m² 12.5m²
<p><i>Note: If more than 5 occupiers are sharing a kitchen additional sets of facilities are required (see section 3).</i></p> <p><i>Note: the above are minimum space standards based on optimum shape and layout. In practice, it may be necessary to have a larger space standard to ensure that there is sufficient space to fit in all the facilities required and provide a circulation area which permits safe use of the kitchen for the number of users.</i></p>		

17 MANAGEMENT

.0

17. Introduction

1

The manager and/or owner of the property is ultimately responsible for maintaining standards within the building. Where the manager or owner is not resident he or she must make suitable arrangements to ensure that conditions and facilities are kept in good order.

In order to fulfil their duties managers and/or owners must undertake to regularly visit the property either personally or via a representative, to ensure standards are maintained and where necessary improved.

17. General Management Duties

2

The manager of an HMO must comply with the Management of Houses in Multiple Occupation (England) Regulations 2006.

In general, all landlords should maintain a good standard of management. In particular they shall ensure the repair, maintenance, cleansing and good order of:

- a) all means of water supply and drainage in and serving the premises;
- b) all means of escape from fire and all apparatus, systems and other things provided by way of fire precautions and alarm;
- c) kitchens, bathrooms and toilets.
- d) Sinks and wash basins; common staircases, corridors and passages, and outbuildings, yards and gardens in common use;
- e) And to make satisfactory arrangements for the disposal of refuse and litter from the house.

17. Enforcement

3

The Council will encourage owners to comply with their legal obligations with information, advice and support. Where owners or managers are unwilling to meet their obligations or where failures are significant, the Council will take appropriate enforcement action in accordance with their enforcement policy to protect the health, safety or well-being of occupiers and others affected. Where formal enforcement action is taken this may affect future decisions as to whether someone associated with a licence or

property is a fit and proper person, and future applications for the grant, renewal or variation of licences.

17. PROSECUTION

4

A Council can prosecute a manager if it shows that there were relevant defects in the house and that the defendant failed to comply with the Management of Houses in Multiple Occupation (England) Regulations 2006 without reasonable excuse.