

Standards and Guidance for Houses in Multiple Occupation



The Council's requirements for HMO landlords

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Part 1: Introduction

1.1 Background

The Council has a large private rented sector with high demand for shared accommodation. Houses in Multiple Occupation (HMOs) provide a vital role in meeting the need for decent and affordable accommodation for a wide range of occupiers. The Council has a duty to ensure that Houses in Multiple Occupation are free from serious housing hazards including crowding and space and wishes to encourage landlords to provide good quality accommodation for tenants.

The aim of this document is to ensure that HMOs provide a minimum acceptable standard so that tenants occupy safe and healthy homes. HMOs should provide sufficient space to live, reasonable levels of washing, cooking and sanitary facilities and be well managed.

These standards are guidance for the purposes of interpretation of

- Schedule 3 of Statutory Instrument 2006 No 373 “The Licensing and Management of Houses in Multiple Occupation Regulations 2006” and
- Statutory Instrument 2018 No. 616 “The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) Regulations 2018”

Please note that the standards in this document are minimums, not the ideal state. Amenity standards may exceed the minimum and amenities should not be deliberately reduced to reach only the minimum standard.

Although there are national standards set out in Statutory Instruments, as part of the HMO licensing process, the Council can discuss with landlords any variations from the standards that may be appropriate for a particular HMO.

If you require any additional advice on the standards required you can contact us by emailing phs@lbhf.gov.uk or calling 020 8753 1703

To ensure that these standards are current, please check the Council’s website at <https://www.lbhf.gov.uk/housing/private-housing/property-licensing-landlords-andlettingagents> schemes.

1.2 Licensed HMOs

The aim of licensing schemes is to improve conditions and management within HMOs by ensuring that conditions within HMOs comply with minimum HMO standards, that landlords and/or their agents are ‘fit and proper’ persons as defined in the Housing Act 2004 and that management arrangements for the HMO are appropriate.

Mandatory Licensing Scheme

This scheme applies nationally. An HMO is required to be licensed with the Council if it is occupied by 5 or more tenants, of which at least 2 households share one or more basic amenities including kitchen, bathroom or WC.

Additional Licensing Scheme

The Council implemented an additional licensing scheme from 5th June 2017 and all HMOs occupied by three or four people in the borough require to be licensed, in addition to mandatory HMO licensing where there are 5 or more occupiers.

1.3 Definitions

HMO – a house which consists of one or more units of living accommodation not consisting of a self-contained flat or flats; and

- the living accommodation is occupied by persons who do not form a single household (see below) and is occupied by those persons as their only or main residence or they are to be treated as so occupying it (see section 259 Housing Act 2004)
- their occupation of the living accommodation constitutes the only use of that accommodation
- rents are payable (or other consideration is to be provided) in respect of at least one of those person's occupation of the living accommodation; and
- two or more of the households who occupy the living accommodation share one or more basic amenities namely a toilet, personal washing facilities, or cooking facilities; or the living accommodation is lacking in one or more basic amenities.

Buildings are not houses in multiple occupation where the person managing or having control of it is

- a local housing authority or a non-profit registered provider of social housing
- a body which is registered as a social landlord under Part 1 of the Housing Act 1996 (c. 52)
- a police and crime commissioner
- the Mayor's Office for Policing and Crime
- a fire and rescue authority, or
- a health service body

“Household” – People who are all members of the same family, in that

- they are married to each other or live together as husband and wife (or in an equivalent relationship in the case of persons of the same sex)
- one of them is a relative of the other; or
- one of them is, or is a relative of, one member of a couple and the other is a relative of the other member of the couple.

For those purposes

- a “couple” means two persons who are married to each other or in an equivalent relationship
- “relative” means parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin
- a relationship of the half-blood shall be treated as a relationship of the whole blood; and (d) the stepchild of a person shall be treated as his child.

1.4 Planning

There is a different definition of a HMO which is set out in planning legislation and local planning policy. There are restrictions about the development and change of use of HMOs and planning permission may be required. Property owners, developers and their agents are strongly advised to check with the Council’s Planning and Conservation Department before carrying out any development, including any self-containment of units within an HMO or any change in use of a property.

Further information is available at:

http://www.lbhf.gov.uk/Directory/Environment_and_Planning/Planning/

1.5 Types of HMO and terminology

The most common types of HMO are described below.

Hostel type HMO

Short duration accommodation for people with no other permanent place of residence. Not hotels or bed and breakfast accommodation, where amenity standards are set within the document “Setting the Standard for Temporary Accommodation in London”

Bedsit type HMO

These are houses & flats let as individual rooms occupied by a number of unrelated persons living as more than one household where there is little interaction between the occupiers. Cooking and food preparation facilities may be provided within the individual units of accommodation. There is usually no communal living room and each occupant lives otherwise independently of all others.

There are usually individual tenancies rather than a single joint tenancy. Bedroom doors will usually be lockable.

Shared Houses HMOs

Shared houses are where the whole property has been rented out by an identifiable group of sharers such as students, work colleagues or friends as joint tenants. Each occupant normally has their own bedroom but they share the kitchen, dining facilities, bathroom, WC, living room and all other parts of the house.

There is normally a significant degree of social interaction between the occupants and they will, in the main, have rented out the house as one group. There is usually a single joint tenancy agreement.

In summary, the group will possess many of the characteristics of a single family household, although the property is still legally defined as a HMO because the occupants are not all related.

Part 2: Minimum Space Standards

2.1 Room Sizes

In calculating floor areas for room used for sleeping, the Council will discount space occupied by:

- bathrooms/shower rooms
- corridors
- lobbies
- chimney breasts, small alcoves etc.
- ceiling height - rooms should have a minimum height of 2.3 metres over at least half of the habitable floor area. Any floor area where the ceiling height is less than 1.9 metres, for example sloping ceilings, (1.5 metres in attic rooms) will not count towards the habitable floor space.

2.2 Minimum room sizes for rooms used for sleeping

Rooms used for sleeping purposes where there is a separate reception room of at least 11 square metres (or 16 square metres if combined with the kitchen)

| Space standard shared kitchen | No. of persons | Minimum floor area |
|-------------------------------|-----------------------------------|---------------------------------|
| Single Room | 1 person | 6.5 m ² ¹ |
| Double Room | 2 persons co-habiting as a couple | 10.2m ² |

¹ Where a 4 foot bed (1200mm) is provided rather than a 3 foot bed (900mm) it is recommended that the room is at least 7 square metres

Rooms used for sleeping purposes where there is **no** separate reception room

| Space standard shared kitchen | No. of persons | Minimum floor area |
|-------------------------------|-----------------------------------|--------------------|
| Single Room | 1 person | 10.2m ² |
| Double Room | 2 persons co-habiting as a couple | 15m ² |

Rooms used for sleeping purposes with kitchen facilities in the room (ie a bedsit)

| Space standard kitchen facilities in room | No. of persons | Minimum floor area |
|---|-----------------------------------|---------------------|
| Single Room | 1 person | 10.2 m ² |
| Double Room | 2 persons co-habiting as a couple | 15m ² |

2.3 Minimum sizes for kitchens and reception rooms

| Space standard separate kitchen and lounge ² | No. of persons | Minimum floor area |
|---|----------------|--------------------|
| Kitchen | Up to 4 | 4 m ² |
| | 5 | 5 m ² |
| | 6 | 6 m ² |
| | 7 | 7 m ² |
| | +1 etc | +1 etc |
| Lounge/Living room | 3-4 people | 8.5m ² |
| | 5-9 people | 11m ² |

Where the kitchen and lounge are open plan, ie combined in one room, the minimum dimensions above for kitchen and lounge should be added together. As an example, the minimum size for a 4 person property should be 12.5 square metres and for a 5 person property should be 16 square metres

| Space standard kitchen/Diner | No. of persons | Minimum floor area |
|------------------------------|----------------|---------------------|
| Kitchen/Diner | Up to 5 | 8 m ² |
| | 6 | 9.6 m ² |
| | 7 | 11.2 m ² |
| | +1 | +1.6m ² |

² Kitchens: Ealing 5 metres per 5 occ; Camden 4.8 metres per 3-4 occ, 6 metres per 5 occ; 11 metres per 6-10 occ; 16 metres per 11-15 occ; Lambeth 7 metres per 5 occ; Richmond and Wandsworth 7 metres per 5 occ

2.4 Living Rooms

Living rooms must be fully furnished and need to have adequate 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 adequate space for television and coffee table.

2.5 Loft Rooms/Spaces

Loft spaces and cellars are usually considered unsuitable for use as living accommodation unless proper Building Control and Planning Permission have been obtained. These spaces may require extra works in order to comply with these standards and the Housing Act 2004.

Attic rooms and loft rooms should have a minimum room height of 2.3 metres over at least half of the habitable floor area. Any floor area where the ceiling height is less than 1.5 metres will not count towards the habitable floor space.

Part 3: Facilities for the storage, preparation and cooking of food

3.1 Shared kitchen facilities

| Kitchen facility | Standard | Minimum size |
|--------------------------|---|--|
| Cooker | One cooker for every 5 persons | Minimum of 4 burners, oven and grill. Cookers must not be sited adjacent to exit doors. Splashback or lift-up cover provided. |
| Sink | Set on a base unit. Provided with a constant and adequate supply of hot and cold water and properly connected to the drainage system. Sink strainer or plug provided. A tiled splashback shall be provided to the drainer | Sink minimum size 600mm x 500mm 300mm height. |
| Worktop | Made of an impervious material. A tiled splashback shall be provided | 1000mm x 500mm worktop must be provided adjacent to the cooker 300mm height |
| Storage cupboards | One cupboard for each tenant, the cupboard below the sink cannot be used for food storage. The cupboard can be located in the letting room where there is sufficient space | Minimum capacity 0.3 cubic metres cupboard per person |
| Fridge | 1 fridge/freezer for every 5 persons | 245 litres for 5 people. This can be smaller if individual fridges are provided in the rooms, this should be discussed with the case officer |

| | | |
|---------------------------|---|--|
| Electrical sockets | 4 x 13 amp double sockets provided in food prep. area, at least 2 shall be above worktop level. 1 extra socket shall be provided for each major appliance (fridge, freezer, washing machine). The cooker shall be connected to a separate cooker spur | The sockets should be spaced as evenly as possible around the kitchen and suitable for use with electrical appliances on the kitchen worktop |
|---------------------------|---|--|

Where the dwelling is occupied by more than five persons additional facilities may be required for the preparation, cooking and storage of food.

3.2 General requirements for shared kitchens

The kitchen size (see space standards) and layout must enable the practical, safe & hygienic use of the kitchen for storage, preparation and cooking of food.

The wall, floor and ceiling surfaces shall be smooth, impervious and capable of being easily cleaned

- The lighting shall be suitable to enable the practical, safe & hygienic use of the kitchen facilities.
- There must be adequate ventilation. Where mechanical ventilation is required, it must be extracted to the outside air
- Kitchens must not be located in any hallway, corridor or lobby
- Suitable and sufficient provision shall be made for refuse storage and disposal both within the unit of accommodation and outside. Internal storage for waste and recycling must be located in an accessible and commonly used area inside each dwelling. The storage for refuse and recycling should be away from circulation areas e.g. below a worktop.

3.3 Location

For shared kitchens, if there is no eating area on the same floor as the kitchen, the kitchen must be not more than one floor distant from the room used as sleeping accommodation. An eating area is defined as a separate reception room, such as a living room, or a kitchen large enough to include an eating area. See section 2 for room sizes.

Where there is an eating area on the same floor as the kitchen, the kitchen must not be more than two floors distant from the room used as sleeping accommodation.

Part 4: Personal hygiene and sanitation standards

4.1 Personal hygiene facilities

The following shared facilities shall be provided for up to 5 people not being more than one floor distant from each letting room

| Washing/sanitary fittings | Minimum size | splashback |
|------------------------------|----------------|---|
| Baths | 1600mm x 700mm | 450mm |
| Shower rooms/cubicles | 800mm x 800mm | In cubicle or fully tiled with shower screen or curtain |
| Wash hand basin | 500mm x 400mm | 300mm high |
| WC | - | - |

4.2 General requirements

- One bathroom or shower room, one toilet and one wash hand basin shall be provided for an HMO with up to 4 occupants. If there are 5 occupants, the toilet must be separate from the bath/shower room. If there are 6 to 9 occupants, there must be two toilets, at least one of which must be separate from the bathroom. If there are 10 or more occupants, there must be 2 bathrooms and three toilets, at least one of which must be separate from the bathrooms
- The room shall be accessible directly from the common areas and within one floor of each letting.
- All shower/bathrooms must have adequate heating, ventilation and artificial lighting
- Baths, showers, toilets and wash hand basins shall be provided in a separate room of adequate size. There should be adequate space for drying & dressing and somewhere to hang clothes and towels. Baths must have a suitable plug and overflow.
- If an over bath shower is provided, then the adjacent walls should be fully tiled.
- A suitable water resistant shower curtain must be provided in a fully tiled shower or the shower must be in a purpose built shower cubicle, with a suitable water resistant shower curtain or door to the cubicle

- A wash hand basin shall be provided within each toilet compartment and within each bathroom/shower room. Plug must be provided to the wash hand basin.
- Each bath, shower and wash hand basin shall be provided with a constant supply of hot and cold water.
- The doors to bathrooms, shower rooms and WCs shall be capable of giving privacy and should be lockable from the inside.
- Where light switches are located within the bathroom, shower room or WC compartment they must be pull cord switches.
- The wall, floor and ceiling surfaces shall be smooth, impervious and capable of being easily cleaned.
- The lighting shall be suitable to enable the practical, safe & hygienic use of the facilities.
- Any door or window glazing must be obscure glass.

5.1 Fire Safety

5.1.1 General principles

All HMO's are subject to an assessment under the Housing Health & Safety Rating System and must comply with the Regulatory Reform Order and LACORS Fire Guidance. http://www.cieh.org/policy/fire_safety_existing_housing.html

The Council works closely with the fire authority to determine whether fire safety measures are satisfactory. Each case will be judged on its own merits. It is difficult to prescribe set standards for HMOs which are a very diverse type of property type. Variations away from accepted guidance has to be fully justified and any alternative solutions will need to be agreed by both parties

5.1.2 Fire Risk Assessment

The Regulatory Reform (Fire Safety) Order 2005 is enforced by the fire brigade and requires that the 'responsible person' carry out and regularly review a fire risk assessment of the premises. This will identify what you need to do to prevent fire and keep people safe. If you don't have the expertise or time to do the fire risk assessment yourself you'll need to appoint a 'competent person' to help, e.g. a professional risk assessor. If you're not sure if your risk assessment has been carried out properly your local fire and rescue authority might be able to give you advice although they can't carry out risk assessments for you. Further information can be obtained from <https://www.gov.uk/workplace-fire-safetyyourresponsibilities/fire-risk-assessments>

5.1.3 Smoke Alarms

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 introduced legal requirements which are to equip a smoke alarm on each storey of the premises on which there is a room used wholly or partly as living accommodation. There is also a requirement to carry out checks to ensure that each prescribed alarm is in proper working order on the day the tenancy begins if it is a new tenancy.

For the purposes of the legislation, living accommodation is a room that is used for the primary purposes of living, or is a room in which a person spends a significant amount of time, and a bathroom or lavatory is classed within this definition.

Landlords should be aware that in HMOs there will, in most cases be a need for a higher standard of fire detection in HMOs than the requirement in these regulations. Landlords are advised that in HMOs they should comply with LACORS fire Guidance as a minimum requirement.

5.1.4 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, landings and protected lobbies. Protection is provided by fire resistant doors and partitions. The protected escape route must be kept clear.

There must be adequate fire separation from any commercial areas of the building and any other residential parts of the building not linked by common entrances or stairways.

5.1.5 Fire resistant doors

30-minute fire resistant doors are required on doors opening onto the protected route from any room other than a bathroom or WC. They should be provided with:

- intumescent strips and cold smoke seals, to prevent the passage of smoke
- a self-closing device (except on cupboard doors)
- a lock (for example thumb turn) to each letting room which does not require a key to open the door from the inside, to allow escape in the event of a fire
- capable of being fully closed
- close fitting, without excess gaps between the leaf and frame
- hung on three heat resisting hinges (not rising butts)

5.1.6 Automatic Fire Detection (AFD) system

Provision of any form of AFD system requires specialist advice to design and install the system. AFD systems are designed to provide the earliest possible warning of fire within a letting or the common parts. The purpose of an AFD system is to detect and alert the occupiers of the HMO to the presence of smoke and/or fire before it develops into a dangerous situation. Alarm systems are required in all HMOs because the fire risk is significantly greater than in single-family dwellings.

- Alarms must be mains-wired and most must be inter-linked so that they all sound when any one is activated
- The specification for the type and coverage of the AFD will vary depending on the risk, size and layout of the HMO.

A summary of the general requirements for bedsit type HMOs has been provided below, listed by storey height of the HMO but this is intended as a broad guide only NB: for shared houses occupied by an identifiable group of sharers such as students or friends as joint tenants, the AFD specification and coverage will be different. You should seek advice from the Private Sector Housing Team before installing any equipment.

5.1.7 Two storey HMOs

A Grade D, LD2³ system; consisting of:

- Interlinked mains-wired smoke alarms with integral battery back-up located in the escape route at all floor levels, in each bedsit, living area, cellar and any cupboard opening onto the escape route but not required in bathrooms/WCs unless they contain a specific risk
- Interlinked heat alarms with integral battery back-up located in each communal kitchen.

If cooking facilities are sited within the bedsits

As above but interlinked heat alarms instead of smoke alarms, with integral battery back-up in each bedsit; and a non-interlinked smoke alarm with integral battery backup in each bedsit, sited away from the cooker.

Example of typical requirements in a two storey bedsit property:

figure D7: bedsit-type HMO, two storeys



5.1.8 Three storey HMOs or above

A Grade A, LD2 system⁴; consisting of:

- Smoke detectors in the escape route at all floor levels, in each bedroom, living room, cellar and any cupboard opening onto the escape route
- Heat detectors located in each communal kitchen

³ a system of one or more mains-powered smoke (or heat) alarms each with integral battery standby supply; detectors in all circulation spaces that form part of the escape routes and in all rooms or areas that present a high fire risk to occupants i.e. risk rooms.

⁴ a system of electrically operated smoke and/or heat detectors which are linked to a control panel; detectors in all circulation spaces that form part of the escape routes and in all rooms or areas that present a high fire risk to occupants i.e. risk rooms.

- Alarm sounders throughout the common escape route, hallways and landings
- Manual call-points in the common escape route on each floor
- All the above linked to a Control/Indicator Panel in the entrance hallway and powered from a protected mains supply.

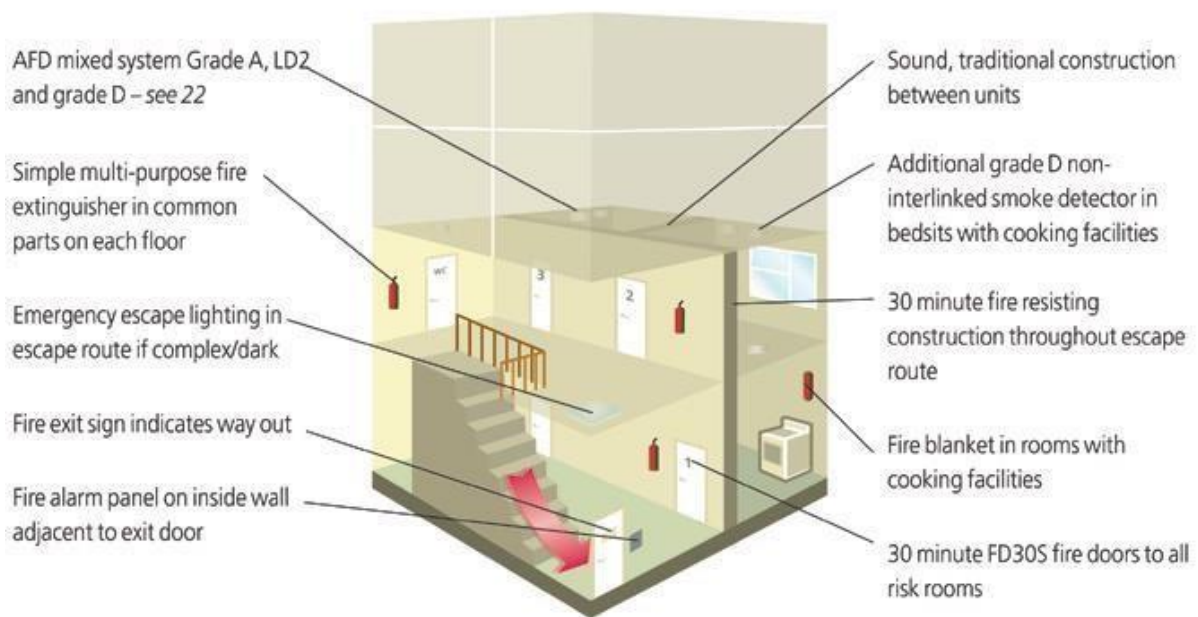
If cooking facilities are sited within the bedsits

As above but heat detectors instead of smoke detectors in the bedsits and also a Grade D, non-interlinked smoke alarm with integral battery back-up in each bedsit sited away from the cooker.

Power supplies to AFD systems of any type are not permitted to be from prepayment meters and must be from the landlord's power supply. AFD systems to conform to BS 5839 Part 6: 2004.

Example of typical requirements:

figure D8: bedsit-type HMO, three or four storeys



5.1.9 Emergency lighting

Emergency lighting which comes on if mains electricity fails may need to be fitted to illuminate the protected route and some internal staircases. The installation must comply with BS5266. Mandatory for 3 or more storey HMOs with dark or complex escape routes and all bedsit HMOs. Recommended but not mandatory for 3 or more storey HMOs with simple escape route with “borrowed light”.

5.2 Raised bed platforms in letting rooms

Raised bed platforms must comply with all of the following:

- At least 50% of the floor area of the room should be unobscured by the gallery;
- The distance from the foot of the egress stair from the gallery to the room exit should not be less than 3 metres.
- Any cooking facilities must be located in a safe position. This means that they must not be located under the sleeping platform, should be sited remote from the room exit and may need to be enclosed within fire-resisting construction.
- Where the fire risk to the occupants cannot be ensured and redesigning the room to overcome fire risk is not practical, additional fire precautions such as sprinkler or misting systems may be required.
- Raised sleeping platforms must be provided with guarding/edge protection of adequate height along the full length of the gallery area to prevent falling.
- Safe access to the raised bed platform must be provided and ladders are not acceptable. Where possible a staircase complying with building regulations should be provided. As a minimum, fixed stair treads and a handrail must be provided.

5.3 Electrical Appliances and Installations

All works to the electrical installation shall be carried out by a properly qualified engineer and must comply with the following:

Electrical Safety Standards in the Private Rented Sector Regulations 2020

Landlords must ensure that every electrical installation in the house is in proper working order and safe for continued use and ensure every electrical installation in the house is inspected and tested at intervals of no more than 5 years by a qualified person

The Electrical Equipment (Safety) Regulations 1994

These regulations and the Consumer Protection Act 1987 impose a duty on landlords as the supplier to ensure that electrical equipment is 'safe' and that if any equipment is supplied with any particular characteristic, suitable information or instruction booklets should be provided. They cover all mains voltage household electric goods including cookers, kettles, toasters, electric blankets, washing machines, immersion heaters etc.

Plugs & Sockets (Safety) Regulations 1994

These regulations require that where any plug, socket or adaptor supplied for intended domestic use, that it complies with the appropriate current standard and specifically that:

- The live and neutral pins on the plugs are part insulated so as to prevent shocks when removing plugs from sockets; and
- All plugs are pre-wired.

Electricity at Work Regulations 1989

These regulations require the testing of portable appliances (PAT testing) provided within the common areas of the property, e.g. kettles, toasters etc.

5.4 Carbon Monoxide Detection

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 introduced legal requirements for private sector landlords in respect of premises occupied under tenancies starting on or after that date. The requirements are to:

- Equip a carbon monoxide alarm in any room of the premises which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and
- Carry out checks by or on behalf of the landlord to ensure that each prescribed alarm is in proper working order on the day the tenancy begins if it is a new tenancy

For the purposes of the legislation, living accommodation is a room that is used for the primary purposes of living, or is a room in which a person spends a significant amount of time, and a bathroom or lavatory is classed within this definition.

It is strongly recommended that a carbon monoxide detector is required where there is any gas supply, such as a boiler gas cooker or gas fire

5.5 Gas Supply and Appliances

All works to the gas installation and gas appliances shall be carried out by an engineer registered on the Gas Safe Register.

All gas pipe work, appliances and flues must be tested by a registered Gas Safe Engineer every 12 months. Landlords must keep a copy of the Gas Safety Certificate for 2 years and issue a copy to each existing tenant within 28 days of the check being completed and issue a copy to any new tenants before they move in. A copy of the Gas Safety Certificate can be provided within the common areas.

5.6 Space heating and hot water

Landlords should install heating systems that are fixed, efficient, controllable and of an adequate size and capacity for the rooms and building. Where space heating and hot water are provided centrally by the landlord, these services should be made available at all times. All heating sources must be provided with controls to allow the occupants to regulate the temperature within their unit of accommodation. There must be adequate thermal insulation to the building.

An adequate means of fixed space heating must be provided in all rooms, including common areas of the dwelling, WC compartments and bathrooms, so that a constant temperature of at least 21°C can be maintained in habitable rooms and bathrooms and at least 18°C in all other rooms when the outside temperature is -1°C degrees centigrade.

The Borough has a large number of older properties that are hard to heat. Landlords are advised that electrical heaters are not recommended in these premises unless they are well insulated. This is due to electrical heating often being prohibitively expensive to run due to excessive heat loss resulting in tenants having difficulties in cost-effectively heating the property. Electrical heating systems should be designed so that 90% of the annual heat requirement is available at the off peak rate.

In these types of properties, ideally a whole house gas fired central heating system should be provided to the premises to satisfy the design and installation requirements of the current British Standard and in accordance with Part L of the current Building Regulations.

Fixed electrical heaters will only be acceptable in the letting rooms of older properties with solid wall construction if all the following conditions are met:

1. Small rooms – as a guideline, rooms of up to 9.3m²
2. The appliance is controllable, with timer, thermostat and of adequate capacity to heat the room and maintain it at a temperature of 21⁰c when the outside temperature is -1⁰c.
3. Standard ceiling heights, generally not greater than 2.4m²
4. Not more than one exposed external wall in the bedsit room
5. Not in a particularly exposed location e.g. north facing
6. No large exposed areas of single glazing
7. Not in basements, attic spaces with less than 200mm of insulation or poorly insulated mansard roofs
8. Other adequately heated rooms (not mobile/fixed individual electrical heaters) above and below the bedsit
9. Adequate heating is provided in the common parts, bathrooms and any kitchens of the HMO.

Any rooms not falling within the above criteria must be provided with adequate thermal insulation, the details of which must be approved by the Council before installation.

5.7 Furnished Lettings

All furniture provided in connection with the letting must comply with The Furniture & Furnishings (Fire) (Safety) Regulations 1988.

5.8 Security

5.8.1 Communal front door

The main entrance door from the street should close properly, be capable of resisting bodily pressure and slipping of the door lock. Entry systems should **not** have 'tradesmen' buttons, which bypass normal locking. The following requirements apply:

- The door should be of solid construction.
- Solenoid based, bolt-action locks are preferred, as they cannot be put on the latch and require less maintenance (also fully compliant with means of escape).
- Landlord registered keys to control access.
- Letterbox Cowl to prevent access to the door lock.
- Properly maintained door closer to ensure the door shuts properly.
- Glazing should be protected (see **Windows**).

5.8.2 Individual dwelling doors

Where locks are provided on doors landlord registered keys should be used for all locks. The main entrance door to each letting room should comply with fire standards and should meet the following minimum standard:

- Door to be of solid construction and attached using three hinges.
- BS8621:2007 Mortice lock with thumb turn cylinder which does not require a key to open the door from the inside, to allow escape in the event of a fire.
- Hinge Bolts and Frame Reinforcers to resist bodily pressure (the most common method of forcing doors in converted properties).

5.8.3 Windows

All basements, ground floors and other externally accessible windows should have restrictors fitted and / or key operated locks.

Glazing may be protected in a variety of ways:

- Internal grilles or gates
- Security film
- Laminated glazing

5.9 Rubbish Storage

The HMO Management Regulations state that landlords must make such further arrangements for the disposal of rubbish and litter from the HMO as may be necessary, having regard to any service for disposal provided by the Council.

Suitable facilities must be provided for storing rubbish generated by tenants whilst it is waiting to be collected. Facilities provided to dispose of rubbish must be sufficient for the number of occupants within the building.

At residential premises served by kerbside collections, space must be made available outside for the storage of rubbish and recycling.

The council's refuse service provides for the collection of standard dustbins or bags. These dustbins, typically around 90 litres, are not provided by the council and must be supplied by the landlord. Wheelie bins are not acceptable containers because they are not compatible with collection vehicles and are too tall for bags to be safely removed from them.

For each individual household an external cupboard or designated storage space is needed, capable of holding at least two ordinary dustbins, whose specification conforms to BS 792 or BS 4998, or alternatively space or holders for at least two refuse sacks, each of about 100 litre capacity. Additional space of at least 160 Litres is also needed for recycling sacks.

The table below summarises the approximate capacity needed depending on household size.

| Household size | Refuse | Recycling |
|----------------|---|--|
| 1-3 people | 2-3 dustbins (minimum 2 dustbins or 200 litres) | 2 recycling sacks (minimum 160 litres) |
| 4-6 people | 3-5 dustbins (minimum 3 dustbins or 300 litres) | 2-3 recycling sacks (minimum 240 litres) |

It is not acceptable for any waste to be stored on the public highway (with the exception of black sacks and recycling sacks placed out on collection day, or after 9pm on the preceding day).

If storage requirements for refuse pending disposal can't be met due to a lack of storage capacity landlords need to arrange for additional weekly collections. Our contact details are at:

<https://www.lbhf.gov.uk/pages/contact-us>

External Storage

External refuse storage areas should be on a hard level surface that is impervious, pest-proof with easily cleansable surfaces and close fitting lids to receptacles. If the storage area is provided within basement vaults beneath the footway at the front of the premises the following requirements apply:

- The flooring to the vault should be in good order and provide a smooth and easily cleansable concrete finish.
- The vault should be free from serious water ingress and standing water.
- All holes surrounding pipework and gas /electricity services should be filled to prevent pest ingress. The pointing to the brickwork of the vault should be reasonably sound.
- The structure should be pest proof.
- The vault should be provided with a sound, rodent-proof timber door and frame. The door should be close-fitting with a maximum clearance of 5mm at the foot to prevent rodent entry beneath, and, ideally, fitted with a metal kickplate at the foot to prevent gnawing, etc.
- The storage area to be kept clean and free from accumulations of refuse.

The tenants should be advised on the arrangements for refuse collections and the relevant days when refuse is regularly collected for disposal by the Council.

A full technical specification is available on the following page:

https://www.lbhf.gov.uk/sites/default/files/section_attachments/hf_refuse_and_recycling_guidelines.pdf

PART 6: HMO MANAGEMENT

6.1 Introduction

The following is a summary of the following legislation which applies to the Management of HMOs.

- *The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006*. SI 2006 No.373
- *The Management of Houses in Multiple Occupation (England) Regulations 2006* No.372
- *The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007*. SI 2007 No.1903
- *The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) Regulations 2018* SI 2018 No. 616

6.2 Responsibilities of the manager

Regulation 3 - Duty to inform the occupier of contact details including name, address and telephone number and to display this information in a prominent place in the HMO. If a landlord is regularly out of the country or away for long periods of time, a local manager should be appointed who can act on behalf of the landlord; contact details for this person should also be displayed.

Regulation 4 - Duty of the manager to take safety measures in relation to providing and maintaining the means of escape from fire & firefighting equipment and to reasonably protect the occupiers of the HMO from injury.

Regulation 5 - Duty of the manager to maintain water supply & drainage and not unreasonably cause or permit the water or drainage supply that is used by any occupier at the HMO to be interrupted ⁵.

Regulation 6 - Duty of the manager to supply & maintain gas & electricity and not unreasonably cause the gas or electricity supply that is used by any occupier within the HMO to be interrupted. Also, to provide the latest gas safety certificate to the local authority when requested to do so ⁶.

Regulation 7 - Duty of the manager to maintain common parts, fixtures, fittings and appliances including stairs, banisters, floor coverings, windows, lighting, shared appliances, yards, gardens and boundaries. Common parts must be kept free from obstruction, clean and in good order & repair.

⁵ Amended 13/8/2020

⁶ Amended 13/8/2020

Regulation 8 - Duty of the manager to maintain living accommodation and any furniture, fittings and appliances provided by the landlord.

Regulation 9 - Duty to provide waste disposal facilities suitable for the number of people occupying the HMO.

Regulation 10 - Duties of occupiers to reasonably cooperate with, not to hinder or frustrate the manager in performance of his duties; to provide information reasonably requested by the manager for the purpose of carrying out his duties; take reasonable care to avoid causing damage; properly dispose of rubbish; and comply with reasonable instructions regarding the means of escape from fire, prevention of fire and the use of fire equipment.

6.3 Standard of Accommodation

The property must be reasonably suitable for occupation. As per Landlord and Tenant Act 1985 section 11 (“Landlord Repairing Obligations”) as amended by the [Homes \(Fitness for Human Habitation\) Act 2018](#), the landlord must keep in repair and proper working order:

- the structure and exterior (including drains, gutters and external pipes)
- the installations for the supply of water, gas and electricity and for sanitation (including basins, sinks, baths and toilets)
- the installations for space heating and heating water

and ensure that there are no deficiencies at the start of a tenancy which would make the premises not reasonably suitable for occupation in that condition, and if any deficiencies arise during the period of a tenancy remedial action must be taken by the landlord as soon as is practicable.

The relevant deficiencies are outlined in section 10 Landlord and Tenant Act 1985:

- the building has been neglected and is in a bad condition
- the building is unstable
- a serious problem with damp
- unsafe layout
- not enough natural light
- not enough ventilation
- a problem with the supply of hot and cold water
- problems with the drainage or the lavatories
- difficult to prepare and cook food or wash up
- any significant housing hazard set out in the [Housing Health and Safety Rating System](#)

A “significant housing hazard” might include, but not necessarily be limited to:

Inadequate facilities for

- personal hygiene (baths, showers, toilets etc)
- food storage and preparation (See Appendix 1 for minimum kitchen amenities)
- domestic hygiene, such as damaged or unsuitable worktops, flooring which cannot easily be kept clean
- heating the internal air temperature (central heating, fixed gas fires or mains wired fixed electric heaters should be capable of maintaining an average minimum temperature 18°C when the outside air temperature is below 5°C)

Presence of and exposure of occupiers to pollutants such as carbon monoxide, asbestos or lead.

Inadequate security so to expose occupiers to unacceptable risk of entry by intruders. Risk (due to disrepair or inadequate design) of falls either from tripping hazards, falls between levels (for example from windows or balconies), falls in bathrooms or on stairs (either internal or external).

Risk from fire, electric shock, gas explosion, scalds or burns, falling elements (such as ceiling collapse, unsecure fixtures and fittings, or lack of building structural integrity).

6.4 General

The government guide [“how to let”](#) explains the responsibilities, legal requirements and best practice for letting a property in the private rented sector. Licence holders are encouraged to read the guide to make sure they understand their obligations.

In order to comply with legal requirements and therefore be deemed to be a fit and proper person to be a licence holder, the landlord must (among other things):

- a. Supply to the occupiers of the house a written statement of the terms on which they occupy it ⁷
- b. Supply the tenant with a written statement of the landlord’s name and address if the tenant makes a written request ⁸
- c. Where the Licence Holder demands a deposit he/she must provide the tenant/occupier with a statement of the terms of the tenancy deposit, which must be paid into one of the designated [tenancy deposit protection schemes](#)
- d. Refrain from demanding a deposit higher than the cap set in the [Tenant Fees Act 2019](#)
- e. Where the Licence Holder is a property manager or letting agent, join a [property redress scheme](#)

⁷ [Housing Act 2004 Schedule 4 para 1](#)

⁸ [Landlord and Tenant Act 1085 s.1](#)

- f. Refrain from engaging or encouraging another to engage in harassment of tenants or unlawful eviction, within the meaning of the [Protection from Eviction Act 1977](#)
- g. Refrain from [committed any offence](#) involving
- a. fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (c. 42) (offences attracting notification requirements)
 - b. unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business;
- or
- c. contravention any provision of the law relating to housing or of landlord and tenant law.
- h. Refrain from charging any unlawful fees within the terms of the [Tenant Fees Act 2019](#)
- i. Have regard to the requirement in the [Energy Efficiency Regulations 2015](#) which requires any dwelling let to tenants to have an EPC rating of E or higher, unless an exemption has been obtained by the landlord. Details how to register an exemption can be found [here](#).
- j. Where the dwelling is newly built or part of a recent conversion, the necessary planning consents and compliance with Building Regulations must be in place.

Amended 20 April 2020