

# **HOUSES IN MULTIPLE OCCUPATION STANDARDS GUIDANCE**

## **(Approved by Chorley Council on 26 August 2015)**

In August 2015 Chorley Council approved Standards for Houses in Multiple Occupation (HMO's), this document provides some additional guidance and explanation in relation to those specific standards.

The purpose of the housing standards is to inform landlords of their statutory obligations and to advise on how to improve and maintain houses in multiple occupation (HMOs) to an acceptable **minimum** standard, in both licensed and non-licensable HMOs.

A house in multiple occupation is any property where there are people living who do not form a single household and share at least one facility, whether that is kitchen, bathroom, living or dining.

A licence is required for any HMO that has the capacity to house 5 or more people not forming a single household, regardless of how many of the rooms are being let. The standards/facilities must be duplicated for occupancy of more than 5 persons and again for over 10 occupants etc.

This definition also does not include accommodation where fewer than 5 people are being cared for in a residential setting, even if there is additional sleeping and living accommodation for carers, unless the address is the carer's primary address. In most circumstances the property is a place of work, albeit that their job may include a proportion of their time living at the property to fulfil their working contract.

A family of five or more does not constitute an HMO, even if there are different generations and complex family relationships living in the property. They would still be considered a single household.

These requirements are in addition to the general duty of a landlord to ensure that the property is fit and does not pose a risk to the health and safety of residents as required by the Housing Act 2004.

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## General Provisions

### 1. FIRE SAFETY STANDARDS:

Minimum fire precautionary standards are necessary for all HMOs and relate to alarm systems, fire prevention and means of escape in the event of a fire.

The standards applied will be specific to each individual property and will also be dependent on the type of accommodation and number of storeys.

It is incumbent on the proprietor to liaise with the fire service and provide the suitable risk assessments and maintain any equipment in accordance with manufacturer and installation instructions.

As a minimum landlords are required to comply with the requirements of The Smoke & Carbon Monoxide Alarm (England) Regulations 2015. The regulations require private sector landlords to install at least one smoke alarm on each storey of the premises, and a carbon monoxide alarm in any room containing a solid fuel burning appliance, with effect from 1 October 2015.

### 2. HEATING:

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

2.1 Any self-contained flat in an HMO shall have an energy efficiency rating within the Energy Performance Certificate (EPC) banding A to D. The landlord must make available for inspection within 7 days on request the EPC for each self-contained flat that has been re-let since the 1 October 2008.

2.2 Heating shall be provided in every habitable room and bathroom, which is capable of maintaining a temperature of up to 20 degrees Celsius (°C), even when the outside temperature is below zero. The provision of insulation can assist in meeting this standard. Such heating provision must be capable of being used and controlled at any time by the occupants.

2.3. The heating shall be:

- Controllable, understandable and accessible by the occupants
- Safe
- Properly and professionally installed
- Appropriate for the design, layout and construction of the dwelling (this may exclude the use of some forms of heating detailed below on the basis that the heating provided is not adequate or appropriate to meet 2.2 above)

2.4 Heating may be by means of: -

- Central heating, or

- 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, or
  - Gas heaters connected to a suitable flue and terminal outlet, or
  - Oil heaters connected to a suitable flue and terminal outlet, or
  - Electric heaters- if electric heaters are to be used to heat a room, an electric point shall be provided for that exclusive purpose. Individual heaters (except oil filled radiators) must be a fixed installation.
- 2.4.1 Except for central heating, wherever practicable heaters shall be fixed to an existing chimneybreast or otherwise be positioned so as to direct heat towards the centre of the room.
- 2.4.2 Conventional electric night storage heaters may not be capable of maintaining the minimum room temperature in the evening time.
- 2.4.3 The use of portable paraffin or oil fired heaters and liquefied petroleum gas heaters (LPG) (Bottled Gas heaters) shall not be acceptable under any circumstances, whether provided by the landlord or the tenant.

### **3. NATURAL AND ARTIFICIAL LIGHTING**

- 3.1 All habitable rooms shall have an adequate level of natural lighting, provided via a clear glazed window or windows and/or door(s), the glazed area to be equivalent to at least one-tenth of the floor area and to extend normally to a point 1.75m (6ft) above floor level.
- 3.2 Basement rooms used for habitation shall, in addition to the requirement in the first paragraph, have sufficient natural lighting for their purpose.
- 3.3 All staircases, landings, passages, kitchens, bathrooms and water closets are to be provided, where practicable, with natural lighting. Windows to bathrooms and water closets are to be glazed with obscured glass.
- 3.4 All habitable rooms, kitchens, bathrooms, toilets, passageways, staircases and cellars in use shall be adequately lit with fixed lighting and suitable switching, including two way switching to stairs and passageways etc, as necessary.
- 3.5 Time switches to common parts shall be of a type, which are illuminated for ease of location.

### **4. VENTILATION**

- 4.1 Suitable and sufficient permanent ventilation shall be provided and maintained in any room in which there is a gas-heating appliance.

- 4.2 Suitable and sufficient means of permanent ventilation shall be provided in all kitchens, dining/kitchens, bathrooms, water closet compartments and other rooms containing cooking or washing facilities.
- 4.3 All habitable rooms shall be ventilated directly to the external air by a window, which has an openable area not less than 1/20<sup>th</sup> of the floor area.
- 4.4 All kitchens, bathrooms and water closet compartments shall be ventilated directly to the external air, either by a window the openable area of which shall be equivalent to at least 1/20<sup>th</sup> of the floor area of the room or by suitably sited mechanical ventilation. For kitchens, mechanical ventilation providing six air changes per hour will be deemed sufficient. For bathrooms and water closet compartments a minimum of three air changes per hour operated from the lighting circuit of the room is required.
- 4.5 Basement rooms used as habitable rooms shall be provided with natural ventilation direct to the external air. In addition, there shall 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 (2ft) measured from the external wall or not less than 0.3m (1ft) in the case of a bay window with sidelights.

## **5. DISPOSAL OF REFUSE**

- 5.1 The control of storage and disposal of refuse is a particular problem in Houses in Multiple Occupation. The Council requires that the license holder or manager of the HMO shall ensure that refuse is not allowed to accumulate within the house except where properly stored pending its disposal.
- 5.2 The household waste when stored outdoors must be stored in a suitable bin with a lid.
- 5.3 The Landlord must ensure that sufficient bins are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal.
- 5.4 Wherever possible the waste bins should be kept at the rear of the property and never on the highway.
- 5.5 Supplementary arrangements for the disposal of refuse and recyclable materials from the house as may be necessary having regard to any service provided by the local authority e.g. beds, mattresses, furniture, fridges, TVs, rubble etc.
- 5.6 If there is inadequate space to store rubbish within the boundaries of the house from week to week and no way of providing extra space, the landlord may have to make arrangements for extra collections.
- 5.7 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.

## **6. PROVISIONS RELATING TO ROOM SIZE AND FACILITIES**

### **Self-Contained flats:**

A self-contained flat includes all facilities within one accommodation unit and behind a 'front door' for the use of the occupants. Shared laundry facilities, such as a laundry room with washing machines and driers provided, do not make a property comprising of a number of self-contained flats an HMO unless there are other shared facilities.

There may be circumstances where flats only have limited kitchenette facilities and an additional shared kitchen is provided for the occupants. In this case, if the single use kitchenette facilities do not provide the minimum standard then the property would be classed as an HMO, because shared cooking facilities are required to meet the minimum requirements.

The flat must provide adequate space for all of the facilities.

### **Bedsits:**

A bedsit comprises a unit of accommodation with sufficient space and amenities for sleeping, dining, living and cooking. Where cooking facilities are limited and occupants are required to use shared cooking facilities to meet minimum standards, then these rooms will be included in the numbers for shared kitchen facilities.

In most cases bedsit accommodation has shared bathroom facilities.

### **The minimum room size for a bedsit comprising of one room unit of accommodation with cooking, living and sleeping facilities:**

Single occupancy bedsit	13.0m <sup>2</sup>	(140 sq. ft)
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Where the property is rented furnished, the landlord must provide suitable sleeping, dining and living space furniture, such as a bed, a table and chair and an armchair as a minimum. A sofa bed is not permitted as the only sleeping facility.

### **Bedrooms with Shared Facilities:**

In most HMO's all facilities, such as kitchens, bathrooms, dining and living accommodation are shared.

In these cases the minimum bedroom sizes apply:

Each single bedroom	6.5m <sup>2</sup>	(70 sq. ft)
Each double bedroom	10.2m <sup>2</sup>	(110 sq. ft)

However, there are circumstances where the bedroom and living space is combined and there is no shared/communal living room, but kitchen and bathroom facilities are still shared.

In this case the following minimum room sizes apply:

Each bedroom with combined living space for single person unit	11.0m <sup>2</sup> (120 sq. ft)
Each bedroom with combined living space for two person unit	13.9m <sup>2</sup> (150 sq. ft)

Where the property is rented furnished, the landlord must provide suitable sleeping, dining and living space furniture, such as a bed and an armchair for each person or a sofa as a minimum. A sofa bed is not permitted as the only sleeping facility.

**Split Accommodation:**

In some circumstances tenants may be provide with exclusive use accommodation that is split between a number of rooms within a shared house.

In this case the following minimum room sizes apply:

Each single bedroom	6.5m <sup>2</sup> (70 sq. ft)
<b>AND</b>	
Each separate exclusive use living room for a single person unit	9.0m <sup>2</sup> (97 sq. ft)
<b>OR</b>	
Each separate exclusive use kitchen with living and dining accommodation for a single person unit	11.0m <sup>2</sup> (120 sq. ft)
<b>OR</b>	
Each double bedroom	10.2m <sup>2</sup> (110 sq. ft)
<b>AND</b>	
Each separate exclusive use living room for a two person unit	10.0m <sup>2</sup> (108 sq. ft)
<b>OR</b>	
Each separate exclusive use kitchen with living and dining accommodation for a two person unit	13.9m <sup>2</sup> (150 sq. ft)

**Shared/Communal Living and Dining Rooms:**

Where there are shared living and dining rooms, then there must be sufficient of these rooms for no more than 5 occupants to share each room. **Where there are more than 5 occupants at the property requiring shared living and dining rooms then additional rooms must be provided for this purpose.**

<b>Rooms Used as a Living Room or Dining Room Only</b>	
Shared facility for up to 5 Occupants each	11.5 m <sup>2</sup> (125 sq ft)
<b>Room Used as combined Living and Dining Room</b>	
Shared facility for up to 5 Occupants each	12.5m <sup>2</sup> (130 sq ft)

Where the property is rented furnished, the landlord must provide suitable, dining and living space furniture for the occupants sharing this space.

**7. WASHING AND TOILET FACILITIES:**

***7.1 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 wash hand basins suitable for personal washing for the number of persons sharing those facilities; and*
- 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.*

**Shared Bathrooms** (Bathroom means a room containing a bath or shower).

<b>Number of Occupants</b>	<b>Up to 4</b>	<b>5</b>	<b>6 - 10</b>	<b>11- 15</b>
<b>Wash Hand Basins</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>3</b>
<b>Toilets</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>3</b>
<b>Baths or Showers</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>3</b>
		At least 1 toilet should be in its own compartment (or in an additional bathroom) and must be accessible by all occupants of the property.	At least 2 toilets should be in their own compartments (or in an additional bathrooms) and must be accessible by all occupants of the property.	

**Individual Bathrooms** (for both shared and exclusive use)

- 7.2 These amenities must be secure and private and should normally be located on the same floor as the sleeping accommodation.
- 7.3 All baths must be readily accessible and of minimum dimensions 1700mm x 760mm in a bathroom.
- 7.4 All showers must be readily accessible, screened and enclosed, of minimum dimensions 800mm x 800mm in a suitable room of adequate dimensions and facilities to allow for user to change their clothes and dry themselves.
- 7.5 All baths, showers and wash hand basins must be equipped with taps providing an adequate supply of cold and constant hot water (minimum 40 ° C) and be connected to an appropriate drainage system. Instantaneous heaters with a minimum rating of 6KW will only be acceptable to wash hand basins when no other means of providing hot water is available.

- 7.6 All baths, showers and wash hand basins must be equipped with adequate splash backs (300mm to baths and wash hand basins, full heights for showers or within separate water tight enclosure) with an adequate waterproof seal.
- 7.7 All bathrooms must be suitably and adequately heated and ventilated.
- 7.8 All separate toilets must be suitably ventilated.
- 7.9 All bathrooms and toilets must be of an adequate size and layout to allow for their proper use.
- 7.10 Landlords must ensure the provision of suitable floor covering to toilet compartments and bathrooms; these must be slip resistant, impervious and easily cleansable.
- 7.11 Only those rooms with a toilet with mechanical extraction ventilation and a wash hand basin are allowed to open onto a room where food is prepared.

**8. KITCHENS**

- 8.1 Where there are shared kitchen and dining rooms, then there must be sufficient of these rooms for no more than 5 occupants to share each room. Where there are more than 5 occupants at the property requiring shared kitchen and dining rooms then additional rooms must be provided for this purpose unless otherwise agreed with the local authority.

<b>Room Used as combined Kitchen and Dining Room</b>		
Shared facility for up to 5 Occupants each	12.5m <sup>2</sup>	(130 sq ft)

**8.2 Exclusive Use Kitchens**

***Where a unit of living accommodation contains or has separate access to kitchen facilities for the exclusive use of the individual household, that unit must be provided with –***

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

The minimum requirement is two rings/hot plates together with an oven and a grill. For occupancies of two or more persons the minimum requirement is four rings/hot plates together with an oven and grill. Rings/ hot plates must be at a height level with adjacent worktops and a minimum oven capacity of 55 litres. Alternatively a microwave oven may be substituted for one or two of the rings/hot plates.

A combination microwave together with a portable hot plate and grill unit would be considered adequate to meet this standard. In this case additional power sockets will need to be installed to ensure that there adequate electrical supply for use of the kitchen.

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

A fixed impervious sink of minimum dimensions 500X600 mm with a drainer and connected to the drainage system via a suitable trap. It must be provided with an adequate supply of cold water from the rising main and a supply of constant hot water at a minimum temperature of 60° Celsius. Instantaneous water heaters are unacceptable. A suitable

splash back, 300mm high should be provided to the sink and draining board, and all joints shall be adequately sealed.

Hot water may be provided by any of the following methods.

- I. Piped from storage and boiler
- II. Immersion heater
- III. Fixed gas appliance, e.g. multipoint or combi boiler
- IV. Electrical thermostatically controlled water heater with a **minimum** 5 litre storage reservoir, automatic fill and connected directly to the cold water supply.

All hot water vessels must be properly insulated

**(c) a worktop for the preparation of food:**

A suitable work surface must be provided a minimum of 500mm deep and a minimum length of 1100mm for the first person plus 500mm per additional person. The worktop must be fixed and secure and of an impervious material. A suitable 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;**

A minimum of 2 double socket outlets shall be suitably located above the work surface for the use of portable appliances and at least 1m from a water source in addition to any sockets required by these standards, situated in convenient positions for appliances such as cooker, fridge freezer, washing machine.

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

Standard floor or wall mounted cupboard of minimum capacity 0.16m<sup>3</sup>. The space below the sink unit is not acceptable to comply with this standard.

**(f) a refrigerator.**

Refrigerator space including a freezer compartment shall be a minimum 91litres. The fridge shall be capable of maintaining an internal temperature of 5°C.

**Where a household exclusive use kitchen does not meet the above standards there must also be access to a shared kitchen facility.**

### **8.3 Shared Kitchens**

8.3.1 1 kitchen for up to a maximum of 5 people, thereafter a kitchen to be provided in each unit of accommodation or a additional kitchens must be provided, except where accommodation is of a specialised nature with support services.

**8.3.2 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 a sufficient quantity for the number of those sharing the facilities-**

**(i) sinks with draining boards;**

A fixed impervious sink of minimum dimensions 500X600 mm with a drainer and connected to the drainage system via a suitable trap. A suitable splash back, 300mm high shall be provided to the sink and draining board, and all joints shall be adequately sealed.

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

Each sink must be provided with an adequate supply of cold water from the rising main and a supply of constant hot water at a minimum temperature of 60° Celsius. Electric instantaneous water heaters are not acceptable as they do not provide an adequate flow of hot water.

Hot water may be provided by any of the following methods.

- a) Piped from storage and boiler
- b) Immersion heater
- c) Fixed gas appliance, e.g. multipoint or combi
- d) Under sink electrical water heater with a **minimum** 10 litre storage reservoir

All hot water storage vessels must be properly insulated.

**(iii) installations or equipment for the cooking of food;**

Kitchens shall be equipped with cookers with a minimum of 4 rings, a standard sized oven and a grill.

**(iv) electrical sockets**

A minimum of 4 double socket outlets shall be suitably located above the work surface for the use of portable appliances and at least 1m from a water source in addition to any sockets required by these standards, situated in convenient positions for appliances such as cooker, fridge freezer, washing machine.

**(v) worktops for the preparation of food;**

A suitable work surface must be provided a minimum of 500mm deep and a minimum length of 1100mm for the first person plus 500mm per additional person. The worktop must be fixed and secure and of an impervious material. A suitable splash back, 300mm high should be provided where any work surface abuts a wall and all joints shall be adequately sealed.

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

Food cupboards shall be a minimum of one 500mm wide base unit or wall cupboard per person. The space in a sink unit below the sink will not be acceptable.

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

Fridge space shall be a minimum 30 litres of space per person in addition to the freezer compartment.

***(viii) appropriate refuse disposal facilities; and***

Proper bins with lids must be provided for the storage of kitchen waste prior to disposal e.g. pedal bin

***(ix) appropriate extractor fans, fire blankets and fire doors.***

Kitchens shall be fitted with an appropriate extractor fan. This shall be capable of achieving 6 air changes per hour. The provision of fire blankets and fire doors will be addressed at the time of the fire risk assessment for the whole house.

## **Appendix 1- Room Measuring Guide**

### **ROOM SIZES**

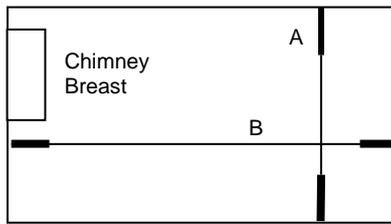
Room sizes shall comply with the following standards. All standards for floor space apply whatever the age of the occupants. The standards detail three types of premises, namely bed sitting rooms and flats with cooking facilities; shared accommodation; and hostel type accommodation with catering provided by the hostel management.

All habitable rooms, kitchens and bathrooms shall have a minimum floor to ceiling height of 2.14m (7ft), except in the case of existing attic rooms, which shall have a minimum height of 2.14m (7ft) over an area of the floor equal to not less than three-quarters of the area of the room, measured on a plane 1.5m above the floor.

Reductions to the specific standard for a bedroom may be treated as meeting the standard where the Council considers the room adequately meets the occupiers needs, that the reduction in size is not more than 5% of the full floor standard, and that it does not fall below a national minimum standard, e.g. 6.5m<sup>2</sup> is a national minimum standard for a bedroom.

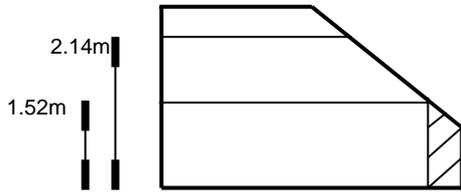
### **Room Measurements**

All room measurements shall be carried out as follows:-



Room Plan

In a room, measure the distances of A & B and multiply together to work out the floor area. (The space taken by the chimneybreast is not included as floor area).



Room in a Roof Space

For a room in a roof space, only that part of the room where the floor to ceiling height is greater than 1.52m (5'0") shall count and at least half of the floor area shall have a floor to ceiling height of 2.14m (7ft). The shaded area is excluded from the calculation).

- a child will be considered as a separate person/occupant in terms of these standards.
- the minimum room sizes , as below, are also subject to each room being of a shape offering adequate useable living space. Areas where the ceiling height is less than 1.53m, such as an attic room shall not be counted as part of the floor area.
- separate kitchens, whether shared or used exclusively in connection with a particular single tenancy shall be of sufficient size for their purpose. Where kitchen facilities are provided within other rooms, a minimum additional floor area of 3.7m<sup>2</sup> (40ft<sup>2</sup>) shall be required.
- the sharing of rooms by persons of the opposite sex aged 10 or over and who do not live as partners shall not be permitted.
- no staircase or landing nor any room, which has been appointed as a kitchen or bathroom, shall be deemed suitable for sleeping accommodation.