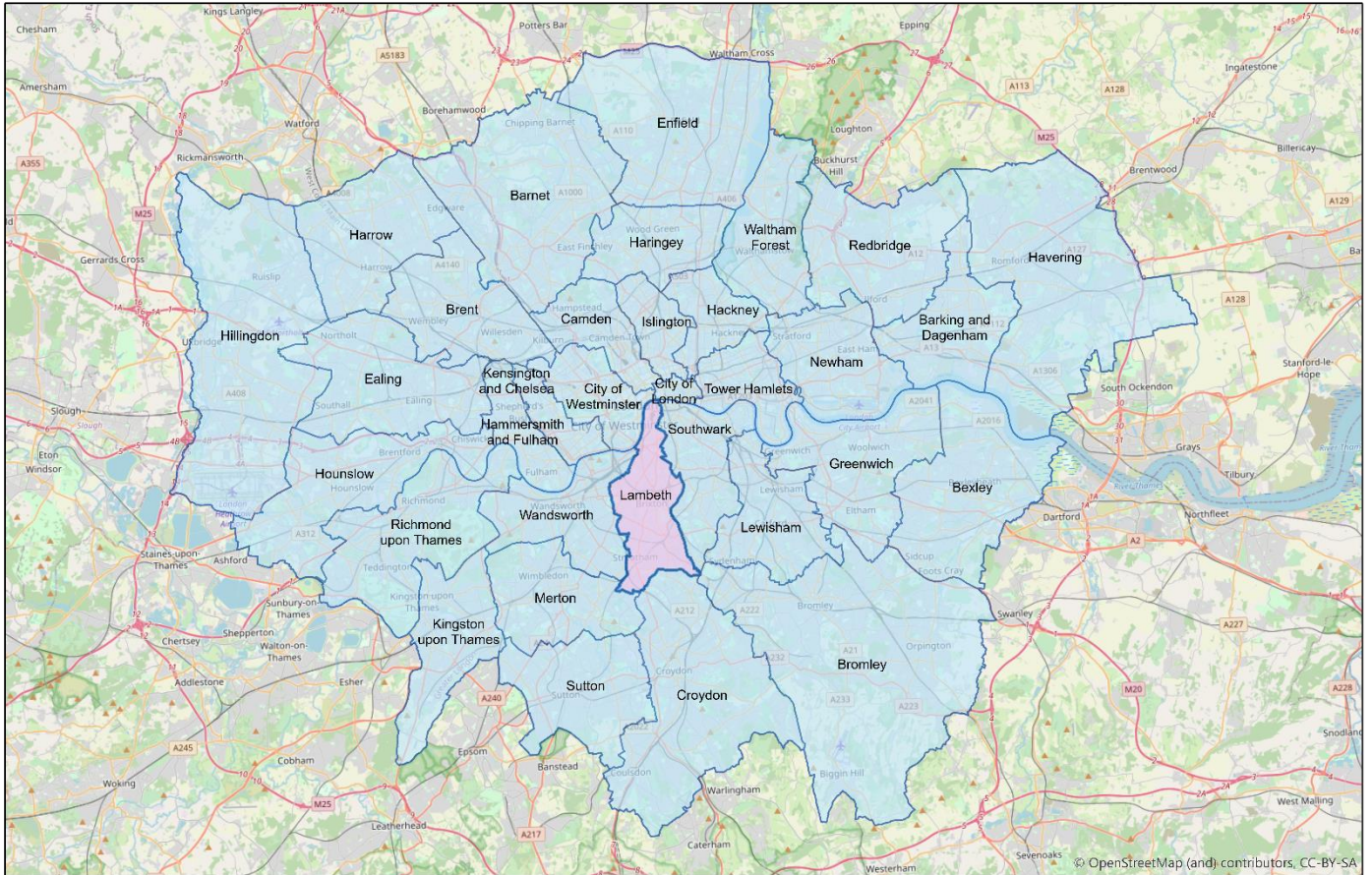


**Proposed Additional Licensing
Scheme for Houses in Multiple
Occupation for the London
Borough of Lambeth**

Consultation Report

London Boroughs



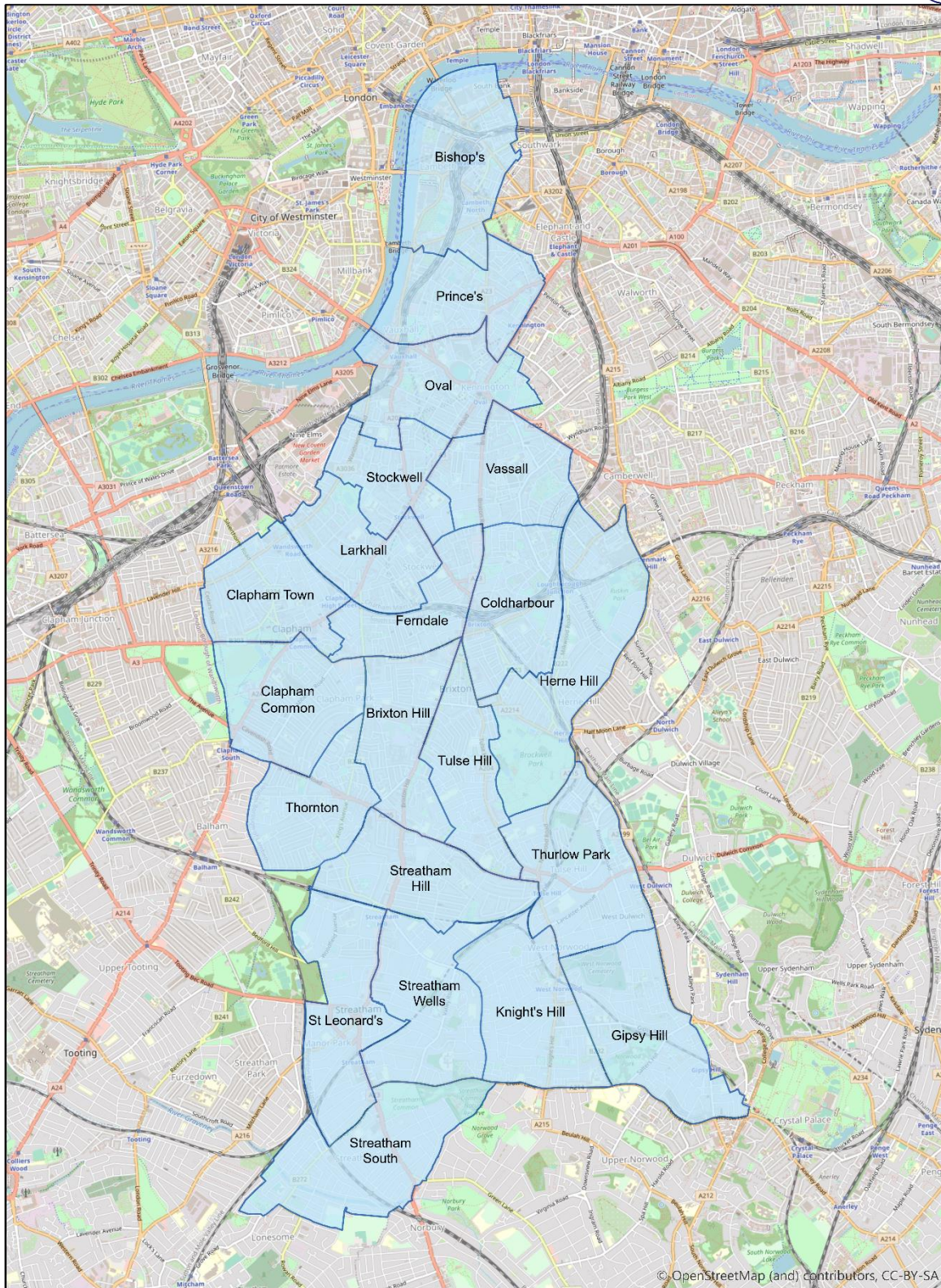
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Map 1 – Lambeth in relation to other London Council's

Lambeth Wards



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Preface

To help inform the consultation process, this document provides information about the London Borough of Lambeth's proposal for introducing an Additional Houses in Multiple Occupation Licensing scheme for the entire Borough.

The London Borough of Lambeth will be consulting on the proposed licensing scheme from 13 January 2021 for 12 weeks. To ensure that as many people and organisations as possible have the opportunity to comment on the Council's proposal a range of methods is being used to draw attention to the plans and to provide people and organisations the opportunity to comment on them, including:

- Adverts in local publications
- Direct email to landlords, national organisations, managing and letting agents
- Direct email to voluntary organisations and community groups
- Direct email to partner Statutory Agencies
- Social Media
- Press releases
- Direct email to neighbouring local authorities including their Communication Teams. Note. This is to help ensure that where there is a possibility of landlord migration to neighbouring boroughs as a result of the licensing proposals, the residents and LA's have the opportunity to respond.
- Briefing for Councillors and staff
- Information on the Council's website
- Online survey for all residents, landlords, agents and businesses
- Hard copy questionnaire for those without internet access

Your views on the proposed licensing scheme, whether as landlord, manager, freeholder, leaseholder, tenant, neighbour or local business are needed.

To give your views please go online to: <https://www.lambeth.gov.uk/consultations>

Alternatively, you can give your comments:

- in **letter** form (address below)
- by **e-mail address: [add]**

Any comments you give will be held electronically and held in strictest confidence and only used for the purpose of this project.



Your responses are crucial in helping the Council reach a decision. Please tell the London Borough of Lambeth what you think about the proposals no later than [Date]

Thank you.

1. Introduction

- 1.1 The private rented sector (PRS) in the London Borough of Lambeth has grown significantly with just under 50,000 households renting privately. In percentage terms private renting accounts for 34.5% of the number of households which compares to 20% nationally¹. The percentage of the private rented sector homes that are run as Houses in Multiple Occupation (HMOs) is currently over 10% (approximately 5,000 HMOs²). This is a high proportion of the market.
- 1.2 The London Borough of Lambeth recognises that many landlords operate responsibly, however, the London Borough of Lambeth is concerned about those who rent out smaller HMOs and certain flats that are HMOs that fail to provide acceptable conditions. There are concerns about poorly managed HMOs with poor tenancy arrangements.

What is an HMO?

- 1.3 Under the Housing Act 2004 an HMO is either:
- a. A building occupied by three or more persons living in two or more households, where there is a sharing of some or all amenities.

Or

 - b. A building converted into flats where the conversion fails to meet the 1991 Building Regulations and a third or more of the flats are privately rented.
- 1.4 Since 2006, the London Borough of Lambeth has operated the mandatory licensing of HMOs as required under the Housing Act 2004. This is a national scheme that changed in October 2018³ which applies to HMOs that house five or more persons in two or more households (where there is a sharing of some or all amenities, such as bathing or cooking facilities). It specifically excludes flats that are HMOs in purpose-built flats situated in a block comprising 3 or more self-contained flats. There are a number of properties in Lambeth which are not caught by the mandatory scheme and yet are occupied in the aforementioned way. Anyone operating an HMO that meets the mandatory definition is required to licence their HMO with the Council.
- 1.5 At the time of writing this report the Council had licensed 590 HMOs. If only 50% of the estimated number of HMOs in the borough are required to be mandatorily licensed then this means that the Council has only managed to licence 23% of the HMOs it must licence. A greater focus is therefore required to improve the licensing rates in Lambeth. Introducing additional HMO licensing as well as refocusing the service into an intelligence led, proactive

¹ Source Family Resources Survey, Department for Work and Pensions (2017)

² Source – London Borough of Lambeth – Metastreet Report - Private Rented Sector: Housing Stock Condition and Stressors Report

³ The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018

enforcement service are the vehicles that will help deliver the required improvements.

- 1.6 37.6% of HMOs⁴ are predicted to have one or more serious failings that affect the health and safety of the occupants (known as a Category 1 hazard). Standards are not the only issue. The vast majority of HMOs also have management/tenancy issues that require enforcement action. Inspections often uncover overcrowded HMOs, outbuildings being used to accommodate people (Beds in Sheds), unsanitary conditions and exploitation of tenants.
- 1.7 Too often, poorly managed HMOs have wider damaging repercussions on the local neighbourhoods, such as anti-social behaviour, noise nuisance, overgrown gardens, pest infestations, poor waste management and illegal dumping, infringements of planning controls, tenant intimidation, lack of immigration checks, etc. That's why the London Borough of Lambeth is considering a scheme to license all HMOs. The London Borough of Lambeth is committed to improving the quality and management of HMOs and driving up standards.
- 1.8 The London Borough of Lambeth is undertaking extensive consultation from the 13 January 2021 for 12 weeks. This will help inform the London Borough of Lambeth's decision-making process as to whether a scheme is appropriate to introduce for the London Borough of Lambeth. If a decision is taken to proceed with the licensing scheme it is likely to become operative in April 2022.
- 1.9 A glossary of terms used in this report is included at Appendix 3 to assist readers with any terms used that may be unclear.

⁴ Source – London Borough of Lambeth – Metastreet Report - Private Rented Sector: Housing Stock Condition and Stressors Report

2. The Proposed Licensing Scheme

- 2.1 The London Borough of Lambeth is proposing to designate an Additional HMO Licensing Scheme for a five-year period to cover the entire Borough. The scheme is proposed to cover all types of HMOs (except those already covered by the mandatory HMO licensing scheme), e.g. bedsits, shared accommodation, room rents as well as buildings that are poorly converted into flats, regardless of storey height or how many people are accommodated.
- 2.2 The scheme would cover approximately 5,000 HMOs and would be used to assist in improving the quality, the management and the tenancy arrangements of HMOs. This would mean that whilst a scheme is in operation:
- Landlords of HMOs would require a licence for each of their HMOs
 - HMO landlords and managers will have to be 'fit and proper' to hold a license (see glossary)
 - HMO landlords and managers will have to meet the conditions attached to a license
 - HMO landlords must provide proper and effective management and supervision of HMOs
 - HMO landlords must provide proper tenancy arrangements for their tenants
 - A license will specify the numbers of individuals and households that can be accommodated by the HMO
- 2.3 A scheme would not cover:
- Owners who reside in property they own as their main residence (owner-occupiers)
 - Homes let to tenants of registered social landlords and housing providers (housing associations)
 - Homes let to up to two single people who are unrelated or single family dwellings where a dwelling is occupied by one household
 - Those places specifically excluded from the legislation such as care homes, accommodation run by certain statutory agencies, etc.
 - Student accommodation directly managed by educational institutions, e.g. halls of residence (but not those where students have tenancies with private landlords will be licensable)
 - HMOs that already require licensing through the London Borough of Lambeth 's mandatory licensing scheme, which covers HMOs that are 3 storeys or more that are occupied by 5 or more persons residing in 2 or more household's where there is some sharing of amenities
 - HMOs subject to management orders and exemption notices (see glossary)
 - Homes with up to 2 lodgers
 - Any building which is occupied principally for the purposes of a religious community whose principal occupation is prayer, contemplation, education or the relief of suffering
- 2.4 It is expected that responsible landlords will apply for a licence and incentives are being proposed to support these landlords. However, inevitably some landlords will choose not to apply for a licence. As part of these proposals the London Borough of Lambeth are realigning their PRS services to create a comprehensive proactive, intelligence led enforcement

programme. This will ensure unlicensed properties are identified and brought into the scheme. Activity will be targeted at tackling HMOs with the worst conditions, management and overcrowding identified through intelligence gathering and partnership working.

3. What is Additional HMO Licensing?

- 3.1 Section 56 of the Housing Act 2004 gives powers to Local Housing Authorities (this being the London Borough of Lambeth) to designate areas, or the whole of the area within their district, as subject to Additional HMO Licensing. Before making a designation the London Borough of Lambeth must consider the following:
- That a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public
 - Have regard to any information regarding the extent to which any codes of practice under section 233 have been complied with by persons managing HMOs in the relevant area
 - Consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question; and that making the designation will significantly assist dealing with them
 - Take reasonable steps to consult persons who are likely to be affected by the designation, for a period of not less than ten weeks, and consider any representations made in accordance with the consultation
 - Ensure that any exercise of the power is consistent with the London Borough of Lambeth's overall strategic approach to housing
 - Seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other action
- 3.2 Government guidance gives examples of properties being managed sufficiently ineffectively, and as a result having a detrimental effect on a local area:
- Those whose external condition and curtilage (including yards and gardens) adversely impact upon the general character and amenity of the area in which they are located
 - Those whose internal condition, such as poor amenities, overcrowding etc., adversely impact upon the health, safety and welfare of the occupiers and the landlords of these properties are failing to take appropriate steps to address the issues
 - Those where there is a significant and persistent problem of anti-social behaviour affecting other residents and/or the local community and the landlords of the HMOs are not taking reasonable and lawful steps to eliminate or reduce the problems
 - Those where the lack of management or poor management skills or practices are otherwise adversely impacting upon the welfare, health or safety of residents and/or impacting upon the wider community
- 3.3 The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 grants a general consent to Local Housing Authorities' to introduce Additional HMO Licensing, so far as the legislative steps have been complied with.

4. Why is the scheme being proposed?

HMO prevalence and condition

- 4.1 A range of evidence concerning the management, occupation and condition of HMOs as well as the impact of HMOs on the surrounding communities has been reviewed in order to establish whether there are grounds for introducing Additional Licensing of HMOs across all of the London Borough of Lambeth. The data used has come from a wide range of external and internal sources, including a comprehensive report on the private rented sector as whole, produced by Metastreet on behalf of the Council. These have been used to provide a picture of the issues.
- 4.2 In 2018 the London Borough of Lambeth estimated there were approximately 1,900 HMOs, of which predictive models suggested that 70% are likely to fall within the definition of an HMO that the Government say have to be licensed (mandatory HMO Licensing⁵). However, recent data analysis work has significantly revised this estimate to approximately 5,000 HMOs⁶. In relation to the overall PRS market in the London Borough of Lambeth (50,000 homes) the percentage of HMOs is approximately 10% of this market, making HMOs an extremely significant type of housing for the population of the London Borough of Lambeth. Data also shows that ASB rates (per 1000 properties) are significantly higher in the HMO sector when compared to PRS as a whole and the 37.6% of the HMOs in Lambeth contain one or more serious hazards that affect the health and safety of the occupants.
- 4.3 In March 2020, the London Borough of Lambeth conducted some informal consultation with its residents to gauge residents and business owner's opinions on the private rented sector in Lambeth. Even though this informal consultation ran for less than a month, it attracted responses from 563 people, which included 80 landlords/letting agents and 253 private tenants. The results of this consultation showed that landlords and tenants had concerns about the PRS. Although the results from the survey are not statically robust they give strong indications of the issues in Lambeth. Some of the results are set out below:

Private Renters:

- 58% of private renters reported issues with damp, whilst 47% reported issues with disrepair.
- Alarmingly 20% of renters reported unsafe electrics or gas appliances. A further 20% said they didn't have fire safety measures.
- 17% of renters had experienced issues with overcrowding
- 37% said that they had experienced poor management of their rental homes with 40% stating they had experienced poor letting practices.
- When asked whether they would support the introduction of HMO licensing, 62% either strongly agreed or agreed with this proposals, with only 11% disagreeing with this as a proposals (the remainder neither agreeing or disagreeing).

⁵ The HMO or any part of it, occupied by five or more persons living in two or more single households who share one or more amenities.

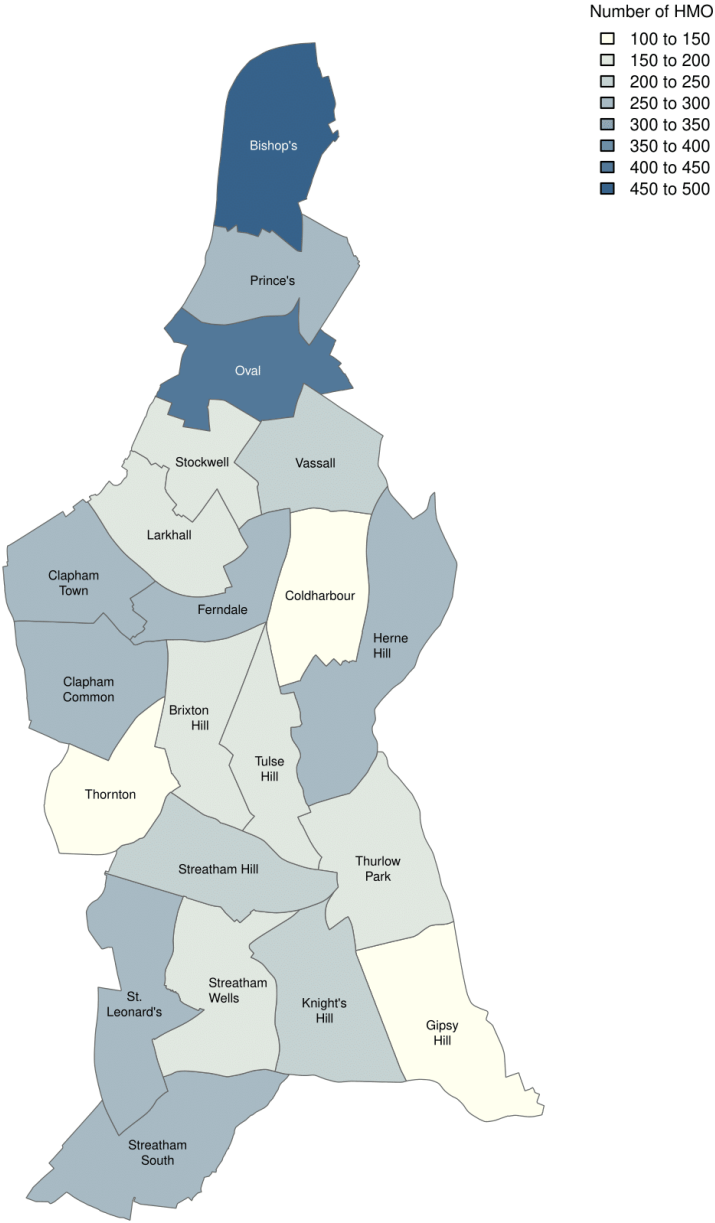
⁶ Source – London Borough of Lambeth – Metastreet Report - Private Rented Sector: Housing Stock Condition and Stressors Report

- Interestingly 26% reported that rubbish dumping was the greatest issue associated with the PRS. Though this was closely following by 'inadequate internal standards' (23%) and nuisance neighbours (20%).

Landlords/letting agents:

- 70% of the landlords responding only rented one property.
- 37% of landlords reported that their tenants caused some form of anti-social behaviour.
- 21% had experienced problems with the eviction process.
- Worryingly, 26% of landlords reported that their tenants had sub-let without their permission.
- Surprisingly 48% of landlords supported the introduction of HMO licensing across the borough, with only 28% either disagreeing or strongly disagreeing with the proposal (the remainder neither agreeing or disagreeing).
- Interestingly, landlords mirrored tenants and reported that rubbish dumping was the greatest issue associated with the PRS. They also reported that nuisance neighbours were an issue. However, numbers were low with the great majority of respondents not identifying anything being a particular issue with the PRS.

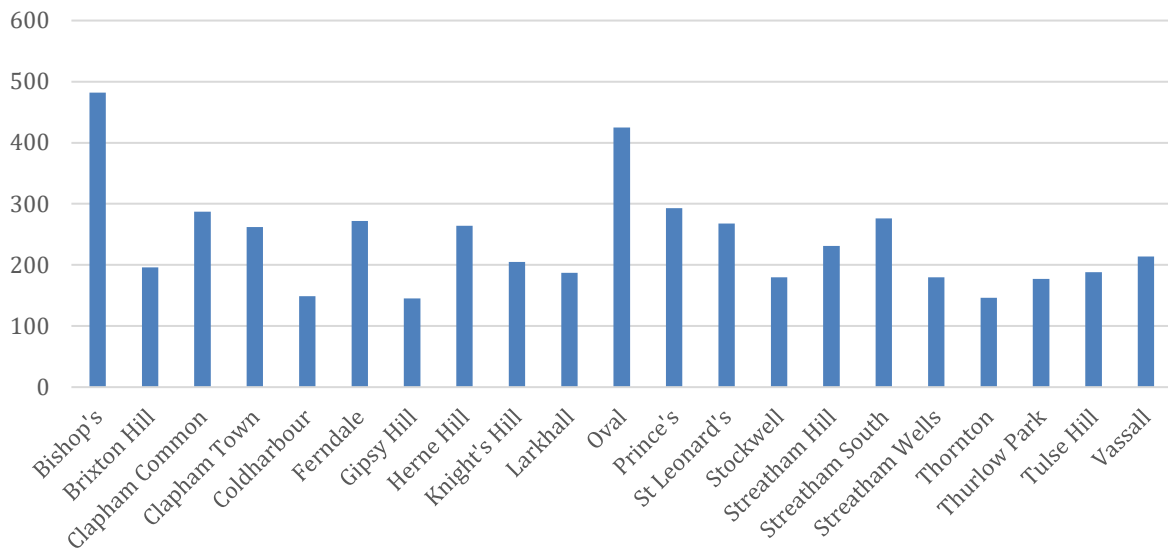
Map 3. Spread of HMOs



Source: Metastreet 2020

4.4 Map 3 shows that the spread of predicted HMOs is Borough wide.

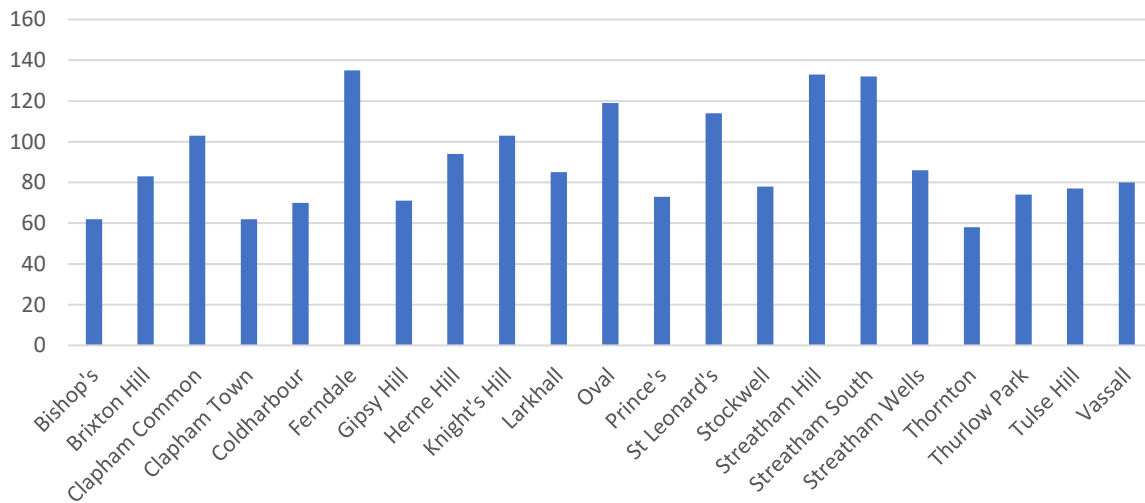
Chart 1 - Number of HMOs by ward



Source: Metastreet 2020

- 4.5 Chart 1 further demonstrates that there is a spread of HMOs across Lambeth with two particular wards standing out, being Bishop's and Oval.
- 4.6 This spread of HMOs shows that in order for an Additional Licensing Scheme to have the desired effect of helping regulate HMOs, a scheme would need to be Borough wide.

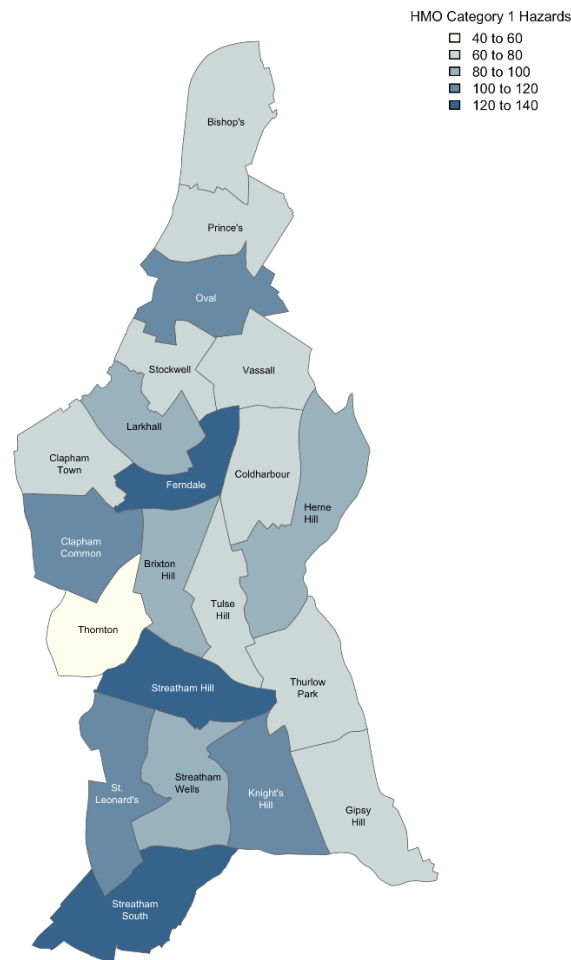
Chart 2 - Number of HMOs with a Category one hazard by ward



Source: Metastreet 2020

- 4.7 Chart 2 shows the number of HMOs in the borough that are predicted to have a category one hazard, by ward. A Category one hazard is an assessment of the conditions at an HMO that results in the identification of a hazard that will have serious consequences to the health and safety of the tenants of the HMO. The assessment of a Category one hazard places the Council under a legislative duty to take action. The typical types of hazards identified in HMOs in Lambeth are Damp and Mould, Excess Cold (lack of insulation, heating, etc.) and Fire Safety deficiencies. Fire Safety in particular is of a major concern in HMO's where the risk of fire is significantly higher than in other forms of accommodation.

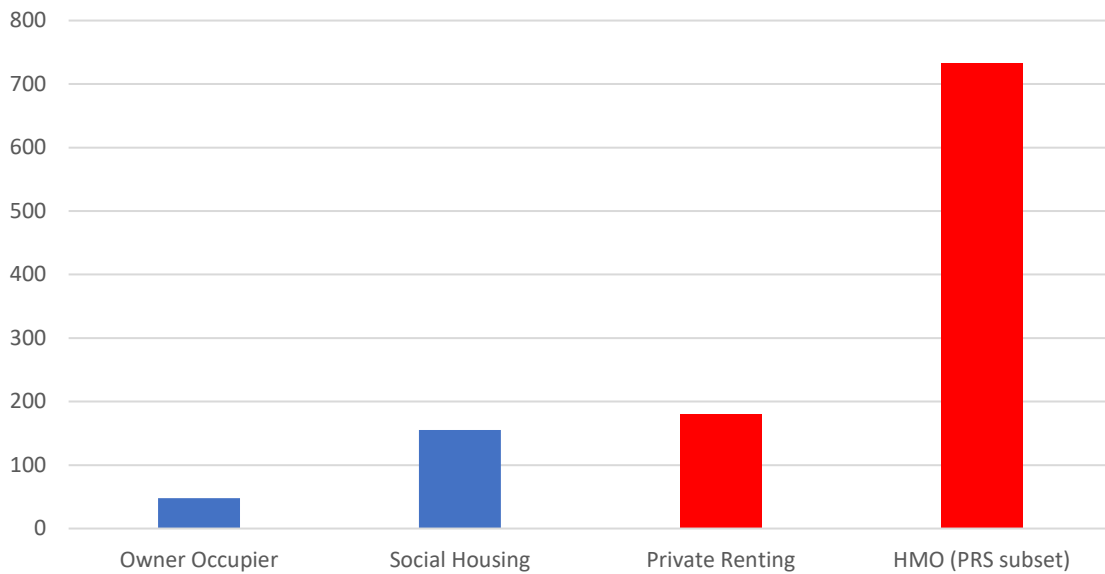
Map 4. Spread of properties with Category one hazards by ward



Source: Metastreet 2020

- 4.8 Map 4 shows the spread of HMOs with a Category one hazard across the borough. Overall, 1,892 (37.6%) HMOs in Lambeth are predicted to have at least 1 serious hazard. This is a significantly high level, especially when compared to the national average of 14% for the PRS as whole. Thornton ward stands out as a ward that appears from the map to have a small number of HMOs with Category one hazards. However, a closer analysis of this ward shows that 39.7% of the HMOs in this ward have a Category one hazard.
- 4.9 This data demonstrates that HMOs in Lambeth have significant levels of hazards that are a serious risk to the health and safety of the occupants and that these sub-standard conditions are found in HMOs across the whole borough.

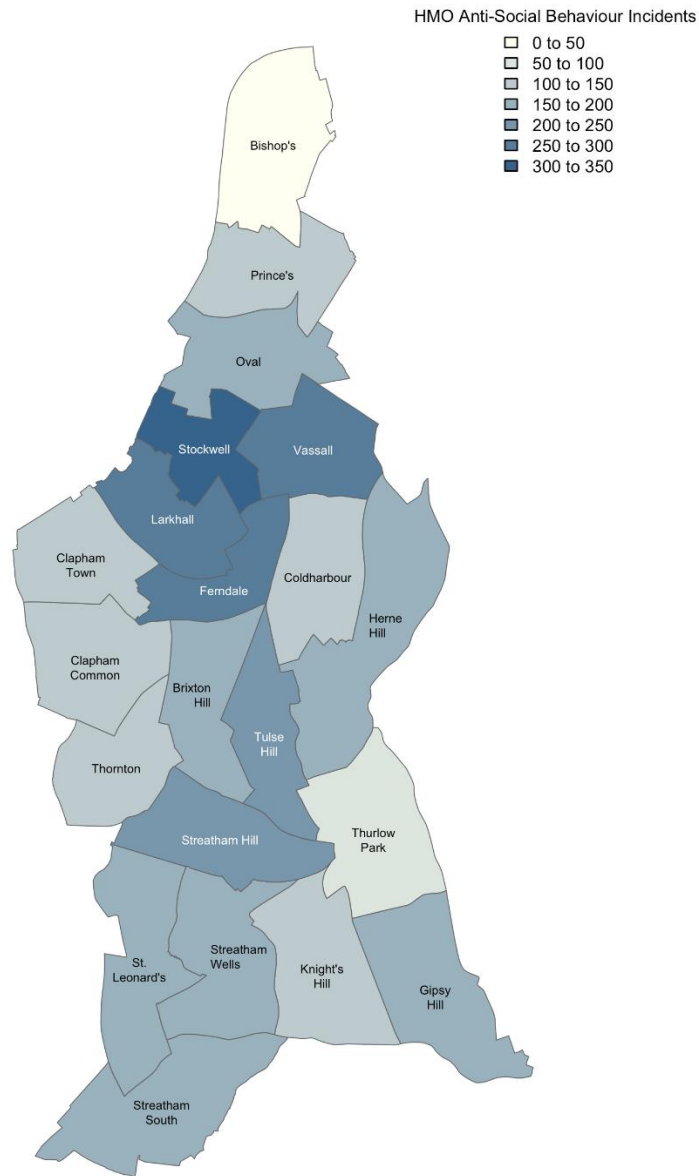
Chart 3 - Anti-Social Behaviour rates per 1000 dwellings by tenure



Source: Metastreet 2020

4.10 Anti-Social Behaviour (ASB) has a significant and detrimental impact on neighbours and neighbourhoods. Chart 3, shows that PRS properties are 3.7 times more likely have an ASB incident compared to owner occupied properties. When looking at HMOs as a subset of the PRS this rate increases dramatically, with HMOs 15.3 times more likely to have an ASB incident than owner occupied properties.

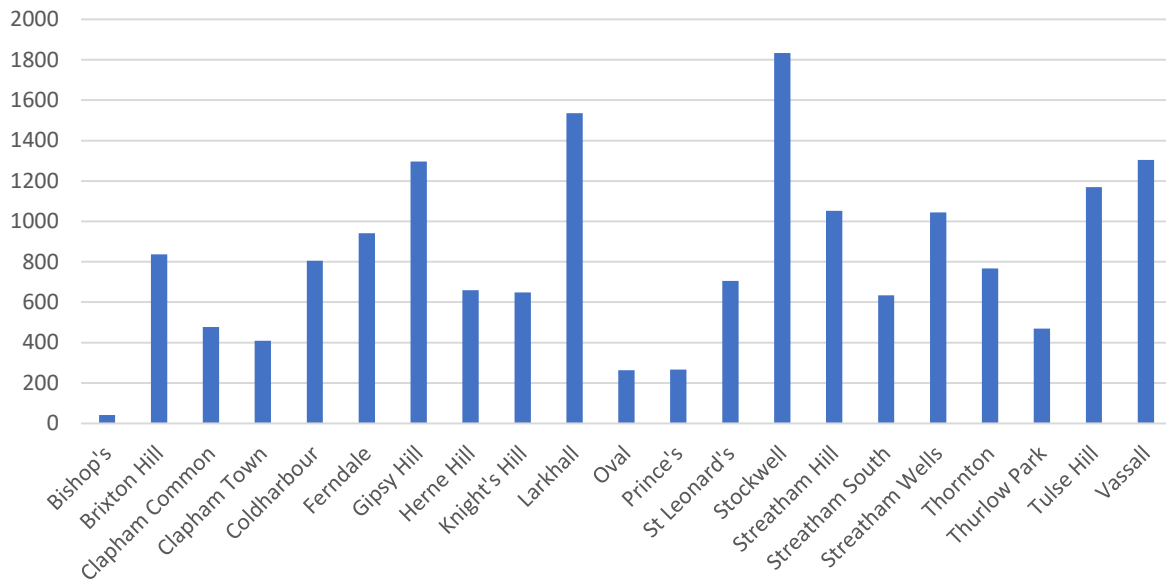
Map 5. HMO & ASB



Source: Source: Metastreet 2020

4.11 Map 5 shows the spread of ASB incidents across the borough. 3,686 ASB incident relating to 5,027 HMOs (commercial and ASB incidents not linked to residential premises are excluded from these figures) were recorded over a 5-year period (2015-2020).

Chart 4 - ASB linked to HMOs per 1000 properties by ward

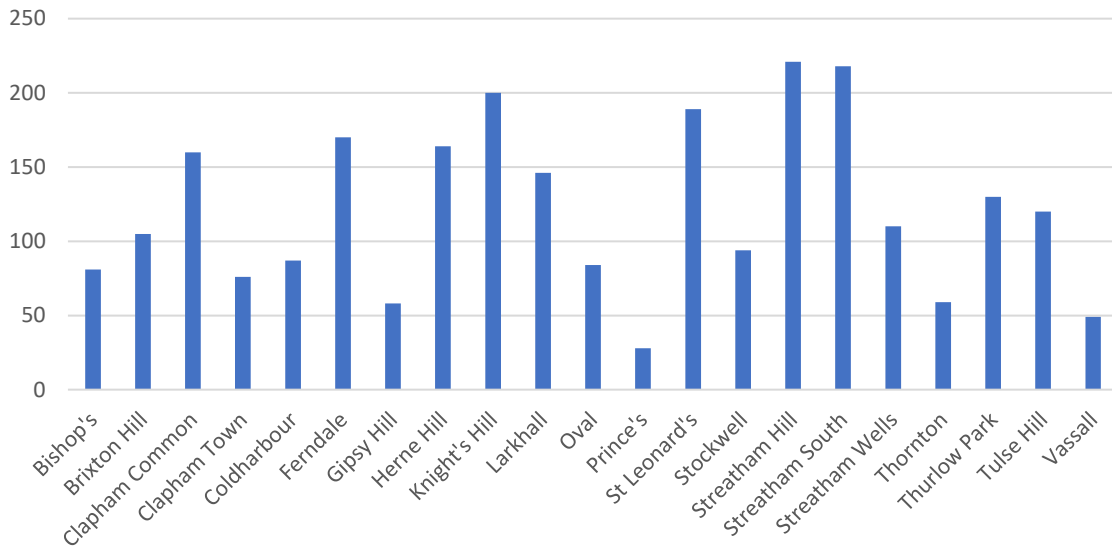


Source: Metastreet 2020

4.12 Chart 4 shows the ASB attributed to HMOs per 1,000 properties by ward. This gives a clearer picture of the level of ASB linked to HMOs in any individual ward as the numbers of properties in a ward doesn't skew the results. Although there are clear hot spots of ASB (such as Stockwell and Larkhall wards, the spread is borough wide.

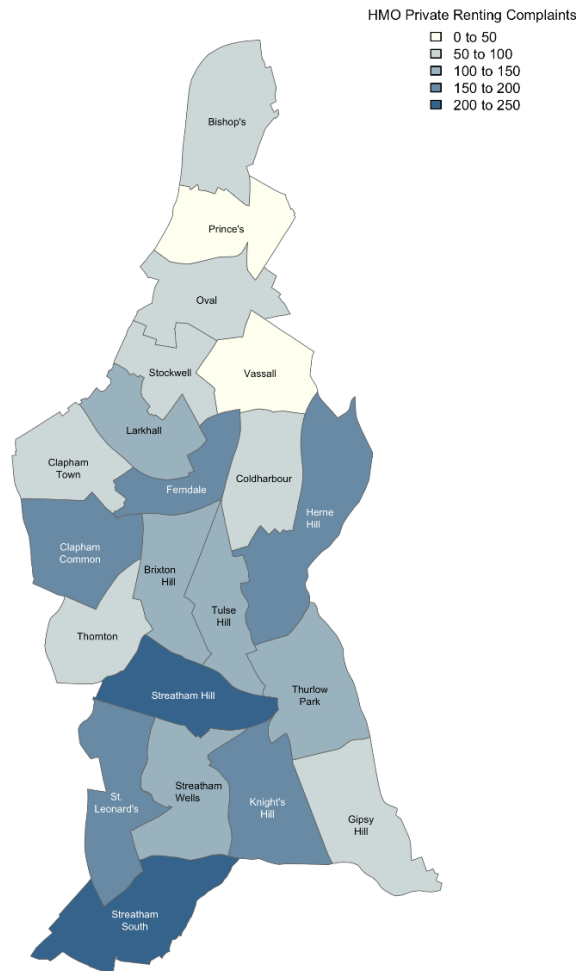
4.13 High levels of ASB can be used as a proxy indicator of poor property management. HMO properties often have higher levels of transience which can result in higher waste production and ASB by tenants. This level of ASB disrupts the lives of HMO occupants, their neighbours and the neighbourhood as a whole. In serious cases this can have significant impacts on peoples health and wellbeing. Licensing can assist with these issues by imposing conditions on licence holders to put in measures to both limit and report ASB associated with the tenants of their HMOs.

Chart 5 – Service requests made by HMO tenants to the Council, by ward.



Source: Metastreet 2020

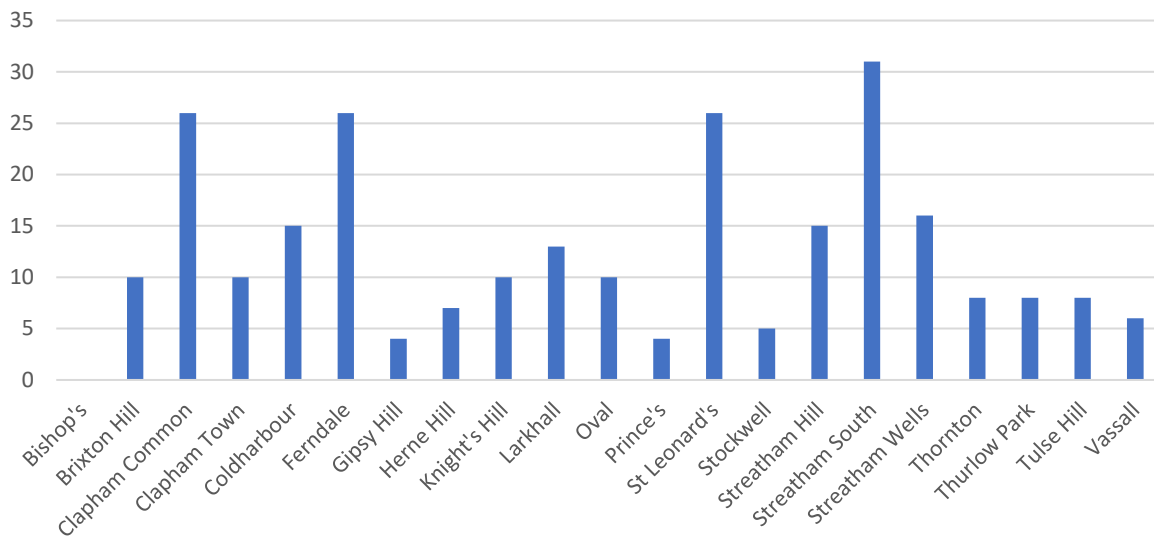
Map 6. Spread of requests for Service relating to HMOs



Source: Metastreet 2020

4.14 2,549 service requests from HMO properties were received by Lambeth over a 5-year period (2015-2020). This equates to 42% of the total number of service requests received relating to the PRS as a whole. This is a disproportionately high level of demand is a direct indicator of the poor standards found in HMOs. Chart 5, shows the levels of service requests by ward and map 6 shows the spread across the borough, which clearly demonstrates again that issues in HMOs are borough wide.

Chart 6. Levels of Enforcement Activity



Source: Metastreet 2020

- 4.15 The Private Sector Enforcement and Regulation Team have successfully used a variety of enforcement activity to help secure improvements to dwellings or bring rogue landlords to justice. The sort of issues found have been, dangerous electrics, HMOs so filthy as to be a health hazard, gas leaks, parts of the structures of HMOs being in such poor condition as to be at risk of collapse, etc. Chart 6 shows the formal enforcement activity undertaken by the Private Sector Enforcement and Regulation Team in HMOs by ward. This again shows that the spread of enforcement is across the borough with hotspots in Streatham South, St Leonards, Ferndale and Clapham Common. It is worth noting that these figures don't show the full picture of the work to improve standards in HMOs, but only where the Private Sector Enforcement and Regulation Team have had to step in formally to resolve matters. Often informal enforcement (which isn't represented in these figures) is sufficient to tackle the issues found.
- 4.16 This enforcement action helps the London Borough of Lambeth tackle the prevalence of hazards found in HMOs as detailed in Chart 2 where Fire, Cold and Damp and Mould are the most common hazards found. A variety of enforcement tools are used to deal with the problems found ranging from an Improvement Notice, which requires works and improvements to be undertaken within a specified time scale to reduce the risk associated with hazards found, e.g. to provide a heating system where a HMO is too cold, through to Emergency Prohibition Orders (EPO) and Emergency Remedial Action (ERA), which are emergency powers used where there is an imminent risk to the health and safety of HMO tenants. An EPO is mainly used to immediately require a HMO to be prohibited from use. ERA is a power that allows for works to be undertaken by the London Borough of Lambeth to make an HMO safe and then charge the landlord for doing those works. Works in Default are a growing activity used, which allow for the London Borough of Lambeth to undertake works specified in some formal notices (e.g. an Improvement Notice), where the landlord has failed to comply with the notice and improved the sub-standard conditions. The cost of works plus the cost of the time the Council takes to do this are recoverable from the landlord.

- 4.17 Overcrowding remains a significant issue within the HMOs. Overcrowding has psychological effects on occupants, is a contributor to problems with condensation and mould growth, can increase the likelihood of pest infestations, such as bed bugs and facilities provided in HMOs become quickly overused and subject to excessive wear leading to disrepair and breakdowns. It is becoming increasingly common to find 'beds for rent' in HMOs where a room has many beds within it and it is the bed rather than the room that is rented. Overcrowding Notices (requires reductions in numbers) and Prohibition Orders (limits how many people a dwelling can accommodate) are an 'after the fact' tool to tackle overcrowding and will often result in tenants being evicted and presenting as homeless to the London Borough of Lambeth. Licensing sets the limits on numbers at the inception of the license and is therefore a more proactive measure with lesser deleterious effects on tenants.
- 4.18 Over the last two years (19/20 & 20/21) the Private Sector Enforcement and Regulation Team has increased the number of criminal investigations it has undertaken for a multitude of offences, such as failing to licence a HMO. This has led to one successful prosecution and the imposition of 8 Civil Penalties amounting to over £80,000 in fines. All the prosecutions and Civil Penalties have been in relation to HMOs. As of December November 2020 a further 8 cases were being investigated for possible prosecution or Civil Penalty.
- 4.19 In the main all enforcement action taken by the Private Sector Enforcement and Regulation Team is reactive to situations found and primarily deals with repairs and improvements. None of the enforcement action taken effectively deals with how an HMO is managed or the type of tenancy arrangements put in place. Licensing turns this situation around, making it an offence not to license, preventing a landlord from evicting tenants until it's licensed. Landlords need to be 'fit and proper' to operate the HMO and a license will carry proactive conditions placing requirements on landlords of HMOs to properly manage their HMOs and put in place the correct tenancy arrangements.
- 4.20 As set out in paragraphs 1.3-1.4 the Council currently operate mandatory licensing of HMOs. This scheme specifically excludes flats that are HMOs in purpose-built flats situated in a block comprising 3 or more self-contained flats. This means that a flat housing 5 unrelated people on the 36th storey of a purpose built block of flats would not be required to be licensed. Why therefore should a bungalow housing 5 persons unrelated need a licence but a 10th storey flat with 5 unrelated persons not? The flat on the 10th storey would represent a far greater fire risk as it places not only the tenants of the HMO at risk but the occupants of the other flats in the block. Issues of ASB are likely to have a far greater impact in a block of flats than it is in a bungalow. This seems to the Council to be disingenuous to the purpose of licensing which seeks to put in place additional controls over the operation of an HMO to make sure it is safe and well managed. An additional licensing scheme would address this imbalance and create a level playing field for all landlords operating HMOs across the borough.

Unorthodox HMO rental models and practices

4.21 The work of Private Sector Enforcement and Regulation Team has found a worrying trend of unusual HMO practices in the London Borough of Lambeth:

Rent to Rent model. This is where a landlord will rent to a tenant. This tenant (now referred to as the head tenant for ease of reference) will then sub-let the property to other tenants creating an HMO. The head tenant may or may not reside in the property and the landlord may or may not be aware of the sub-letting. In the majority of cases the head tenant nor the landlord will make any attempt at carrying out the improvements now needed at the property in relation to levels of amenities needed and improvements to fire safety for the number of people now living at the HMO. Often these HMOs are not declared and therefore remain hidden in the community. They are invariably poorly managed and the sub-tenants have little recourse as they are not the actual tenant of the property and the head tenant has no authority (in the majority of cases) to let and create new tenancies. This means that the sub-tenants are often the people caught in the middle, leading to them being wrongly evicted from the HMO. This was not a situation envisaged by the legislators when drafting the Housing Act 2004. The role of a head tenant and the landlord is not clearly set out. It is common for the head tenant and the landlord to blame each other for this practice. This makes it hard to establish who the London Borough of Lambeth should take action against.

Beds in Sheds. An unauthorised development, usually within the curtilage of an existing dwelling. This practice sees unsuitable buildings, such as outbuildings and garages converted into dwellings, usually associated with HMO use. This is done without planning consent or Building Regulation approval. They are often sub-standard and will usually require multi-agency intervention, such as planning enforcement, housing enforcement, etc.

Avoidance Rental Model. Smaller, two storey (4 or more bed) properties are purchased and then the rooms converted into small self-contained flats, with minimal kitchen facilities and a small ensuite bathroom in the room. A 'shared kitchen' will also be provided. Vulnerable single persons are then sought from charities and local authorities to place in these rooms. This type of practice avoids the need for planning permission for the conversion (because of the shared kitchen making the use ambiguous), sees the 'flats' being separately assessed for Council Tax, thus creating a situation where the 'self-contained' Local Housing Allowance (LHA) rate can be applied rather than the significantly cheaper 'room' LHA rate. This type of development remains unregulated, building practices are often sub-standard (such as overloaded electrics) and leads to tenants being accommodated in tiny unsuitable flats. Again this requires a coordinated interventionist approach to tackle.

Beds to Rent. As the name suggests rather than rooms being rented beds within rooms, such as bunk beds are rented.

Summary

4.22 The data currently demonstrates that there is sufficient evidence to conclude that there are significant and persistent problems with the management and standard of HMOs in the London Borough of Lambeth. The data shows that the market is growing and HMOs are widely spread across the Borough. There is a correlation between the prevalence of HMOs and the incidences of ASB, other nuisance issues and environmental problems. Although the London Borough of Lambeth have put in place measures to help tackle HMOs and rogue landlords, such as Landlord Accreditation (currently 1,254 accredited landlords in the London Borough of

Lambeth⁷), landlord business clubs, tenant support and the Private Sector Enforcement and Regulation Team, these measures are insufficient on their own to deal with the problem. Designating an Additional HMO Licensing scheme will help lead to a reduction in ASB when combined with other measures being taken by the London Borough of Lambeth and its partners. A designation will help contribute towards the corporate strategic housing objectives of driving up housing standards and addressing issues of poor HMO management, whilst at the same time providing tenants with better information about properties they may be planning to rent. It is also consistent with the London Borough of Lambeth's co-ordinated approach towards homelessness and the co-ordinated approach adopted between partner agencies and the London Borough of Lambeth to deal with ASB and other environmental problems.

⁷ Source – London Borough of Lambeth

5. How does it fit with the London Borough of Lambeth's other plans?

- 5.1 The Homelessness Strategy⁸, was adopted at the end of 2019. This explored the issues faced in the growing PRS market in Lambeth, including how the London Borough of Lambeth is working with PRS landlords to help reduce homelessness across the borough. The strategy includes specific commitments in relation to improving work in the PRS, which includes an explicit commitment to consider an expansion of licensing schemes.
- 5.2 The London Borough of Lambeth is a labour majority led Council. In the last Lambeth Labour Party Manifesto, improving conditions in the PRS was a major focus with the following commitments made:-
- We will expand our landlord licensing scheme to double the number of HMOs covered.
 - We will name, shame and prosecute rogue landlords who fail to provide decent homes, doubling the number of inspections of private rented homes over the next four years so dodgy landlords have nowhere to hide.
 - Use our powers to levy fines of up to £30,000 and to ban rogue landlords from operating in Lambeth.
 - We will introduce a new private renters' charter setting out renters' rights and Lambeth's powers to intervene.
- 5.3 The London Borough of Lambeth's current Housing Strategy was adopted in 2017 and pre-dates plans to investigate further licensing. However, a new strategy is currently being written and is planned to be adopted in 2021. This explores how the PRS does and will contribute to meeting the housing needs of Lambeth's residents. It recognises the contribution the PRS makes to meeting housing needs but also identifies that it is in the PRS that we see the worst conditions and management. It therefore will specifically include commitments to improving the way the London Borough of Lambeth tackle PRS conditions, which includes exploring proposals to increase property licensing, including additional HMO licensing.
- 5.4 The Mayor of London, Sadiq Khan, came to power in 2016 having made a number of manifesto commitments⁹, which included a commitment to improve the PRS offering in the city, to this end he committed to:
- *Setting up a London-wide not-for-profit lettings agency for good landlords, building on the work that councils have started, and ending rip-off fees for renters.*
 - *Working alongside boroughs to promote landlord licensing schemes to drive up standards, and make the case to government for London-wide landlord licensing.*
 - *Naming and shaming rogue landlords and ensure tenants have access to this information online.*
- 5.6 These London wide commitments reflect and support the strategic housing direction of the

⁸ <https://www.lambeth.gov.uk/sites/default/files/homelessness-and-rough-sleeping-strategy-december-2019.pdf>

⁹ London Labour – Manifesto for all Londoners (9 march 2016) –

http://www.sadiq.london/a_manifesto_for_all_londoners

London Borough of Lambeth in tackling sub-standard and poorly managed PRS accommodation.

6. What are the Benefits?

6.1 Designating an Additional HMO Licensing scheme will deliver a range of positive benefits for the residents of the London Borough of Lambeth:

- HMO's will be managed more effectively and issues of ASB within properties addressed and reduced, which will benefit tenants and local communities
- Licensing places the onus on the landlord to license their HMO with the London Borough of Lambeth
- Licensing is a powerful tool that allows the London Borough of Lambeth to also target measures to improve the management and tenancy arrangements of HMOs
- The conditions attached to licenses can be wide ranging to help tackle holistic as well as area or property based issues, e.g. areas with waste issues associated with HMOs
- Support for landlords when dealing with anti-social tenants
- The long term improvement of HMOs
- A scheme takes tension out of the relationship between landlord and tenant - Improvements will be required by the London Borough of Lambeth, rather than tenant complaining and subsequently losing their tenancy
- A consistent approach will be achieved towards improving conditions, management and tenancy arrangements across the HMOs. Tenants will know the level of quality to expect and ultimately be provided with better quality and choice of accommodation
- Reduced turnover leading to more settled communities
- Improved neighbourhoods should lead to a positive impact on property values and rental yields
- Landlords with a poor track record will be prevented from continuing to operate if they fail the 'fit and proper person' test.

7. Reviewing Progress

- 7.1 The Housing Act 2004 requires local authorities to review their licensing schemes from time to time and to revoke the scheme if they consider this to be the most appropriate action. A process of review will be useful to assess whether there are ways of making the scheme more effective and ultimately to determine the success of the scheme in its later stages with a view to informing the exit strategy. It is proposed that an initial review is carried out at the end of year 2 with a further review at the end of year 4 to help inform the strategic direction following the expiry of the five year scheme, e.g. whether a further scheme is needed or whether the scheme objectives have been met.
- 7.2 It is recognised that licensing is part of an overall approach to help improve the private rented offering within the London Borough of Lambeth and outcomes achieved may not be solely as a result of licensing. With this caveat, progress will be assessed against the following key outcomes:
- Improvements to the health and safety for private tenants of HMOs
 - Improved management standards in HMOs
 - Improved local communities, with a particular regard to refuse, anti-social-behaviour and reductions in unauthorised developments
 - Improved tenancy management particularly with regard to a reduction in end of tenancy and protection from eviction in HMOs

8. Proposed Fees

- 8.1 The London Borough of Lambeth will charge a fee to cover the scheme running costs. This is likely to be £522 per habitable room¹⁰ within an HMO for the five year period.
- 8.2 The London Borough of Lambeth is proposing the following discounts in certain circumstances:
- a) A discount of 20% (fee of £429 per habitable room¹¹) for landlords/agents who are members of a recognised accreditation scheme.
 - b) A 50% discount (fee of £268 per habitable room¹²) for landlords who are housing charities (where the function of the charity is to provide support for the tenants they house).
- 8.3 The London Borough of Lambeth cannot make a profit or surplus from the scheme, which means it will annually review the cost of running the scheme and the projected revenue stream from licencing. This could mean that the fees charged may need to be increased or reduced depending on whether the number of applications received deviates from the assumed profiles or fluctuations in the running costs.
- 8.4 If adopted any scheme will confirm with the Provisions of Services Regulations 2009. This means:
- a) The licence fee will be split between the administrative and enforcement costs. The administrative cost of processing the licence will be charged for at the time of application and the enforcement cost will be charged at the point the licence is issued. No enforcement charge will be made if the Council refuse to issue the licence.
 - b) Tacit consent will apply to the scheme. This means that the Council must set a reasonable time frame in which it must process a full and complete licence application. If it fails to meet this time frame then the HMO can be operated as though the Council had issued an unconditional licence. In exceptional circumstances the Council may extend this period once for a maximum of 12 weeks. .

¹⁰ or per each self-contained unit within a HMO that is a building converted into flats

¹¹ or per each self-contained unit within a HMO that is a building converted into flats

¹² or per each self-contained unit within a HMO that is a building converted into flats

9. Proposed Licence Conditions

- 9.1 All HMO landlords letting HMOs in the Borough will require a licence from the London Borough of Lambeth for each of their HMOs. The proposed licence conditions are attached at Appendix 1. They include certain mandatory conditions required under Schedule 4 of the Housing Act 2004 and additional conditions required by the London Borough of Lambeth in relation to:
- Appliance safety and provision of safety certificates or declarations
 - Amenity provision
 - The number of persons and households permitted to occupy the HMO
 - Tenancy management and arrangements
 - HMO management and arrangements
- 9.2 The license may also specify the maximum number of households the London Borough of Lambeth assess the HMO can accommodate or limit the occupancy of the HMO. This might occur if a HMO size was unable to accommodate the number of households or if there was part of the HMO that would not be suitable as a bedroom, etc.
- 9.3 Failure to comply with any of the licence conditions may result in prosecution or the imposition of a civil penalty of up to £30,000 per breach and loss of their licence.
- 9.4 When deciding to grant a licence the London Borough of Lambeth must be satisfied that the proposed licence holder is a 'fit and proper person'.
- 9.5 Where landlords fail to license a property the London Borough of Lambeth will take enforcement action against them and following successful prosecution they could face an unlimited fine or the imposition of a civil penalty of up to £30,000. Tenants and the London Borough of Lambeth can claim back rent and/or LHA for a period of up to a year during the time a HMO has not been licensed. Landlords cannot use section 21 eviction proceedings to evict their tenants whilst the HMO remains unlicensed.

10. Proposed Amenity and Space Standards

10.1 All HMO landlords letting properties in the London Borough of Lambeth area will be required to meet minimum amenity and space standards. The proposed standards are attached at Appendix 2. They include:

- Space standards for the different types and styles of HMO, e.g. bedsits, rooms with kitchen facilities, hostel type HMOs, etc.
- The numbers and standards of kitchen facilities
- The numbers and standards of bathroom and WC facilities
- The numbers and standards clothes drying facilities
- Heating standards
- Refuse storage and disposal standards
- Lighting and ventilation standards
- The standard for cleaning of shared rooms and spaces
- Fire safety standards
- The availability of contact details for the landlord/manager

Appendices

Appendix 1. Proposed Conditions for HMO Licensing

Licence Conditions for Houses in Multiple Occupation.

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1. Introduction

1.1 Definition of a House in Multiple Occupation.

The Housing Act 2004 sections 254-8 provide the full definition of a House in Multiple Occupation (HMO) but in essence a property occupied by three or more unrelated persons, forming two or more households and sharing standard amenities constitutes a HMO. Additionally some buildings which have been converted into self-contained flats, which do not comply with current Building Regulations, are also deemed to be HMOs¹³. These are referred to as section 257 HMOs.

1.2 Definition of HMOs that are required to be Mandatorily Licensed.

The Housing Act 2004 (section 55) places a duty on Council's to license HMOs that meet a prescribed definition. This is commonly referred to as Mandatory HMO licensing. The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 sets out this definition as being:

An HMO that;

- (a) is occupied by five or more persons;
- (b) is occupied by persons living in two or more separate households; and
- (c) meets—
 - (i) the standard test under section 254(2) of the Act;
 - (ii) the self-contained flat test under section 254(3) of the Act but is not a purpose-built flat situated in a block comprising three or more self-contained flats; or
 - (iii) the converted building test under section 254(4) of the Act.

In the main this will mean any HMO, occupied by five or more persons living in two or more households, where there is sharing of all or some amenity (e.g. a bathroom).

1.3 Description of license conditions.

When licensing HMOs the Council will attach conditions to the license. Schedule 4 of the Housing Act 2004 sets out a number of conditions that the Council is mandatorily required to put into the licences it issues. Section 67 of the Housing Act 2004 also allows the Council to put in place conditions of its own making as long as these conditions are reasonable and proportionate. This document separately sets out the mandatory and discretionary conditions that will be applied by the London Borough of Lambeth. In practice a schedule of conditions attached to a licence will combine the mandatory and discretionary conditions for ease of reference and application.

The discretionary conditions set out in this document are not limited or exhaustive and there will be occasion when the Council will need to apply specific conditions that fall outside those contained in

¹³ Section 257 - A building converted into flats that meets the HMO definition is one that wasn't converted in accordance with the 1991 Building Regulations (or later) and still doesn't meet those standards and where a third or more of the flats are rented out on short term tenancies.

this document.

The application of Conditions to licences will also depend on the type of HMO being licensed. For example, many the conditions set out in this document would not apply to section 257 HMOs.

2.0 Mandatory licence conditions which the licence holder must comply with, as required by Section 67 and Schedule 4 of the Housing Act 2004 (as modified).

2.1 Gas safety

If gas is supplied to the house produce to the London Borough of Lambeth annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.

2.2 Electrical Safety

The Licence Holder shall ensure that every electrical installation in the house is in proper working order and safe for continued use.

The Licence Holder shall supply the London Borough of Lambeth, within seven days of demand, a written declaration or appropriate certification as to the safety of the electrical installation(s) in the house.

The Licence Holder shall ensure that any electrical appliances supplied by the licence holder, (e.g. fridges, kettles, lawn mowers, hedge trimmers, etc.) in the house are in proper working order and safe for continued use.

The Licence Holder shall supply the London Borough of Lambeth, within seven days of demand, a written declaration or appropriate certification as to the safety of any electrical appliances in the property (supplied by the licence holder).

Only approved Electrical contractors are to be permitted to carry out inspections of electrical installations and appliances or remedial works. Any necessary remedial works identified by such contractors shall be undertaken within a reasonable time period. The Licence Holder must, within seven days of inspection, provide the London Borough of Lambeth with a copy of such inspection reports. The Licence Holder shall inform the London Borough of Lambeth upon completion of such works.

2.3 Furniture

Keep all furniture made available by you in the house in a safe condition.

Supply to London Borough of Lambeth, on demand, with a declaration by you as to the safety of the furniture.

2.4 Smoke Alarms

Ensure that smoke alarms are installed on each storey of the house on which there is a room used wholly or partly as living accommodation in the HMO. A bathroom or lavatory is treated as a room used as living accommodation. A heat detector/ alarm is to be installed in kitchens and kitchen areas. A declaration as to the positioning of smoke and heat alarms must be supplied to the London Borough of Lambeth on demand

Note: This requirement will be satisfied where an appropriate fire detection and alarm system is provided as recommended in BS 5839 part 6 2019.

Ensure that all smoke alarms are kept in proper working order. A declaration as to the proper working order of such alarms must be supplied to the London Borough of Lambeth on demand

Note: This requirement will be satisfied where appropriate certifications of the fire detection and alarm system have been given as recommended in BS 5839 part 6 2019.

Note: Further requirements for fire standards may be set out under the discretionary conditions below.

2.5 Carbon Monoxide

Ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. A declaration as to the positioning of such alarms must be supplied to the Local Authority on demand. Note. 'Room' includes a hall or landing. A bathroom or lavatory is to be treated as a room used as living accommodation.

The licence holder must ensure that the carbon monoxide alarms are kept in proper working order. A declaration as to the proper working order of such alarms must be supplied to the London Borough of Lambeth on demand.

Note: Further requirements for carbon monoxide detection maybe set out under the discretionary conditions below.

2.6 Statement of terms for tenants occupying the house

Supply to the occupiers of the house a written statement of the terms on which they occupy it.

Note: Further requirements for tenancy terms maybe set out under the discretionary conditions below.

2.7 Minimum room standards

The licence holder is required:

- a) to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;
- b) to ensure that the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;
- c) to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;
- d) to ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.

The licence holder shall ensure that:

- a) where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence;
- b) where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence;
- c) where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum

number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified.

A reference to a number of persons using a room in an HMO as sleeping accommodation does not include a person doing so as a visitor of an occupier of the HMO.

For the purposes of this paragraph a room is used as sleeping accommodation if it is normally used as a bedroom, whether or not it is also used for other purposes.

Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be considered in determining the floor area of that room for the purposes of this paragraph.

Note: Further requirements relating to room sizes and amenity standards are set out in the London Borough of Lambeth's adopted Houses in Multiple Occupation Standards.

2.8 Waste

The licence holder is required to comply with any scheme which is provided by the local housing authority to the licence holder and which relates to the storage and disposal of household waste at the HMO pending collection.

Note: Further requirements for waste maybe set out under the discretionary conditions below.

3.0 Discretionary licensing conditions set by the London Borough of Lambeth under section 67 Housing Act 2004, which must be complied with

3.1 Documents to be displayed in the house

Ensure that a copy of the licence and all conditions are displayed in a conspicuous place in a common area. Normally the documents will be displayed in an appropriate position in the main entrance hallway of the HMO.

Note: The licence holder is supplied with additional copies of the licence, conditions and other documents for display. Further copies can be supplied at cost if requested.

3.2 Notification of changes

Email: HMOlicensing@lambeth.gov.uk

Change of licence holder's address

The licence holder must inform the London Borough of Lambeth if they no longer reside at the address given in their application form. Furthermore, the Licence holder must provide the London Borough of Lambeth with their new address and contact details within 21 days.

Change of manager/managing agent

The licence holder and/or the manager must inform the Council if there is a change in manager/managing agent, within 21 days, or if a manager/managing agent is appointed who is not named on the existing licence.

Change in the status of the licence holder and/or manager/managing agent

The licence holder and/or the manager must inform the Council of if they have any criminal convictions since their initial application for a licence.

The licence holder and/or the manager must inform the Council of an bankruptcy of the licence holder or manager.

Managing agent ceases to have an interest in the property

If the licence holder is a managing agent, they must inform the Council if they cease to have an interest in the property, within 21 days.

Changes and alterations to the property

The licence holder must advise the Council in advance of making any changes to the layout, amenity provision, fire precautions or mode of occupation of the HMO. For example, a change from a 'shared' type of HMO to a 'room rent' HMO, etc.

For the avoidance of doubt, a shared HMO is one where the tenants, though unrelated, come together as a group to rent a property as a whole. They will have a single Assured Tenancy Agreement and will have control over who replaces tenants when one or more decide to leave. They will be comfortable using shared communal spaces and will typically not have locks on their bedroom doors. Typically, they would cook and eat meals together and would choose to spend time together in a living area or lounge. Examples of this type of occupation are where there is a common shared interest i.e. students from the same college or employees of the same employer.

3.3 Emergency Contact

Provide and fix a notice containing the name, address and telephone number of the person managing the house in a position readily visible to all occupants. The notice shall be in clear legible lettering and not easily defaced or damaged and shall be securely fixed in position.

The licence holder shall give a written declaration that they shall provide to each current and future occupant with the name, address and telephone number of the landlord's appointed local out of hours contact, who will respond to emergency situations outside normal business hours, and be able to attend or arrange for a contractor to attend the property to deal with any emergencies within 24 hours of notification. A copy of these details shall be forwarded to the Council on demand.

3.4 General Maintenance of the Property

Ensure that at all times the property is maintained in good repair and safe condition. Also, arrangements are made to ensure compliance with any standards or Approved Codes of Practice which the London Borough of Lambeth or central government may from time to time require.

3.5 Gas appliances

Ensure that all gas appliances provided by the licence holder are serviced annually.

Ensure that a carbon monoxide alarm is installed in any room in the house that contains a gas appliance (includes boilers).

The licence holder must ensure that the carbon monoxide alarms are kept in proper working order (this can be a check of the battery and operation of the alarm). A declaration as to the proper working order of such alarms must be supplied to the London Borough of Lambeth on demand.

3.6 Soft furnishings

The licence holder shall, within the period of 3 months from the date the licence is issued, provide to the London Borough of Lambeth a signed declaration confirming that all soft furnishings supplied by him/her to the tenants complies with the Furniture and Furnishings (Fire) Regulations 1988 (as amended).

3.7 Electrical installation and appliances

All electrical works must be completed by an electrician registered with the Government's Competent Person Electrical Register working to the British Standard for electrical safety (BS 7671). On completion of the works, the registered electrician will issue a BS7671 certificate to confirm that their work has been designed, inspected and tested in line with the BS7671 electrical safety standard. For notifiable work, the registered electrician will provide a Building Regulations Compliance Certificate to confirm compliance with Building Regulations. A copy of the BS7671 Certificate (and Compliance Certificates where relevant) must be sent to London Borough of Lambeth Residential Services on demand.

Details of the Government's competent person electrical scheme and a search facility to find a competent, registered electrician can be found on the following web page:

<http://www.electricalcompetentperson.co.uk/>

The licence holder shall ensure that all portable electrical appliances provided by him/her for use at the premises are maintained in a safe condition.

3.8 Electrical Installations that Require Low-Risk Upgrade Works

Where low-risk (i.e. works that are only recommended and are not required to protect safety) works have been identified for remediation on the Electrical Installation Condition Report (EICR), the Licence Holder shall at the expiry of the EICR (5 years from the date of issue) or within two years from the date of the licence, whichever comes sooner, have those works carried out.

The licence holder must inform the Council when the works have been completed and provide an updated EICR. Email: HMOLicensing@lambeth.gov.uk

3.9 Energy Performance Certificates

The licence holder shall ensure that the flat/ house has a valid Energy Performance Certificate, (EPC).

3.10 Minimum Energy Rating

The Licence Holder is in control of property with an Energy Performance Certificate (EPC) Rating of less than 'E', contrary to the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended), which makes it a requirement to only rent properties that have an Energy Performance Certificate (EPC) Rating of 'E' or above.

The Licence Holder shall within twelve months of the licence being issued carry out the works detailed on the EPC for the property to improve the energy efficiency of the HMO to achieve an EPC rating of 'E' or above

OR

within three months of the licence being issued register a valid exemption on the national exemptions register -

Guidance - <https://www.gov.uk/government/publications/private-rented-sector-minimum-energy-efficiency-standard-exemptions>

Register - <https://prsregister.beis.gov.uk/NdsBeisUi/used-service-before>

The Licence Holder shall notify the Council once the works have been completed or the exemption registered by email to HMOLicensing@lambeth.gov.uk

3.11 Right to Rent Checks

The License Holder shall ensure that 'right to rent' checks have been carried out in accordance with the Immigration Act 2014. The licence Holder will retain and produce on request the relevant copies of documents from the prescribed lists and the record of the date the right to rent checks were carried out or in the case of tenants with a time limited right to remain, copies of documents from the prescribed lists and the record of the date the follow up checks were carried out. Further guidance is available [here](#).

3.12 Access to Utility Meters

The licence holder shall ensure that their tenants can access and obtain readings of the utility meters (gas, electricity and water, as applicable) for the house at reasonable times (no less than the delivery frequency of the utility bills) during the course of the tenancy and a final reading at the termination of the tenancy. Furthermore, the licence holder shall supply to the tenant a written document describing

the location of the utility meters (gas, electricity and water, as applicable) and the access arrangements for the meters.

3.13 Supply of water, gas and electricity

The licence holder shall not unreasonably cause the supply of water, gas (where provided) and electricity to house to be interrupted, where these supplies is under their control.

The gas and electricity supply must NOT be via any form of prepayment meter.

3.14 Provision of Services

The Licence Holder must ensure that the common parts of the house are at all times adequately heated and provided with lighting, as necessary, so as not to present any hazards to the health and safety of the occupants.

The Licence Holder will be required to ensure that gas or electricity supplies to common parts or shared amenities are on the landlord's supplies.

The Licence Holder will ensure that such supplies are not disconnected or threatened with disconnection due to non-payment of monies owed by the landlord to the relevant statutory undertaker.

Where rents are inclusive of gas or electricity, the Licence Holder will be required to ensure that the gas or electricity supplies to units of accommodation are not disconnected or threatened with disconnection due to non-payment of monies owed to the relevant statutory undertaker. For the avoidance of doubt, this condition applies even if rent is withheld or not paid by any or all of the tenants.

3.15 Environmental Management

The Licence Holder shall ensure that the exterior of the house is maintained in good repair and reasonable decorative order.

The Licence Holder shall ensure that any building works or improvements are undertaken with the minimum of disruption to the occupants, neighbours and the wider community.

3.16 Restrictions and Prohibitions

The Licence Holder must ensure that common areas, including shared living rooms, kitchens, hallways, etc. of the house are not used for sleeping, by tenants or their guests. For the avoidance of doubt, this will not prevent occasional guests from sleeping in a shared living room.

The Licence should arrange for programmed inspections of the property to be carried out to ensure that the property is being occupied in accordance with the Licence.

3.17. Water Saving

The licence holder shall, where possible, install water saving devices to the bathroom and kitchen facilities provided in the HMO. This should include (but not limited to):

- Tap aerators
- Shower flow regulators
- Shower timer devices

- Combismart - thermostatic valve – only where Combination Boilers are fitted.
- Toilet cistern – flush water-use reduction devices.

The great majority of water companies offer both a free 'water saving' assessment of property and a selection of free water saving devices. The Council advises that you contact your water company in the first instance before purchasing any equipment.

The Council recommend that you have a qualified plumber install all devices in the HMO, to ensure proper fitting and use as these devices cannot be used for all types of water products, e.g. power showers.

3.18 Infectious Disease Control

In the event of either a national or local outbreak of an infectious disease (that poses a significant risk to health) that is spread by air, water or touch (or a combination of these), the licence holder shall as a minimum put in place the following measures:

- **Inform**

Notify all occupants in writing of the nature of the infectious disease, how it is spread and the measures put in place at the HMO to limit its spread.

Provide a Notice, clearly displayed, in an accessible common area, setting out the nature of the infectious disease, how it is spread and the measures put in place at the HMO to limit its spread.

- **Clean**

Increase the frequency of the cleaning schedule for all the common areas in the HMO, including (but limited to) living and dining areas, shared bathrooms, toilets and kitchens. The minimum frequency should be three times a week.

The cleaning regime should include (but is not limited to) the sanitisation/disinfection of:

- Door and window handles and locks,
- Doors, handles and controls of all white goods communally provided,
- Taps and plugs,
- Showers,
- Baths,
- Wash hand basins,
- Toilets,
- Shared surfaces, e.g. dining tables, chairs, coffee tables, etc.
- All shared surfaces and cupboards used in the storage, preparation and cooking of food and making drinks,
- The doors, handles and controls of cooking appliances and kettles.

- **Sanitise**

Provide hand sanitiser stations in each common room including (but limited to) living and dining areas, shared bathrooms, toilets and kitchens and at the main entrance to the HMO. The sanitiser should not be diluted in any way and supplied in pump action containers for ease of use.

Examples of an infectious disease that would require these measures to be put in place are, COVID-19, Tuberculosis, SARS-CoV, cholera, etc.

The licence holder must inform the Council by email HMOLicensing@lambeth.gov.uk within 72 hours of becoming aware of the occurrence of an outbreak.

3.19 Inform us if there is a fire in the property

The licence holder must inform the Council by email HMOLicensing@lambeth.gov.uk within 72 hours of becoming aware of the occurrence of a fire within the house.

3.20 Notification to tenants

The written statement required under the mandatory conditions listed above must also include the following information: -

- An inventory of contents and their condition at the commencement of the tenancy,
- details of the rent and dates due, rent payment methods and how and when rent may be increased and,
- details of arrangements for the payment for services including gas, water, electricity and heating, and provide the relevant contact information for the services provided at the house.
- details of the arrangements for the storage and disposal of refuse, including recycling requirements and days and times for collections.

3.21 Tenancy Arrangements

The licence holder shall take reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the flat/ house and to this end shall:

Report all incidences of anti-social behaviour to the appropriate authority, for example the police or the Council.

Ensure adequate security arrangements are in place to prevent unauthorised access to the premises.

The licence holder shall enter into an assured shorthold tenancy agreement (unless an alternative arrangement is more appropriate, e.g. a license to occupy) with each new tenant of the dwelling for which he/ she is the person having control. The tenancy agreement will include provisions relating to forfeiture of the property in the event of a breach of the tenancy agreement terms in the following circumstances:

"That the tenant or someone living in, or visiting the premises has been guilty of conduct which is, or is likely to cause a nuisance or annoyance to neighbours; or, that a person residing or visiting the premises has been convicted of using the premises, or allowing it to be used for immoral or illegal purposes or has committed an arrestable offence in, or in the locality of the licensed premises."

The Government have produced a model template for an Assured Shorthold Tenancy which can be found here - <https://www.gov.uk/government/publications/model-agreement-for-a-shorthold-assured-tenancy>

The licence holder shall investigate complaints of anti-social behaviour (as defined in Housing Act 2004, Section 57(5)) arising from their property and being caused by their tenants or tenants' visitors. Where appropriate they shall take legal advice and act to either caution or evict the tenants.

3.22 Refuse

The licence holder shall provide suitable and adequate receptacles both within and outside the property (as necessary) to allow for the safe and containable storage of refuse and recycling until it is collected. If this isn't achievable within the standard collection arrangements, then the license holder shall make adequate alternative arrangements for the collection of refuse and recycling. The license holder must conform to the requirements of the London Borough of Lambeth's Rubbish and Recycling Service (<https://www.lambeth.gov.uk/rubbish-and-recycling>). The London Borough of Lambeth will provide advice and assistance to landlords upon request.

Notices

Provide and fix a notice(s) containing the arrangements for the storage, recycling and disposal of waste, in a position readily visible to all occupants, next to or as close to the refuse container(s) provided. The notice shall be in clear legible lettering and not easily defaced or damaged and shall be securely fixed in position.

Bulky Waste

The licence holder shall ensure that any items of bulky household furniture (such as mattresses/bed bases/fridges etc.) are disposed of in a responsible manner using a licenced waste carrier or the Council's chargeable bulky waste collection service.

Labelling of furniture, soft furnishings, kitchen appliances and white goods.

The licence holder shall label any furniture, soft furnishing and kitchen appliances and white goods provided at the property, using a suitable indelible marker pen (removable labels are not acceptable) with the address and, where relevant, the room number the articles relate too, e.g. Room 1, 38, postcode. The labelling should be readable and clear. The license holder will regularly check the labelling and re-label should the existing labelling have faded to the point it can no longer be read. This doesn't apply to articles provided by the tenants.

Note. This condition will be applied in defined hotspot areas where there have been significant issues with dumping of articles of furniture, etc. as a way of easily identifying the properties the articles come from.

3.23 Fire precautions

Provide fire precaution facilities and equipment at the property, as deemed necessary by the London Borough of Lambeth. Information on necessary fire precautions and equipment for the property will be provided to the licence holder. Fire precautions and equipment must be maintained in proper working order. Appropriate records of such maintenance, such as current certificates, are to be kept and produced to the London Borough of Lambeth on demand as evidence of such maintenance.

Provide details of fire exit routes to tenants and, in respect of the fire alarm system, ensure that all tenants are aware of fire and fault indications, are adequately familiar with controls (e.g. resetting) and aware of measures to avoid false alarms. Tenants should be aware of what to do in the case of a fire.

Conform with the requirements of the Regulatory Reform (Fire Safety) Order 2005

(<http://www.legislation.gov.uk/ukxi/2005/1541/contents/made>) the manager shall make a suitable and sufficient assessment of the risks to which tenants or visitors to the HMO are exposed for the purpose of identifying the general fire precautions required at the HMO. The manager shall supply a copy of the risk assessment to London Borough of Lambeth on demand.

3.24 Security

The Licence Holder must ensure that there are adequate measures in the property to provide a secure environment for the occupiers. These should include the following minimum requirements:

- (a) Where window locks are fitted, the Licence Holder will ensure that keys are provided to the relevant occupant.
- (b) The Licence Holder must ensure that the main entrance/exit door and any other door designed for escape in the event of an emergency is fitted with locks that can be opened from the inside without the use of a key.
- (c) Where previous occupants have not surrendered door keys, the Licence Holder will arrange for a lock change to be undertaken prior to new occupants moving in.

The Licence Holder must ensure that security measures do not impede any provisions provided for means of escape from fire.

3.25 Fire Doors

Following testing, the Government have advised that several fire door manufacturers have failed the standard testing requirements, meaning that the fire doors sold will not hold back fire for a minimum of 30 minutes. This presents a significant safety risk to occupants.

The Government have issued some guidance to the private sector in relation to fire doors:

https://www.gov.uk/government/publications/advice-for-building-owners-on-assurance-and-replacing-of-flat-entrance-fire-doors?utm_source=8f072d3d-8cb9-40d8-9d2f-edb0c7a50b03&utm_medium=email&utm_campaign=govuk-notifications&utm_content=weekly

The licence holder shall carry out a full inspection of any fire doors installed in the HMO. The licence holder shall ensure that:

- The door is sound and in good repair.
- Any glazing in the door is in good repair and at least 6mm minimum thick wired cast glass.
- The door been fitted with 100mm butt hinges that are securely fixed.
- The intumescent strips and cold smoke seals are in place and in good repair.
- The self-closer fitted to the door operates correctly, closing the door without intervention.
- The gap between the frame and the door is no more than 3mm.

The licence holder shall submit to the Council within three (3) months of the date of the licence a signed declaration stating that the above has been carried out.

In addition, the licence holder shall submit to the Council within three (3) months the licence manufacturers certification that the door meets the relevant British Standard for fire resistance and smoke control. Where you cannot evidence that the fire door meets the relevant British Standard for fire resistance and smoke control from both sides, carry out the following:

- Review your fire risk assessment.
- Put in place interim measures to mitigate the risk of sub-standard doors. The level of interim measures will depend on the nature and size of the building but could include;
 - advising the occupants in writing of the evacuation procedures and the reason and need to keep fire doors closed,
 - carrying out fire drills,
 - decreasing the intervals between management inspections,
 - putting in a waking watch,
 - making sure the route of escape is free of obstacles and combustible materials,
 - where it is safe to do so providing escape windows.

With the interim measures in place, either:

- i. either obtain third party certification that the in-situ doors meet the relevant British Standard, or
- ii. plan to replace the doors.

Where you are uncertain that the doors to be purchased are from a manufacturer that can supply actual certified 30-minute fire resistant doors then we would recommend buying and installing doors labelled as 60-minute fire resistant. By doing so you are providing yourself with some assurance that the doors should at least provide 30-minute fire resistant if not greater.

The licence holder shall submit to the Council within twelve (12) months of the date of the licence third party certification that the in-situ doors meet the relevant British Standard or manufacturers certification relating to the resistance of the new fire doors installed at the HMO.

3.26 Flats in Multiple Occupation in a block of flats

The licence holder shall ensure the tenants of the Flat in Multiple Occupation (FMO) are informed in writing of the fire safety arrangements in place within the block, being, but not restricted to:

- Evacuation arrangements, e.g. an all-out or stay-put policy.
- The safest route to safety from the FMO.
- The designated fire assembly area.
- Fire Drill arrangements (if any).
- Fire Warden and/or waking watch arrangements (where provided).
- The nearest manual call point (where provided).

3.27 Training Courses

The Licence Holder and manager of the house shall attend training courses or otherwise demonstrate competence in relation to any applicable codes of practice as specified by the London Borough of Lambeth.

Details of Training Courses:

London Landlord Accreditation Scheme (LLAS) and:

Accreditation and Training for Landlords & Agents Service (ATLAS)

Website: www.londonlandlords.org.uk

The licence holder shall submit to the Council within twelve (12) months of the date of the licence copies of certification demonstrating competence and/attendance at the relevant training courses.

3.28 Provision of amenities and space standards

The standards which apply to the property with respect to kitchen facilities, washing facilities, heating facilities, space standards and amenity standards are the London Borough of Lambeth Houses in Multiple Occupation Standards. The Standards will apply during the term of the licence.

The property will also be subject to:

- The Management of Houses in Multiple Occupation (England) Regulations 2006,
- The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006, and
- The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007.

The table below shows deficiencies in the HMO. The deficiencies must be addressed within XX months of granting the Licence.

	Deficiencies	Location
1		
2		

See ADDENDUM attached For Works on How to Address the Deficiencies in the HMO.

3.29 Inspection

This property will be re- inspected following granting of the HMO Licence. The purpose of the re-inspection will be to determine compliance with the Licence conditions.

Or

The works are expected to be carried out with XX months of the date of issue of the licence. The property will be inspected during the term of the licence to ensure compliance. When the works have been completed please submit documentary evidence of this. This can be in the form of certification (where provided), an invoice for the works, a signed note from the contractor, a photograph of the works, etc. Please email the documentation to HMOLicensing@lambeth.gov.uk

3.30 Missing documents

Provide electronic copies of the following documents that were missing from your license application within 3 months of the issue of the license:

[delete/add as appropriate]

- i. Energy Performance Certificate (EPC)(s)
- ii. Written tenancy agreement(s) with the occupying tenants.
- iii. Lease Agreements/Commercial Agreement with owner (if any)
- iv. Building insurance certificate
- v. Inventory of furniture and fittings(s)
- vi. Terms if contract (or a copy of your contract) with the Managing Agent (if any)
- vii. Gas Safety Certificate(s)
- viii. Portable Appliance Test (PAT) report(s)
- ix. Test certificates for fire alarm system
- x. Test certificates emergency lighting system
- xi. Asbestos report(s)
- xii. Fire Risk Assessment

Email the copies to HMOLicensing@lambeth.gov.uk

3.31 Interim Measures

The London Borough of Lambeth have agreed interim safety and welfare measures with the licence holder to minimise the risk to tenants whilst works are carried out in relation to [fire safety] [space standards] [amenity standards]. These interim measures are:

[List measures – examples given below]

- Battery operated smoke detectors located in [add locations].
- Battery operated heat detectors located in [add locations].
- Battery operated hand-held emergency lighting located in [add locations].
- A 'waking fire watch' comprising:
 - 24 hour continuously staffed fire patrols of the building.
 - Trained and competent staff.
 - Staff given appropriate equipment and PPE.
 - A 'all out' evacuation plan managed by the watch staff.
- Undersized shower cubicles located in [add locations].
- Undersized baths located in [add locations].
- Microwaves located [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]].
- Kettles located [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]].
- Electrically operated space heaters [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]] [and] [the communal living rooms].

These interim measures shall be maintained in good repair, condition and where applicable, remain

fully operational whilst in place. This includes, where applicable, adherence to standards and manufacturers guidance.

The licence holder must inform the Council by email HMOLicensing@lambeth.gov.uk within 72 hours of becoming aware of the failure of any of the interim measures.

3.32 Occupancy

The licence holder to ensure that the following maximum numbers as households and persons occupying the HMO, as listed below shall not be exceeded:

Room	Location	Size(m ²)	Permitted use	Maximum number of persons permitted to sleep in room	Adult or child under the age of 10.

The property is suitable for occupation by up to XX individuals forming no more than XX households. The occupancy of each room should not exceed the numbers stated in the table above. Child and children mean a person under the age of 18 unless otherwise stated.

No bedroom can be let to a child under the age of 18 without a parent/legal guardian also occupying a bedroom in the HMO.

A child's bedroom will be lockable (thumb turn lock) with two keys provided to the parent/legal guardian.

A bed shall be provided for exclusive use by the child

Where a child is under the age of ten, the minimum bedroom size is 4.64 m² (higher standards will apply in different circumstances, see below).

Where a bedroom is provided for a child under the age of ten, the bedroom shall be adjacent too or directly across from the bedroom occupied by the parent/legal guardian of that child.

Where a bedroom is provided for a child under the age of ten, the bedroom shall not contain any kitchen facilities or bathroom facilities.

Where a bedroom is provided for a child under the age of ten the bedroom shall be fitted with a form of wireless door sensor, which sounds when the door is opened. The receiving unit for the wireless door sounder shall be provided to the parent/legal guardian.

Where there is a garden or other outside space associated with the dwelling it shall be maintained, it shall be free of harbourage for rodents, free of refuse and detritus and articles that could cause harm (physically, chemically or biologically), e.g. items with cutting edges, gas cylinders, pesticides, etc. Where items of this nature are stored in the garden they should be stored in locked container, inaccessible to children. The garden should be safely & easily accessible to the children.

Balconies must have guarding to a height of at least 1100mm. Guarding should be designed to discourage children from climbing on it and should be strong enough to support the weight of people leaning against it. There shall be no gaps greater than 100mm in width.

Window sills (to windows on the first floor upwards or on the ground floor where there is a basement well) less than 1100mm shall be fitted with window restrictors. It shall be possible to override the window restrictors for escape purposes.

Appendix 2. Proposed Amenity and Space Standards

**London Borough of Lambeth
Standards for Houses in Multiple
Occupation**

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1. Introduction

1.1 Definition of a House in Multiple Occupation

The Housing Act 2004 sections 254-8 provide the full definition of a House in Multiple Occupation (HMO) but in essence a property occupied by three or more unrelated persons, forming two or more households and sharing standard amenities constitutes a HMO. Additionally some buildings which have been converted into self-contained flats, which do not comply with current Building Regulations, are also deemed to be HMOs¹⁴. These are referred to as section 257 HMOs.

The Housing Act 2004 gives the Council powers to deal with poor living conditions in HMOs and enforce prescribed standards of management to ensure the health, safety and welfare of residents. This document sets out the minimum standards adopted by the London Borough of Lambeth.

If you own or manage any HMO you must ensure that licence application is submitted to the London Borough of Lambeth. Contact details can be found at the end of this document.

1.2 Interaction with the Housing Health and Safety Rating System (HHSRS)

The Housing Health and Safety Rating System (HHSRS) is a risk based approach to assess whether a dwelling contains hazards that could impact on the health, safety and welfare of persons occupying that dwelling, or visitors to the dwelling. There are 29 potential hazards identified for dwellings. An assessment under the HHSRS will determine if any hazards are present and for each hazard identified whether the hazard is a category one or a category two hazard. Hazards assessed as category one are the most serious and will have a severe impact on the health, safety and welfare of occupiers.

All HMOs should be free of any hazards that are assessed to be category one hazards. The Council has a statutory responsibility to take enforcement action where it identifies any category one hazards.

The Ministry of Housing, Communities and Local Government (MHCLG) have produced a guidance document about the HHSRS for landlords and other property related professionals, which contains detailed information on the prescribed hazards, as well as how the system is used to identify, assess and enforce in respect of hazards.

This guidance document can be downloaded from their website here:

www.communities.gov.uk/documents/housing/pdf/150940.pdf

¹⁴ Section 257 - A building converted into flats that meets the HMO definition is one that wasn't converted in accordance with the 1991 Building Regulations (or later) and still doesn't meet those standards and where a third or more of the flats are rented out on short term tenancies.

1.3 Interaction with the HMO Management Regulations

Regulations for the management of HMOs have been set by Government: - The Management of Houses in Multiple Occupation (England) Regulations 2006. These Regulations place a duty on a person managing a HMO to maintain the building and the facilities within the HMO e.g. bathrooms, kitchens, access routes in and out of the property. Failure to comply with the Management Regulations is a direct offence i.e. if a HMO is inspected, and contraventions of the Regulations are found, the Council could instigate an immediate criminal prosecution. Persons managing a HMO are therefore advised to make themselves familiar with the requirements of these Regulations.

There is a very similar set of management regulations for section 257 HMOs (see point 1.1 above) called The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007.

A summary of the Management Regulations can be found at Appendix One.

1.4 Energy Performance Certificates

Where all accommodation in an HMO is let to a group of tenants under a single tenancy agreement an Energy Performance Certificate must be made available to prospective tenants.

1.5 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended)

These Regulations make it a requirement to only rent properties that have an Energy Performance Certificate (EPC) rating of 'E' or above. Exemptions apply and a landlord must register an exemption.

Guidance - <https://www.gov.uk/government/publications/private-rented-sector-minimum-energy-efficiency-standard-exemptions>

Register - <https://prsregister.beis.gov.uk/NdsBeisUi/used-service-before>

1.6 The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

These Regulations require landlords in the private rented sector in England to ensure that a smoke alarm is installed on every storey of their rented dwelling when occupied under a tenancy, and that a carbon monoxide alarm is installed in any room which contains a solid fuel burning combustion appliance. They also require landlords to ensure that such alarms are in proper working order at the start of a new tenancy. There will also be an on-going requirement to maintain the alarms provided under these Regulations to ensure compliance with the HMO Management Regulations.

1.7 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

These Regulations require landlords in the private rented sector in England to ensure that the electrical installations in their rental properties are safe and that they can prove it is by having in place a Electrical Inspection Condition Report (EICR). These Regulations also make it a requirement that the EICR is provided to tenants and to the Council (on demand). A landlord must send a copy of their EICR to the Council if it shows safety failures and also provide the report that shows that these failures have been remedied.

1.8 Licensing of Houses in Multiple Occupation

1.8.1 Mandatory Licensing

The Housing Act 2004 (section 55) places a duty on Council's to license HMOs that meet a prescribed definition. This is commonly referred to as mandatory HMO licensing. The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 sets out this definition as being:

An HMO that;

- (a) is occupied by five or more persons;
- (b) is occupied by persons living in two or more separate households; and
- (c) meets—
 - (i) the standard test under section 254(2) of the Act;
 - (ii) the self-contained flat test under section 254(3) of the Act but is not a purpose-built flat situated in a block comprising three or more self-contained flats; or
 - (iii) the converted building test under section 254(4) of the Act.

In the main this will mean any HMO, occupied by five or more persons living in two or more households, where there is sharing of all or some amenity (e.g. a bathroom).

1.8.2 Additional Licensing

The Housing Act 2004 also allows the Council to extend licensing to cover all or some of the HMOs not covered by mandatory licensing. See section 1.1 for the definitions of an HMO.

1.9 Planning Permission and Building Regulation Approval

Planning and/or Building Regulation approval may be required where works are being undertaken to create an HMO or carry out alterations within an existing HMO. Compliance with these standards is not a substitute for securing any required planning permissions or building regulation approval. Contact details for the London Borough of Lambeth Planning and Building Control teams are provided at section 4 of this document and property owners must make their own enquiries to ensure compliance with Planning and Building Regulation requirements.

2. The Amenity Standards

2.1 Space for living

Standards specified in this section are for HMOs that are commonly known as bedsits and shared houses, including bed and breakfast for temporary accommodation. Standards for section 257 HMOs are detailed in a separate section.

It is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area. Any floor area where the ceiling height is below 1.5m will be discounted when calculating the floor area in any room.

The following will also be discounted when calculating the floor area:

- Bathrooms, shower cubicles, toilet compartments
- Corridors
- Chimney Breasts
- Other significant obstructions that reduce the floor area

For the avoidance of doubt any room in the HMO with a floor area of less than 4.64 square metres cannot be used as sleeping accommodation.

A reference to a number of persons using a room in an HMO as sleeping accommodation does not include a person doing so as a visitor of an occupier of the HMO.

For the purposes of these standards a room is used as sleeping accommodation if it is normally used as a bedroom, whether or not it is also used for other purposes.

2.2 Children

When reading these standards in relation to minimum room sizes for children the following criteria shall always apply:

- No bedroom can be let to a child under the age of 18 without a parent/legal guardian also occupying a bedroom in the HMO.
- A child's bedroom will be lockable (thumb turn lock) with two keys provided to the parent/legal guardian.
- A bed shall be provided for exclusive use by the child
- Where a child is under the age of ten, the minimum bedroom size is 4.64 m² (higher standards will apply in different circumstances, see below).
- Where a bedroom is provided for a child under the age of ten, the bedroom shall be adjacent too or directly across from the bedroom occupied by the parent/legal guardian of that child.
- Where a bedroom is provided for a child under the age of ten, the bedroom shall not contain any kitchen facilities or bathroom facilities.
- Where a bedroom is provided for a child under the age of ten the bedroom shall be fitted with a form of wireless door sensor, which sounds when the door is opened. The receiving unit for the wireless door sounder shall be provided to the parent/legal guardian.
- Where there is a garden or other outside space associated with the dwelling it shall be maintained, it shall be free of harbourage for rodents, free of refuse and detritus and articles that could cause harm (physically, chemically or biologically), e.g. items with cutting edges, gas cylinders, pesticides, etc.

Where items of this nature are stored in the garden they should be stored in locked container, inaccessible to children. The garden should be safely & easily accessible to the children.

- Balconies must have guarding to a height of at least 1,100mm. Guarding should be designed to discourage children from climbing on it and should be strong enough to support the weight of people leaning against it. There shall be no gaps greater than 100mm in width.
- Window sills (to windows on the first floor upwards or on the ground floor where there is a basement well) less than 1,100mm shall be fitted with window restrictors. It shall be possible to override the window restrictors for escape purposes.

2.3 Rooms where there are kitchen facilities in a separate room, whether this is a shared kitchen or for exclusive use

The room sizes in the following table are linked with the provision of adequate dining space associated with the kitchen facilities. If the kitchen does not contain adequate dining space then the room sizes in the table below will be the required minimum.

Table 1. Minimum room sizes, where kitchen facilities are in a separate room		
Type of bedroom	Nature of occupation	Minimum floor space
Single Room	One person (over the age of ten)	9m ²
Single Room	Child under the age of ten	6.51 m ²
Double Room	2 adults co-habiting as a couple	14m ²
Double room	2 children under the age of ten	10.22m ²
Twin Room	2 individuals	If you intend to let a room to 2 individuals who are not living together as a co-habiting couple please contact the Council for further advice.

The occupation of rooms by more than two people is not considered acceptable.

It is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area. Any floor area where the ceiling height is below 1.5m will be discounted when calculating the floor area in any room.

Refer to section 2.2 for standards that apply in relation to children in HMOs.

2.4 Rooms containing their own kitchen facilities within the letting room

Table 2. Minimum room sizes, where kitchen facilities are within the letting room		
Type of bedroom	Nature of occupation	Minimum floor space
Single room	One person	13m ²
Double room	2 people co-habiting as a couple	17m ²

The occupation of rooms by more than one person is not considered acceptable except for a co-habiting couple.

Rooms containing their own kitchen facilities are not considered suitable for occupation by children (0 – 17 years).

It is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area. Any floor area where the ceiling height is below 1.5m will be discounted when calculating the floor area in any room.

Refer to section 2.2 for standards that apply in relation to children in HMOs.

2.5 Rooms where there are separate kitchen facilities and a lounge/dining room.

These standards will only be applied in properties where there is evidence that the occupiers are living more like a single household and are comfortable using shared communal space. Examples of this type of occupation are shared houses where the occupiers came together as a group or have a common shared interest i.e. students or employees from the same college or employer. Typically they would cook and eat meals together and would choose to spend time together in a living area or lounge. In addition to minimum room sizes for sleeping purposes, there are minimum room sizes for the lounge/living areas.

This would also apply to 'co-living' HMOs, where tenants are sourced by the landlord, but in doing so the tenants are 'matched' to existing tenants to promote communal living. A typical co-living HMO will not have locks on doors, have shared living and dining spaces.

Table 3. Minimum room sizes, where there is separate kitchen facilities and a lounge/dining room		
Type of bedroom	Nature of occupation	Minimum floor space
Single room	One person (over the age of ten)	6.51m ² .
Single Room	Child under the age of ten	4.64 m ²
Double room	2 people co-habiting as a couple	10.22m ² .
Double room	2 children under the age of ten	6.31m ²
Twin room	2 individuals	If you intend to let a room to 2 individuals who are not living together as a co-habiting couple please contact the Council for further advice.
Lounge/living area	1-3 people	8.5m ² .
	4-6 people	11m ² (plus 1 square metre for each additional person sharing the lounge/living room.

The occupation of rooms by more than two people is not considered acceptable.

It is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area. Any floor area where the ceiling height is below 1.5m will be discounted when calculating the floor area in any room.

It would be expected that any lounge/living area will be suitably furnished with adequate, comfortable seating to accommodate all residents in the HMO at any one time.

Refer to section 2.2 for standards that apply in relation to children in HMOs.

2.6 Hostel Type Accommodation

Houses generally referred to as 'hostels', 'guest houses' and 'bed and breakfast hotels' or the like. These will provide accommodation for people with no other permanent place of residence as distinct from hotels which provide accommodation for temporary visitors to an area.

This category would include establishments used by local authorities to house homeless families or persons pending permanent placement, and similar establishments which provide accommodation for people who would otherwise be homeless. It would also include bona fide hotels used for such purposes even on a casual basis and hotels housing a mixture of homeless households and visitors.

The following space standards will apply. Note that in addition to room unit sizes there is also a standard requirement in this type of HMO to supply a common room of a certain size.

The minimum floor area for each bedroom unit shall be as follows:

Table 4. Minimum room sizes, for hostel type accommodation	
Nature of occupation	Minimum floor space
One person (over the age of ten)	6.5 m ²
Child under the age of ten	4.64 m ²
Two persons (over the age of ten)	10.25m ²
Two children under the age of ten	6.31m ²
Three persons (over the age of ten)	15m ²
Three children under the age of ten	11m ²
Four persons (over the age of ten)	19.5m ²
Four children under the age of ten	15m ²
Five persons (over the age of ten)	24m ²
Where cooking facilities are in the room a minimum of 3.5m² to be added to the above relevant minimum floor area.	

It is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area. Any floor area where the ceiling height is below 1.5m will be discounted when calculating the floor area in any room.

For each additional person there should be an additional 4.64 m² of floor area. In no case shall a room be occupied by more than five persons being of the same family and rooms shall not be shared unless the individuals concerned consent to share the room. In any event, no persons over the age of 10 years and of opposite sexes shall be required to sleep in the same room unless they are co-habitees.

In this type of HMO a common room is to be provided. The area, or aggregate areas if more than one room is to be provided shall be calculated on the basis of 1m² of floor area per person. This shall include at least the provision of one area of 15m².

Refer to section 2.2 for standards that apply in relation to children in HMOs.

2.6.1 Where meals are provided

Where those having control of the premises can properly show to the satisfaction of the Local Authority, either by virtue of the scale of their provision of meals or because of the manner in which the premises are occupied, that such a provision would be excessive, a ratio of 1 kitchen set for each 12 persons in occupation may be applied. Kitchen facilities shall be made available for use 24 hours per day.

2.7 Kitchen Facilities

These requirements also apply to the use of 'pod' facilities, where the facilities come in a prefabricated

unit containing the facilities, which is then fitted and plumbed either in a bedroom or separately.

For all accommodation where kitchen facilities are not within the letting room.

Where exclusive kitchen facilities cannot be provided, one set of kitchen facilities shall be provided for every 6 occupants.

No kitchen facilities are permitted in hallways and landings and in the means of escape from fire.

Where appliances provided are likely to cause noise and/or vibration they are to be located in positions to minimise noise nuisance to neighbouring or adjoining property (vertically and horizontally) and to minimise noise/vibration transmission to sleeping accommodation within the HMO. All appliances must be fitted and adjusted in position to avoid vibration and consideration given to the use of sound proofing and/or anti-vibration materials.

The following are the minimum room sizes for kitchens whether a shared kitchen or a kitchen for exclusive use.

Table 5. Minimum floor area for kitchens	
Number of occupants per kitchen	Minimum floor space
One person	5.5m ²
2 people	6.5m ²
3 people	7.5m ²
4 people	8.5m ²
5 people	9.5m ²
6 people	10.5m ²
7 people	11.5m ²
8-10 people	14.5 m ²

It is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area. Any floor area where the ceiling height is below 1.5m will be discounted when calculating the floor area in any room.

The kitchen size 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.

A set of kitchen facilities for up to 6 people shall include:

Table 6. Minimum levels for kitchen facilities		
Kitchen facilities	Standard	Minimum requirement
Cooker	1 cooker for every 6 people. Where the property is	Minimum of 4 burners, oven and grill.

Table 6. Minimum levels for kitchen facilities		
Kitchen facilities	Standard	Minimum requirement
	occupied by up to seven persons a combination microwave may be considered acceptable in lieu of a full size cooker.	<p>A microwave is not a suitable alternative to an oven.</p> <p>A minimum area of 500mm x 600mm worktop must be provided adjacent to the cooker.</p>
Sink and drainer on a base unit	Provided with a constant supply of hot and cold water and properly connected to the drainage system. The cold water supply shall be direct from the mains supply Where the property is occupied by up to seven persons a double sink and drainer may be considered acceptable in lieu of two separate sinks.	1000mm x 600mm.
Fixed worktop	Made of an impervious material.	2000mm x 600mm (shared kitchen) 1000mm x 600mm (single use kitchen).
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 bedsit where there is sufficient space.	One standard 500mm wide wall cupboard per person.
	Separate storage space shall be provided for shared cooking equipment such as pans.	One standard 1000mm wide base unit (The cupboard space below the sink is not suitable for storing cooking equipment).
A refrigerator	1 refrigerator for every 6 people.	245 litres for 6 people. If refrigerators are provided in individual lettings a smaller refrigerator in the kitchen could be accepted. This must be discussed with the case officer.
A freezer	1 freezer for every 6 people.	85 litres for up to 6 people.
A washing machine	A washing machine with an adequate exclusive power source, water supply and	Where there are more than 10 people occupying an HMO there must be at least 2 washing machines.

Table 6. Minimum levels for kitchen facilities		
Kitchen facilities	Standard	Minimum requirement
	drainage properly plumbed in.	
A clothes dryer	A clothes dryer with an appropriate power socket and venting to the outside provided. If it is not possible to vent to the external atmosphere then a condensing dryer is to be used.	Where there are more than 10 people occupying an HMO there must be at least 2 clothes dryers.
Electrical power sockets	4 double 13 amp sockets provided within the food preparation area, at least 2 shall be above worktop level. 1 extra socket to be provided for each major appliance (fridge, freezer, washing machine). The cooker to 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 e.g. toasters.
Ventilation	Suitable natural and/or artificial ventilation to prevent the build-up of steam.	Mechanical extract fan with an extraction rate of 15 litres/sec (min 3 air changes per hour).
Lighting	Suitable natural and/or artificial lighting.	Sufficient to enable the safe preparation and cooking of food.

It is preferable for a kitchen to contain only one set of facilities, however, if a kitchen is large enough, 2 sets of facilities may be installed in the same kitchen for up to a maximum of 12 users. A kitchen for 12 users shall be a minimum of 14.5 square metres in area.

The kitchen should preferably be not more than one floor from any letting room that it serves but cannot be more than 2 floors from any letting room.

The following table details the minimum provision where the kitchen facilities are provided within the letting room. For the avoidance of doubt, this includes the use of 'pod' facilities, where the facilities come in a prefabricated unit containing the facilities, which is then fitted and plumbed in the letting room.

Table 7. Minimum levels for kitchen facilities within letting rooms	
Kitchen facilities	Minimum requirement
Sink and drainer on a base unit	Suitably sized sink with drainer provided with a constant supply of hot and cold water.
Cooker	2 burners, oven and a grill. A microwave is not a suitable

	alternative to a cooker.
Worktops	Securely fixed worktop of minimum size 600mm x 600mm. located adjacent to the cooker. If the cooker is of a type placed on a worktop an additional worktop must be provided exclusively for the cooker.
Storage cupboard for dry goods	Minimum capacity 0.15m ³ . The base unit below the sink is not suitable for the storage of dry goods.
Refrigerator	Minimum capacity 140 litres.
Electrical sockets	Two double sockets appropriately sited with the worktop(s) 1 extra socket to be provided for each major appliance (fridge, freezer, washing machine).
Lighting and ventilation	Suitable and sufficient natural and/or artificial lighting to enable the safe preparation of food. Suitable and sufficient natural and/or artificial ventilation to rapidly remove the build-up of steam mechanical extract fan with an extraction rate of 15 litres/sec (min 3 air changes per hour).

2.8 Clothes Drying Facilities

Consideration should also be given to the provision of clothes drying facilities externally e.g. a rotary line or a suitably located and ventilated tumble dryer, etc.

Where appliances provided are likely to cause noise and/or vibration they are to be located in positions to minimise noise nuisance to neighbouring or adjoining property (vertically and horizontally) and to minimise noise/vibration transmission to sleeping accommodation within the HMO. All appliances must be fitted and adjusted in position to avoid vibration and consideration given to the use of sound proofing and/or anti-vibration materials.

2.9 Bathrooms, Ensuites and WCs

The following applies to all bathroom/shower and WC facilities whether shared or for exclusive use and includes ensuite facilities. This includes the use of 'pod' facilities, where the facilities come in a prefabricated unit containing the facilities, which is then fitted and plumbed either in a bedroom or separately:

- Each bath or shower room must also contain a wash hand basin.
- All rooms containing baths/showers, WCs and wash hand basins must be of adequate size and include space for drying and dressing and somewhere appropriate to hang towels and clothes.
- All rooms containing baths/showers, WCs and wash hand basins must be adequately lit, ventilated and heated.
- All baths and wash hand basins to have a tiled (or similar impervious material) splash back of minimum height 300mm. All shower cubicles to be fully tiled (or similar impervious material) or be a complete self-standing cubicle.
- The minimum acceptable size for a bath is 1700mm x 700mm.
- The minimum acceptable cubicle floor area for a shower is 0.64m². In calculating this, the minimum measurement of any cubicle side is 700mm.
- Every bath, shower and wash hand basin must be provided with an adequate and continuous supply of hot and cold water and be connected to the drainage system in compliance with current Building Regulations.

Where exclusive bathroom/shower room and toilet facilities cannot be provided, bath or shower rooms, and toilets with a wash hand basin shall be provided as follows:

Table 8. Minimum levels for bathrooms/WCs		
Number of occupants per bathroom	Minimum requirement	Standard
1-5 persons	One bathroom or shower room, and one toilet with a wash hand basin	The WC may be located within the bath/shower room
Six persons	One bathroom or shower room, and one toilet with a wash hand basin	The WC and wash hand basin shall be provided in a room separate to the bath/shower room
7 – 12 persons	Two bathrooms or shower rooms, and two toilets with a wash hand basin	One of the required WC and wash hand basins shall be provided in a room separate to the bath/shower room
13-17 persons	Three bathrooms or shower rooms, and three toilets with a wash hand basin	Two of the required WC and wash hand basins shall be provided in rooms separate to the bath/shower rooms

Where appliances provided are likely to cause noise and/or vibration they are to be located in positions to minimise noise nuisance to neighbouring or adjoining property (vertically and horizontally) and to minimise noise/vibration transmission to sleeping accommodation within the HMO. All appliances must be fitted and adjusted in position to avoid vibration and consideration given to the use of sound proofing and/or anti-vibration materials.

2.10 Buildings converted into flats (Section 257 HMOs)

Section 257 of the Housing Act 2004 defines the circumstance where a building converted into flats is a HMO. This is a building that wasn't converted in accordance with the 1991 Building Regulations (or later) and which still does not meet those standards and where a third or more of the flats are rented out on short term tenancies.

The standards detailed below are for units occupied by a single household. Where the units are occupied by two, who are not cohabiting as a couple, or more unrelated persons the standards detailed at sections 2.1 – 2.9 will apply.

The table below details the minimum required standards for a section 257 HMO:

Table 9. Minimum room sizes for section 257 HMOs					
	1 bed 1 person	1 bed 2 persons	2 bed 3 persons	3 bed 4 persons	4 bed 5 persons
Main bedroom (double)	-	10.22m ²	10.22m ²	10.22m ²	10.22m ²
Single bedroom	6.51m ²	-	6.51m ²	6.51m ²	6.51m ²
Single bedroom for children under the age of 10	Not suitable	Not suitable	4.64 m ²	4.64 m ²	4.64 m ²
Living room	12m ²	12m ²	13m ²	14m ²	15m ²
Dining room	-	5m ²	6m ²	6m ²	7m ²
Living/Dining	-	15.5m ²	17.5m ²	18.5m ²	18.5m ²
Kitchen	6m ²	6m ²	8m ²	8m ²	8m ²
Kitchen/Diner	10.5m ²	10.5m ²	12.5m ²	12.5m ²	13m ²
Bathroom/WC combined	3.5m ²	3.5m ²	3.5m ²	3.5m ²	3.5m ²
Total Floor Area	37m ²	45m ²	60m ²	70m ²	85m ²

All kitchens must meet the standards detailed at 2.7 section above.

All bathrooms must meet the standards detailed at section 2.9 above.

3. All HMOs – further requirements.

3.1 Heating

All units of accommodation must be equipped with adequate means of space heating. 'Adequate' will mean that heating must be available, if required, to all tenants at all times and be capable of heating habitable rooms to 21° when the outside temperature is -1°C and all other rooms to 18°C when the outside temperature is -1°C. Although provision for space heating may be centrally controlled such systems should be operated to ensure that occupants are not exposed to cold indoor temperatures and the amount of heating in each unit must be under the control of the occupying tenant.

The method of heating must be safe and should be efficient and affordable. A current safety certificate must be available where gas or electrical appliances are provided. Where heating is provided by a gas or electric central heating system, the gas or electricity supply must be via a quarterly credit meter and not a key or card meter (except where a system is exclusive to a self-contained flat).

3.2 Refuse Storage and Disposal

Appropriate refuse storage facilities should be provided within dwellings with suitable access to disposal facilities. Refuse containers to be located away from habitable rooms. Where dwellings do not have a yard or garden to store refuse bins, suitable bins should be provided to permit storage without causing odours or attracting vermin or pests. The management of a House in Multiple Occupation is a commercial activity and as such a Manager may have to give consideration to increasing the facilities provided by the Local Authority to prevent refuse accumulations and to meet recycling requirements.

3.3 Lighting and Ventilation

3.31 Natural Lighting

All habitable rooms, including shared communal rooms such as living rooms, dining rooms and kitchens shall have an adequate level of natural light and ventilation provided by means of an openable clear glazed window to enable normal domestic activities to be carried out safely and conveniently during daytime lighting conditions. Where practicable bathroom and toilet compartments shall also comply with this standard. Glazing to windows and doors in bathrooms and toilet compartments shall be obscure to protect privacy.

3.32 Artificial Lighting

All habitable rooms, kitchens, bathrooms, toilet compartments, staircases, landings and passages shall be provided with adequate electrical lighting, and all wiring and fittings shall be maintained in a safe and usable condition.

All habitable rooms, kitchens, bathrooms, and toilet compartments shall have at least one ceiling or suitably located wall lighting outlet with the capacity to allow normal domestic activity to be undertaken after dark. Light switches shall be fixed and conveniently located near the entrances to rooms and circulation spaces.

Bathrooms shall have ceiling pull switches inside or a wall switch outside the room.

On common staircases, landings and passages, lighting shall be controlled from each landing. If time switches are used, the light shall remain illuminated for a reasonable time to allow for people to easily traverse the distance between the switches, whilst walking slowly. The controls shall be such that a person may illuminate the whole route as it is travelled, in stages or otherwise.

3.33 Ventilation

- a) All habitable rooms shall be ventilated directly to the external air by a window, the openable area of which shall be equivalent to at least 1/20 of the floor area of the room. In addition, where a basement room is used as a habitable room there should be an unobstructed space immediately outside the window opening which extends the entire width of the window or more and has a depth of not less than 0.6m measured from the external wall or not less than 0.3m in the case of a bay window with side lights.
- b) All kitchens, bathrooms and WCs should comply with 'a' above, but if this is not practicable, mechanical ventilation that is automatically controlled with a humidistat switch or a minimum 15 minute overrun facility; fans should be wired to the lighting switch and be capable of giving a minimum of 4 air changes per hour. The minimum extraction rate is 60 litres of air per second for kitchens and 15 litres per second for bathrooms.
- c) Suitable and sufficient permanent ventilation shall be provided and maintained in all kitchens, dining/kitchens, bathrooms, WCs and other rooms containing cooking or washing facilities.
- d) Suitable and sufficient permanent ventilation shall be provided and maintained in any room in which there is a gas appliance.

3.4 Water Supply

Each dwelling shall be provided with a supply of cold running water suitable for drinking purposes directly off the rising main, and located over a sink or wash hand basin. Where this is not practicable and subject to the agreement of the Council, such supply shall be provided at an alternative location.

Any down service pipe from any water storage tank in an upper storey or roof space should be provided with an accessible stopcock.

All water supplies shall be protected from frost damage.

In larger premises a Legionella risk assessment is required.

3.5 Cleaning of Shared Rooms and Spaces

It is the manager's responsibility to ensure that all shared rooms and spaces e.g. communal lounges, kitchens, bathrooms and corridors are cleaned. To include:

- A regularity of cleaning sufficient to the needs of the HMO and the people it accommodates.
- Cleaning is to include (but not limited to), floors and their coverings, windows, surfaces, doors, etc.
- Standards of cleaning in kitchens are to be of a hygienic level that minimises cross contamination, the transmission of food borne illness and the attraction of pests (rodents and insects).
- The cleaning schedules are to include the regular cleaning of shared refrigerators, freezers, ovens, hobs, microwaves, other kitchen appliances supplied and washing/drying facilities.
- Standards of cleaning in bathrooms, shower rooms and WCs to be of a level that maximises personal hygiene for the occupants of the HMO.

This is to include (but not limited to) the regular cleaning of sanitaryware and its drainage to prevent accumulations and to maintain the proper flow of grey water and sewerage.

3.6 Fire Safety

The following fire safety advice is in accordance with the recommended standards detailed by LACORS in their publication "Housing – Fire Safety, Guidance on fire safety provisions for certain existing types of housing"¹⁵ with regard to fire safety risk assessment in sleeping accommodation. Responsible persons who operate licensed HMOs are required to record their fire safety arrangements and the responsible person must allow the Fire Authority to see those arrangements.

An automatic fire detection and alarm system shall be provided to ensure early warning in the event of a fire. The actual works required in any particular case will depend on the layout of the property and are decided upon by the Council after undertaking risk analysis and following consultation with the Fire Authority. In most cases a fire detection and alarm system that complies with BS5839 Part 6: 2019 is required. In most cases kitchens and sleeping or living rooms will require an appropriate heat or smoke detector. A current inspection certificate from a competent person will be required.

An emergency lighting system shall be provided in most cases with luminaires provided in such numbers and locations so as to adequately illuminate the staircase enclosure in the event of failure of the main lighting. In most cases an emergency lighting system meeting BS 5266-1 will be required. A current inspection certificate from a competent person will be required.

Electricity supplies to automatic fire detection and alarm systems and emergency lighting shall be from a landlords supply. A current inspection certificate from a competent person will be required with respect to the fixed electrical installation and portable appliances supplied by the landlord.

Generally all rooms opening on to an escape route should be provided with a 30(s) minute fire door. This will include fitting cold smoke seals, intumescent strips to the frame or door, providing 3x N0 100mm steel hinges, overhead door closers and locks which are openable from the inside without the use of a key.

¹⁵ http://www.cieh.org/policy/fire_safety_existing_housing.html

Suitable fire fighting equipment must be provided, adequate and appropriate to the risk. Normally, kitchens and lettings with kitchen areas shall be provided with a properly mounted fire blanket.

In larger HMOs or any HMO where there is a regular turnover of residents signs are required in order to provide clear, unambiguous information to enable persons to safely leave the building in an emergency. Escape signs must comply with the provisions of the Health and Safety (Safety Signs and Signals) Regulations 1996 and, generally, be positioned that a person escaping will always have the next escape sign in sight.

Where the HMO is required to be licenced the licence holder, or the appointed manager will be the 'responsible person' with respect to the Regulatory Reform (Fire Safety) Order 2005 and BS 5839-1 and must appoint a 'competent person' or persons with enough training and experience or knowledge and other qualities to enable them properly to assist in undertaking the preventative and protective measures.

Further detailed advice can be found <http://www.legislation.gov.uk/ukxi/2005/1541/contents/made>

3.6.1 Co-Living Standards

Co-living is a form of HMO type where a property is let to individual tenants rather than a group coming together, but the agency finding the tenants will carry out vetting that seeks to find tenants that are compatible with each other. The agency also encourages communal living among the tenants, e.g. eating together, socialising, etc. To this end a typical co-living HMO will not have locks on the individual bedroom doors and will have a communal living space.

This type of HMO is not one that is typical to the LACoRs guidance. As such the London Borough of Lambeth have devised their own standard of fire safety, which is set out below:

Table 10 – Co-Living Fire Safety Standards	
Number of Storeys	Fire safety provisions
1-2 from ground floor and 'regular' escape route i.e. no inner rooms and open plan hallways	<ul style="list-style-type: none"> • Grade D1 LD1 or equivalent • Solid doors- not necessarily 30 minute fire resistant doors.
Other 1-2 storeys and 3-4 storeys (where escape route is straightforward)	<ul style="list-style-type: none"> • Grade D1 LD1 or equivalent • 30 minute protected route including FD30s • Testing switch on ground floor is preferable
Complex escape routes and 5-6 storeys	<ul style="list-style-type: none"> • Grade A LD2 • 30 minute protected route including FD30s
	<ul style="list-style-type: none"> • kitchens and lettings with kitchen areas shall be provided with a properly mounted fire blanket.

3.7 Contact Details for the Landlord

Display in a prominent place in the HMO the contact details including name, address and telephone number for the landlord. The telephone number must be one that residents can use to contact the landlord out of hours in the case of an emergency. 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.

4. Contact details for London Borough of Lambeth

4.1 Private Sector Enforcement and Regulation Team

Telephone 020 7926 4444

Email: pse@lambeth.gov.uk

Postal address:
Private Sector Enforcement and Regulation Team
PO Box 734
Winchester
SO23 5DG

<https://www.lambeth.gov.uk/housing>

4.2 HMO Licensing

Telephone 020 7926 4444

Email: HMOlicensing@lambeth.gov.uk

Postal address:
HMO Licensing
PO Box 734
Winchester
SO23 5DG

<https://www.lambeth.gov.uk/housing/landlords-and-ownership/hmo-licensing-guide>

4.2 Planning Department

Telephone: 020 7926 1180

Email: planning@lambeth.gov.uk

Postal address:
Planning
London Borough of Lambeth
PO Box 734
Winchester
SO23 5DG

<https://www.lambeth.gov.uk/planning-and-building-control>

4.3 Building Control

Telephone: 020 7926 9000

Email: buildingcontrol@lambeth.gov.uk

Postal address:

Building Control
London Borough of Lambeth
PO Box 734
Winchester
SO23 5DG
<https://www.lambeth.gov.uk/planning-and-building-control>

4.4 Energy Efficiency Advice & Information

<https://www.lambeth.gov.uk/housing/housing-advice/saving-energy-and-keeping-warm-in-your-home-guide>

4.5 Landlord accreditation

Register for landlord accreditation here – <https://www.lambeth.gov.uk/housing/landlords/register-for-landlord-accreditation>

Email: landlordadvice@lambeth.gov.uk.

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Web address: <http://www.legislation.gov.uk/uksi/2006/372/contents/made>

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 & fire fighting equipment and to reasonably protect the occupiers of the HMO from injury.

Regulation 5 - Duty of the manager to maintain water supply & drainage. Water rates should be registered in the name of the landlord/manager who is responsible for paying the bills.

Regulation 6 - Duty of the manager to supply & maintain gas & electricity, including the provision of the latest gas safety certificate to the local authority when requested and the uninterrupted supply of gas and electricity. Utility bills should be registered in the name of the landlord/manager who is responsible for paying the bills. Key meters are not acceptable.

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.

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.

Note. The management of section 257 HMOs (certain buildings converted into flats) is regulated under The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007. However, the Regulations are broadly the same in content and nature.

Web address: <http://www.legislation.gov.uk/uksi/2007/1903/contents/made>

Appendix 3. Glossary of terms used in this consultation document

Private Rented Sector (PRS) - A generic term covering different types of homes let to tenants by private landlords.

Rent to Rent - A term used to describe a situation where a landlord lets to a tenant and the head tenant then sub-lets to their own tenants, often creating an HMO. The head tenant may or may not reside in the property and the landlord may or may not be aware of the sub-letting.

Beds in Sheds - An unauthorised development, usually within the curtilage of an existing dwelling, of an outbuilding or property addition or garage for the use as a separate dwelling or extension of the existing dwelling.

Electoral Ward - A sub-area of the local authority district represented by one or more Councillors.

Local Housing Allowance (LHA) - this is the means tested benefit specifically relating to housing and replaced 'housing benefit' within the PRS.

Anti-Social Behaviour (ASB) - For discretionary licensing schemes affecting housing, this is conduct on the part of people living in, or visiting, residential premises a) which causes nuisance or annoyance to other people living in, or visiting, or otherwise engaged in lawful activities in the vicinity of the property, or b) which involves or is likely to involve the use of such premises for illegal purposes.

House in Multiple Occupation (HMO) - Generally speaking, a building / part of a building is an HMO if it is let to 3 or more unrelated tenants who form 2 or more households and who share a kitchen, bathroom or toilet. The term takes in buildings divided into flatlets and bedsits and houses let to a group of unrelated people such as students. Buildings fully divided into self-contained flats can be HMOs in certain circumstances.

Additional Licensing scheme - A discretionary scheme to improve management standards in HMOs. A scheme applies to specified types of HMO that fall outside the Government's mandatory licensing scheme.

Fit and Proper Test - A legislatively defined test (section 66 of the Housing Act 2004 - <http://www.legislation.gov.uk/ukpga/2004/34/section/66>) test of a licenses holder and any nominated managers professional standards of conduct. Note. The Housing and Planning Act 2016 is due to amend these provisions, introducing further criteria and the Government are currently consulting on whether to make it a requirement on anyone proposing to hold a license or be nominated as a manager to submit a criminal records check as part of the license application process.

Bedsit house - A house which has been divided up into a series of one-room lettings (bedsitting rooms') with cooking facilities either in the room or shared with other shared with other tenants. Baths, showers and toilets are also usually shared with others.

Mandatory/Compulsory HMO licensing - The national scheme for the licensing of certain HMO types. It applies to HMOs of 3 or more storeys with 5 or more occupiers living in 2 or more households. All HMOs of this type must be licensed with the London Borough of Lambeth by law.

Flatlets / non-self-contained flats - Created when a house is loosely subdivided into a series of lettings but the conversion stops short of full self- containment. Some sharing of facilities like toilets or bath/shower rooms usually occurs, and rooms in lettings may be entered directly off landings and passages.

HMO Management - The day-to-day running of an HMO. It usually takes in activities such as: collecting rent; resolving disputes; arranging repairs, maintenance and redecoration; paying bills; and

tackling anti-social behaviour. Some landlords manage their HMOs themselves but others employ agents to do it for them. Some landlords appoint trusted tenants to act as managers.

Household The Housing Act 2004 defines what constitutes a household (<http://www.legislation.gov.uk/ukpga/2004/34/section/258>). To surmise a household are a group of people forming a family. A family means:

- persons who are married or live together as a couple; or
- one of them is a relative (means parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin (includes a half-blood relationship and a stepchild)) 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.

Self-contained flats - Created when a house is subdivided into completely separate units of accommodation. Each unit will have its own 'front door', with all of the living rooms and normal domestic facilities behind it. Houses are sometimes converted into a mix of self-contained and non-self-contained flats or even flats and bedsits.

Section 257 HMO - Converted flats in an HMO where the conversion work does not meet the Building Regulations 1991 and where less than two thirds of flats are owner-occupied.

Shared house - A house rented by a group of unrelated people, typically students or young professionals, who live in it under one tenancy agreement and share its facilities but have their own bedrooms. Usually, if one of them leaves the remainder find someone to take his or her place.

Co-living - Co-living is a form of HMO type where a property is let to individual tenants rather than a group coming together, but the agency finding the tenants will carry out vetting that seeks to find tenants that are compatible with each other. The agency also encourages communal living among the tenants, e.g. eating together, socialising, etc. To this end a typical co-living HMO will not have locks on the individual bedroom doors and will have a communal living space.

Management Order - An interim or final management order can be made, subject to certain conditions, to protect the health safety and welfare of people living in the property or others owning or living in a property nearby, where there is no reasonable prospect of a property requiring a licence being licensed.

Temporary Exemption Notice - Where the person in control or managing a house that should be licensed notifies the London Borough of Lambeth that they intend taking steps so that the house is no longer required to be licensed, the London Borough of Lambeth can issue a notice exempting the property from licensing for a period of 3 months.