

Houses in Multiple Occupation Standards (HMO)

Housing Act 2004

Shared Houses, Flats and Lodgings

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Shared houses are described as HMOs where the whole property has been rented out by an identifiable group of sharers such as students, work colleagues or friends as joint tenants. Each occupant normally has their own bedroom but they share the kitchen, dining facilities, bathroom, WC, living room and all other parts of the house. All the tenants will have exclusive legal possession and control of all parts of the house, including all the bedrooms. There is normally a significant degree of social interaction between the occupants and they will, in the main, have rented out the house as one group. There is usually a single joint tenancy agreement. In summary, the group will possess many of the characteristics of a single family household, although the property is still legally defined as a HMO because the occupants are not all related.

The premises are subject to the Housing Health and Safety Rating System (HHSRS). The HHSRS applies to all residential properties and assess whether premises have any defects that may give rise to a hazard, which in turn could cause harm to the occupiers, or any visitors to the property.

Many of the items described in the following standards can also be required under the HHSRS (possibly to a higher level than described in this document).

A. SPACE STANDARDS

1. Single Room for One Person
 - (i) Each bedroom/study: - 9m² or more
2. Double Room for Two Persons
 - (i) Each bedroom/study: - 14m² or more
3. Common Rooms
 - (i) Kitchen - Must be an adequate size for the number occupants to use & circulate safely. Up to 5 persons 7m²
 - (ii) Dining Room/ Kitchen
Used by 1-5 persons - 11m²
 - (iii) Living Rooms & Dining Rooms
Used by 1-5 persons - 11m²

NOTE: No more than 2 persons permitted to sleep in one bedroom. Shared sleeping accommodation is only considered suitable for adults who are married, cohabitees, consenting friends or relatives.

B. NATURAL LIGHTING

1. All habitable rooms shall be provided with an area of clear glazing situated in either a window and/or a door, opening to the external air, equivalent in total area to at least 1/10th of the floor area of the room.

Basement rooms used for human habitation should, in addition, have sufficient natural lighting.
2. All kitchens, bathrooms and WCs should comply with 1 above. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of section C (below).

All glazing to windows in bathrooms and WCs shall be obscure.
3. All staircases, landings and hallways shall be provided with an area of clear glazing in a window.

Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of section C (below).

C. ARTIFICIAL LIGHTING

1. All habitable rooms, kitchens, bathrooms, WCs, staircases, landings and passages shall be adequately lit.
2. There should be sufficient switches to operate the artificial lighting on each landing, hallway or passage and each switch should allow hallways, passages and stairways to be lit at the same time.
3. All lighting to common parts to be provided, maintained and paid for by the landlord or their agent.
4. Time switches are only allowed to common landings, hallways and staircases and should stay on for an adequate time to allow a person to climb stairs etc and enter a room.

D. VENTILATION

1. 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 $\frac{1}{20}$ 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.
2. All kitchens, bathrooms and WCs should comply with 1 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.
3. 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.
4. Suitable and sufficient permanent ventilation shall be provided and maintained in any room in which there is a gas appliance.

E. SPACE HEATING

All habitable rooms and bathrooms shall be provided with a suitable appliance properly maintained and capable of giving a temperature of 21°C in the occupancy/ letting room and 18°C elsewhere (when the outside temperature is -1°C). Appliance means:

1. A fixed gas fire with an adequate flue; or
2. A fixed electric heater; i.e. the wiring to be spurred into the main electrical supply; or
3. An efficient, effective and economical space heating system.
4. All bathrooms must contain suitable space heating.
5. All forms of heating must be controllable by the occupant.

Portable oil or gas heaters shall be not used in any part of the property.

F. WATER SUPPLY

1. A supply of cold running water suitable for drinking purposes shall be provided for the use of all occupants in each shared kitchen.
2. All water supplies shall, where necessary, be protected from frost damage.

G. PERSONAL WASHING FACILITIES

1. In houses shared by 6 persons and over, each separate occupancy shall be provided with a wash-hand basin together with adequate supplies of hot and cold water and waste drainage, situated within the unit of accommodation. Where practicable a 2 course tiled splash back should be provided. (If a sink is provided to comply with these requirements a separate wash-hand basin will not be required.)
2. A readily accessible bathroom/ shower room, being not more than one floor distant from any user, shall be provided in the following ratios:

 - 1 - 5 persons - 1 bathroom/ shower room
 - 6 - 10 persons - 2 bathrooms/ shower rooms
 - 11 - 15 persons - 3 bathrooms/ shower rooms
3. Every bath or shower shall be properly plumbed with hot and cold water supplies and waste drainage.

H. DRAINAGE AND SANITARY CONVENIENCES

1. A readily accessible WC shall be provided in the following ratios:

1 - 5 persons	-	1 WC
6 - 10 persons	-	2 WCs (1 must be separate to the bathroom)
11 - 15 persons	-	3 WCs (2 must be separate to the bathrooms)
2. Such WCs shall be not more than one floor distance from the letting.
3. The property shall be provided with an effective system, both above and below ground, for the drainage of foul, waste and surface water.

I. FACILITIES FOR STORAGE, PREPARATION AND COOKING OF FOOD AND FOR THE DISPOSAL OF WASTE WATER

Shared kitchens may be provided but should not be shared by more than 5 persons.

Where let as lodging it is likely that the resident owner will provide food but the lodger must have some access to the kitchen, to prepare light meals and hot drinks.

Each kitchen shall not be more than one floor distance from any room(s) occupied by the person(s) for whom they are provided. There are to be no more than 2 sets of kitchen facilities in one room.

Each kitchen shall be provided with a minimum of four 13amp electric power sockets at a convenient height and in a safe position.

(a) Storage of Food

Each separate occupancy shall be provided with a proper food store of adequate size within the letting. A refrigerator with a suitable power point shall be considered a proper food store. A cupboard under the sink will not be considered an adequate food store

(b) Preparation of Food

A suitable and impervious work top shall be provided, minimum size of 600mm x 500mm.

(c) Cooking of Food

Separate cooking facilities must be provided in the form of a gas or electric cooker with four burners, oven and grill. (Only one is necessary in a shared kitchen for up to 5 persons). A minimum

of 2 burners will be suitable for use by just 1 person. The cooking facilities should be sited remote from the entrance door

(d) Disposal of Waste Water

Each separate occupancy shall be provided with a sink properly plumbed with hot and cold water supplies and waste drainage. Where practicable a 2 course tiled splash back or equivalent should be provided. A suitable draining board shall be provided. The sink shall be connected to the drainage system by a suitable trap. (Only one necessary in a shared kitchen)

J. REFUSE STORAGE AND DISPOSAL

Refuse storage containers shall be provided, sufficient for the needs of the house and place in such a manner as to prevent nuisances (smells, obstruction etc).

K. MEANS OF ESCAPE IN CASE OF FIRE

Appropriate fire precaution facilities and equipment must be provided and maintained in the property in accordance with current British Standards, the requirements of the Housing Act 2004 (The Housing Health and Safety Rating System) and the Regulatory Reform (Fire Safety) Order 2005.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/9425/150940.pdf (HHSRS link)

http://www.cieh.org/library/Knowledge/Housing/National_fire_safety_guidance_08.pdf (LACORS link)

The following fire safety measures will reduce the risk of death or injury from fire:

- The provision of a 30 or 60 minute fire protected route of escape
- Fire separation between units of accommodation, including walls and ceilings
- Fire doors
- Cold smoke seals, intumescent strips and self-closing devices fitted to doors, and quick release locks
- Automatic and manual fire detection systems
- Emergency lighting
- Whole stair lighting – one switch turns all lights on
- Escape windows
- Sprinkler and mist systems
- Fire extinguishers and fire blankets

Different minimum standards will apply to different types of HMOs. Detailed advice is available in the above document - LACORs Guidance

L. MANAGEMENT

1. A proper standard of management should be observed in the house, in particular to ensure the repair, maintenance, cleansing and good order of –
 - (a) all means of water supply and drainage in the property;
 - (b) all parts of the house in common use, including kitchens, bathrooms, WCs etc;
 - (c) all installations in common use;
 - (d) all means of ventilation;
 - (e) all means of escape from fire and all apparatus, systems and other things provided by way of fire precautions;
 - (f) outbuildings, yards and gardens in common use.
2. The manager shall ensure that such precautions are taken as are reasonably required to protect the residents from injury.
3. The manager shall display a notice in a suitable position in the house containing the name and address and the telephone number of any person who is the manager of the house.

Please note in planning terms there are now two different types of HMO. Small HMOs housing 3 to 6 unrelated people who share amenities will not require planning permission. However, larger HMOs defined as having more than 6 unrelated people sharing amenities, are regarded as having a “Sui Generis” (of its own kind) use and planning permission is required.

HMO licensing does not grant exemption from the need to obtain planning permission if your property is occupied by more than 6 unrelated people.

The Councils Planning Authority should be consulted concerning any proposed works or change of use.

For advice and information on planning related matters please contact:

London Borough of Lambeth
Planning & Development
Phoenix House,
10 Wandsworth Road,
London SW8 2LL

Telephone: 020 7926 1139
Fax: 020 7926 1171

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Website: www.lambeth.gov.uk/planning

For further information on the enclosed or to apply for an HMO Licence application form please contact:-

The London Borough of Lambeth
Property Standards & Enforcement Service
Environmental Health Team.
PO Box 67088
London
SW2 9JZ

Telephone 020 7926 7005 / 4018
Fax 020 7926 4351

Email: pse@lambeth.gov.uk
Website: www.lambeth.gov.uk/Services/HousingPlanning/PrivateHousing

Other Contacts and Useful Information:

Government Department for Communities and Local Government
Website: www.communities.gov.uk

The following publications can be obtained from HM Stationery Office Ltd or on-line at: Website: <http://www.opsi.gov.uk/si>

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
Statutory Instrument 2006 No. 373

The Management of Houses in Multiple Occupation (England) Regulations 2006
Statutory Instrument 2006 No 372

London Landlord Accreditation Scheme
London Borough of Camden
C/o Environmental Health Team
Town Hall Extension
Argyle Street
London WC1H 8EQ
Website www.londonlandlords.org.uk/accreditation