

## Standards for houses in multiple occupation

### These standards have been adopted by Wyre Council

The meaning of a house in multiple occupation can be found in the Housing Act 2004 sections 254 to 260.

Prior to consideration of the text below, it is important to ensure that the appropriate planning approval has been granted in relation to the type of use in each of the rented properties – see appendix 1.

The purpose of these standards are to inform landlords of their statutory obligations and to advise on how to improve and maintain houses in multiple occupation (HMOs) to an acceptable **minimum** standard, in both licensed and non-licensable HMOs. They are also the standards for deciding the suitability for occupation of an HMO by a particular maximum number of households or individuals

. The standards should be assessed alongside the

- The Housing Act 1985 Part X; (Overcrowding).
- The Housing Act 2004;
- Housing Health and Safety Rating System Operation Guidance (a means of identifying faults in dwellings and of evaluating the potential effect of any defaults on the health and safety of the occupants);
- The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006;
- The Management of Houses in Multiple Occupation (England) Regulations 2006,
- The Licensing and Management of houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007,
- LACORS Guidance - 'Regulation of 'Crowding and Space' in Residential Premises'
- The Energy Performance of Buildings (Certificates and Inspections)(England and Wales) Regulations 2007

There is considerable diversity in the way HMOs are occupied and in the health and safety risks that may be evident. This guidance document details standards that are appropriate for a wide range of the most common types of HMOs however; it is not always possible to cover every eventuality. The Housing Services Section at the Council will be pleased to discuss any variations appropriate for an individual HMO.

**Although minimum fire precautionary standards are necessary for all HMOs this document takes no account of the requirements as they cannot be simply explained and as every HMO will be different in some way individual assessments are necessary. The fire safety standards will be assessed using the 'Housing – Fire Safety' guidance published by the Local Authorities Coordinators of Regulatory Services (Lacors).** Fire precautionary advice can be obtained by contacting the Housing Services Section.

Throughout this booklet all wording written in ***bold italics*** is taken directly from the legislation and are minimum requirements.

**Washing and toilet facilities**

***Where all or some of the units of living accommodation in an HMO do not contain bathing and toilet facilities for the exclusive use of each individual household:***

- a) there must be an adequate number of bathrooms, toilets and wash hand basins suitable for personal washing for the number of persons sharing those facilities; and***
- b) where reasonably practicable there must be a wash hand basin with appropriate splash back in each unit other than a unit in which a sink has been provided.***

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

<b>Occupiers</b>	<b>Up to 4</b>	<b>5</b>	<b>6 - 10</b>	<b>11- 15</b>
<b>Wash Hand Basins</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>3</b>
<b>Toilets</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>3</b>
<b>Baths or Showers</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>3</b>
		At least 1 toilet should be in its own compartment (or in an additional bathroom)	At least 2 toilets should be in their own compartments (or in an additional bathrooms)	

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

These amenities must be secure and private and should normally be located on the same floor as the sleeping accommodation.

- All baths must be readily accessible and of minimum dimensions 1700mm x 760mm in a bathroom.
- All showers must be readily accessible, screened and enclosed, of minimum dimensions 800mm x 800mm in a suitable room of adequate dimensions and facilities to allow for user to change their clothes and dry themselves.
- All baths, showers and wash hand basins must be equipped with taps providing an adequate supply of cold and constant hot water (minimum 40 ° C) and be connected to an appropriate drainage system. Instantaneous heaters with a minimum rating of

6KW will only be acceptable to wash hand basins when no other means of providing hot water is available.

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

## **Kitchens**

The kitchen standards shall not apply in relation to a unit of accommodation where the landlord is not contractually bound to provide such appliances and/or equipment or the occupier is entitled to remove such appliances and/or equipment or the appliances and/or equipment are otherwise outside the control of the landlord.

### **Exclusive Use Kitchens**

***Where a unit of living accommodation contains kitchen facilities for the exclusive use of the individual household, and there are no other kitchen facilities available for that household, that unit must be provided with –***

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

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

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

A fixed impervious sink of minimum dimensions 500X600 mm with a drainer and connected to the drainage system via a suitable trap. It must be provided with an adequate supply of cold water from the rising main and a supply of constant hot water at a minimum temperature of 60° Celsius. Instantaneous water heaters are unacceptable. A suitable splash back, 300mm high should be provided to the sink and draining board, and all joints shall be adequately sealed.

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

- I. Piped from storage and boiler

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

All hot water vessels must be properly insulated

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

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

**(d) sufficient electrical sockets;**

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

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

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

**(f) a refrigerator.**

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

### **Shared Kitchens**

1 kitchen for up to a maximum of 5 people, thereafter a kitchen to be provided in each unit of accommodation, except where accommodation is of a specialised nature which is providing services supported by the local authority.

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

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

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

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

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

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

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

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

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

All hot water storage vessels must be properly insulated.

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

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

***(iv) electrical sockets***

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

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

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

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

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

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

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

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

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

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

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

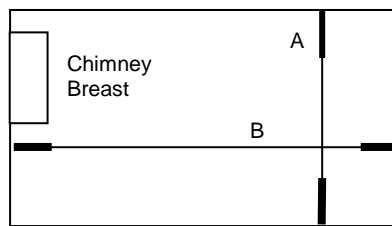
**Rooms sizes**

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

Reductions to the specific standard for a bedroom may be treated as meeting the standard where the Council considers the room adequately meets the occupiers needs, that the reduction in size is not more than 5% of the full floor standard, and that it does not fall below a national minimum standard, e.g. 6.51m<sup>2</sup> is a national minimum standard for a bedroom for a person aged over ten years.

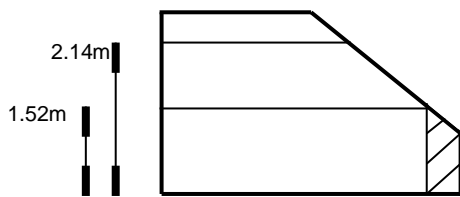
**Room Measurements**

All room measurements shall be carried out as follows:-



Room Plan

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



Room in a Roof Space

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

- a child will be considered as a separate person/occupant in terms of these standards.
- the minimum room sizes , as below, are also subject to each room being of a shape offering adequate useable living space. Areas where the ceiling height is less than 1.53m, such as an attic room shall not be counted as part of the floor area.
- separate kitchens, whether shared or used exclusively in connection with a particular single tenancy shall be of sufficient size for their purpose. Where kitchen facilities

are provided within other rooms, a minimum additional floor area of 3.7m<sup>2</sup> (40ft<sup>2</sup>) shall be required.

- the sharing of rooms by persons of the opposite sex aged 10 or over and who do not live as partners shall not be permitted.
- no staircase or landing nor any room, which has been appointed as a kitchen or bathroom, shall be deemed suitable for sleeping accommodation.

The following tables detail acceptable **minimum** room sizes.

**Bedsit rooms and flats:**

**One room unit of accommodation with cooking, living and sleeping facilities:**

One room for one person	13.0m <sup>2</sup>	(140 sq. ft)
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**Two or more room units with cooking, living and sleeping facilities.**

Each single bedroom for one person aged over 10 years	6.51m <sup>2</sup>	(70 sq. ft)
Each double bedroom for two persons aged over 10 years	10.22m <sup>2</sup>	(110 sq. ft)
Each single bedroom for one person aged under 10 years	4.64m <sup>2</sup>	(50 sq. ft)
Each living room single person units	9.0m <sup>2</sup>	(97 sq. ft)
Each living room two person units	10.0m <sup>2</sup>	(108 sq. ft)
Each living/kitchen, or living/bedroom single person unit	11.0m <sup>2</sup>	(120 sq. ft)
Each living/kitchen, or living/bedroom two person unit	13.9m <sup>2</sup>	(150 sq. ft)

**Shared accommodation for example student houses, migrant workers accommodation:**

<b>Bedroom/Studies</b>		
Bedroom/study for one person where there is no separate living room or living area in a kitchen/living room	10.22m <sup>2</sup>	(110 sq. ft)
Bedroom/study for two persons where there is no separate living room or living area in a kitchen/living room	14.9m <sup>2</sup>	(160 sq. ft)
Bedroom for one person where a separate living area is provided	6.51m <sup>2</sup>	(70 sq. ft)
Bedroom for two persons where a separate living area is provided	10.22m <sup>2</sup>	(110 sq. ft)

<b>Rooms Used as a Living Room Only</b>		
Up to 5 Occupants	11.5 m <sup>2</sup>	(125 sq ft)

<b>Room Used as Living/Dining/Kitchen</b>		
Up to 5 Occupants	12.5m <sup>2</sup>	(130 sq ft)

## Bedrooms in hostels

1 person	6.51m <sup>2</sup>	(70 sq. ft)
2 persons	10.22m <sup>2</sup>	(110 sq. ft)

Where the accommodation does not include a catering service, and/or the occupancy is intended to be for more than one month, the standards for bedsits will apply.

## Heating

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

- Any self-contained flat in an HMO shall have an energy efficiency rating within the Energy Performance Certificate (EPC) banding A to E. The landlord must make available for inspection within 7 days on request the EPC for each self-contained flat that has been re-let since the 1 October 2008.
- Heating shall be provided in every habitable room and bathroom, which is capable of maintaining a 21 degrees Celsius (°C) temperature difference with the external air when the outside temperature is -1°C. (The provision of insulation can assist in meeting this standard). Such heating provision must be capable of being used at any time by the occupants.
- The heating shall be:
  - Controllable, understandable and accessible by the occupants
  - Economical and efficient
  - Safe
  - Properly and professionally installed
  - Appropriate for the design, layout and construction of the dwelling
- Heating may be by means of: -
  - Central heating, or
  - Solid fuel in the form of an authorised smokeless fuel or alternatively solid fuel burnt in a smokeless appliance. If solid fuel is used proper fuel storage facilities shall be provided outside the building in a readily accessible position for each unit of accommodation, or
  - Gas heaters connected to a suitable flue and terminal outlet, or
  - Oil heaters connected to a suitable flue and terminal outlet, or
  - Electric heaters- if electric heaters are to be used to heat a room, an electric point shall be provided for that exclusive purpose. Individual heaters must be a fixed installation.



- Except for central heating, wherever practicable heaters shall be fixed to an existing chimneybreast or otherwise be positioned so as to direct heat towards the centre of the room.
- Conventional electric night storage heaters may not be capable of maintaining the minimum room temperature in the evening time.
- The use of portable paraffin or oil fired heaters and liquefied petroleum gas heaters (LPG) (Bottled Gas heaters) shall not be acceptable under any circumstances, whether provided by the landlord or the tenant.

### **Natural and artificial lighting**

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

### **Ventilation**

- All habitable rooms, kitchens and bathrooms shall have a minimum floor to ceiling height of 2.14m (7ft), except in the case of existing attic rooms, which shall have a minimum height of 2.14m (7ft) over an area of the floor equal to not less than three-quarters of the area of the room, measured on a plane 1.5m above the floor.
- All habitable rooms shall be ventilated directly to the external air by a window, which has an openable area not less than 1/20<sup>th</sup> of the floor area.
- All kitchens, bathrooms and water closet compartments shall be ventilated directly to the external air, either by a window the openable area of which shall be equivalent to at least 1/20<sup>th</sup> of the floor area of the room or by suitably sited mechanical ventilation providing a minimum of three air changes per hour operated from the lighting circuit of the room. For kitchens, mechanical ventilation providing six air changes per hour will be deemed sufficient.
- Basement rooms used as habitable rooms shall be provided with natural ventilation direct to the external air. In addition, there shall be an unobstructed space immediately outside the window opening, which extends the entire width of the

window or more and has a depth of not less than 0.6m (2ft) measured from the external wall or not less than 0.3m (1ft) in the case of a bay window with sidelights.

- Suitable and sufficient permanent ventilation shall be provided and maintained in any room in which there is a gas-heating appliance. Suitable and sufficient means of permanent ventilation shall be provided in all kitchens, dining/kitchens, bathrooms, water closet compartments and other rooms containing cooking or washing facilities.

### **Disposal of refuse**

- The control of storage and disposal of refuse is a particular problem in Houses in Multiple Occupation. The Council requires that the license holder or manager of the HMO shall ensure that refuse is not allowed to accumulate within the house except where properly stored pending its disposal
- In an area where the Council only collects refuse put out in black plastic sacks, the household waste when stored outdoors must be stored in a suitable bin with a plastic liner and a lid and not just in a plastic sack or bag alone as they are liable to be torn open by cats, dogs, vermin or even seabirds. The only time when the refuse can be just in a plastic sack is when it has been put out for collection. The sacks must not be put out more than 12 hours before collection
- Ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal
- Wherever possible the waste bins should be kept at the rear of the property and never on the highway
- Supplementary arrangements for the disposal of refuse and recyclable materials from the house as may be necessary having regard to any service provided by the local authority for example beds, mattresses, furniture, fridges, TVs and rubble
- If there is inadequate space to store rubbish within the boundaries of the house from week to week and no way of providing extra space, the landlord may have to make arrangements for extra collections
- The tenants must be informed in writing at the beginning of their tenancy on which days refuse and recycling collections take place. This information should also be permanently displayed in a prominent position within the property

### **Appendix**

Your premises may not have planning permission or building regulation consent to operate as a House in Multiple Occupation. Any action taken by the Council under the Housing Act 2004/Management Regulations, now or in the future, does not constitute planning permission or building regulation approval for the use of the premises as a House in Multiple Occupation or otherwise, neither does it grant nor imply immunity from any enforcement action taken now or in the future by this Council under planning legislation or otherwise. You may wish to seek independent legal advice upon this issue and particularly with regard to the possible consequences of unlawful use of the premises.

## Housing services

Wyre Council  
Civic Centre  
Breck Road  
Poulton-le-Fylde  
FY6 7PU

Tel 01253 891000  
Fax 01253 899000

Email [mailroom@wyre.gov.uk](mailto:mailroom@wyre.gov.uk)

Web: [www.wyre.gov.uk](http://www.wyre.gov.uk)

### Customer feedback

We welcome suggestions, complaints and compliments as an opportunity to improve the quality of our services. Please see our leaflet 'Are you trying to tell us something?' for a feedback form (available from the Civic Centre, Tourist Information Centres and the Benefits Mobile Advice Centre) or use the contact details above to submit your comments.

*If you would like this information in another language or format please contact Wyre Council on 01253 891000*