



Broxtowe  
Borough  
COUNCIL

# House in Multiple Occupation (HMO) Property Standards

Housing Committee 19<sup>th</sup> September 2018

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## **1.0 Introduction**

The Housing Act 2004 (“the Act”) introduced a new definition of ‘house in multiple occupation’ (HMO), together with a national mandatory licensing scheme for certain HMOs.

The legal definition of HMO can be found in Sections 254-257 of the Act. In summary it is a building that is occupied, as the only or main residence, by more than one household. Examples can include:

- Buildings that consist of bedsit rooms where some of the facilities are shared;
- Buildings with multiple units of accommodation that all have their own exclusive facilities but which are not self-contained;
- Shared houses (e.g. houses let to a group of friends, often students, who have their own bedrooms but share a degree of communal living, including the use of at least one room as a common room);
- Hostels or hotels where some of the occupiers have no other permanent place to live;
- Buildings converted into self-contained flats that don’t comply with the Building Regulations 1991 and where less than two thirds of the flats are owner occupied;
- Buildings which contain a mixture of the above types.

A household is defined in section 258 of the Act. This can include:

- An individual
- Persons who are married or co-habiting (including single-sex relationships)
- Relatives of an individual or of married/co-habiting partners (child, parent, grandchild, grandparent, brother, sister, uncle, aunt, nephew, niece or cousin)

Guidance on the definition of an HMO can be found at: [Government Guidance on the definition of HMO](#)

Under Part 2 of the Act certain HMOs are required to be licensed by the district council. These are HMOs occupied by 5 or more persons with at least three storeys. From 1<sup>st</sup> October 2018, the reference to three storeys will no longer apply

Licensing was introduced by the government to improve the management and conditions of HMOs

This document contains the standards (paragraphs 2 to 8) which will apply to HMOs within the borough of Broxtowe. These standards will generally be enforced as the minimum acceptable. However, consideration will be given to the circumstances of each case. Facilities may exist or be proposed in certain combinations which allow a variation to the guidance in this document. Other legal standards may also apply (for example the Housing Health and Safety Rating System) but details of these standards which are not set by Broxtowe Borough Council (the Council) are not reproduced in this document

## **2.0 HMO Minimum Room Sizes**

All lettings shall be large enough to provide sufficient space for living, sleeping, food storage and food preparation (except where there is a separate shared kitchen provided elsewhere).

All rooms shall be of a convenient and usable shape for their intended purpose. Where the ceiling height is less than 1.5 m the floor area is not counted. Space that cannot be used because of its shape, location or if it forms an en-suite facility must not be included when calculating room size to meet the space standards.

No staircase, landing, passage, kitchen, bath/shower or WC room shall be used for sleeping accommodation.

For the purpose of this standard:

- No more than two persons shall occupy any room for sleeping. No account shall be taken of a child under the age of 12 months. The minimum room size for sleeping accommodation for a child under the age of 10 years is 6.5m<sup>2</sup>
- Persons of the opposite sex who are aged 10 years and over and who are not cohabiting shall not be obliged to sleep in the same room.

### **2.1**

<b>Individual rooms:</b>	<b>1 Person Unit</b>	<b>Person Unit</b>
A. Bedroom	8 m <sup>2</sup>	12 m <sup>2</sup>
B. Combined bedroom and living/dining room	10 m <sup>2</sup>	15 m <sup>2</sup>
C. Combined bedroom, living room and kitchen	14 m <sup>2</sup>	18 m <sup>2</sup>

### **2.2**

<b>Rooms shared by occupiers:</b>	<b>Requirements:</b>
Kitchen	7 m <sup>2</sup> if used by 1 – 5 persons  For over 5 persons an additional 3 m <sup>2</sup> per person sharing the kitchen
Dining space	2 m <sup>2</sup> per person (for those sharing the space)  Any dining space (shared for the exclusive use) shall be suitable, and conveniently located (normally not more than one floor from the living unit)

A communal living room is not required if all individual bedroom/living rooms meet the standard in 2.1 B and C above.

#### **General note:**

The dimensions and areas specified shall normally be regarded as the minimum, particularly with regard to new proposals. However it is recognised that existing buildings cannot always achieve these minima. A degree of flexibility will sometimes be possible if other compensating features are present. Conversely it should be noted that irrespective of the dimensions, the shape and useable living space of any room is a determining factor in the calculation of the maximum number of people for which it is suitable.

### **3.0 Kitchen Facilities**

5 persons can share one full set of kitchen facilities. More than 5 persons will require an additional set of kitchen facilities.

### **3.1 Kitchen ratios**

<b>Maximum number of individuals allowed to share kitchen</b>	<b>Number of sets of kitchen facilities</b>
5	1
10	2
15	3

- All equipment must be fit for purpose.
- Kitchen facilities shall be in a properly designed room or area, laid out so to allow the safe and hygienic preparation of food and adequate ventilation.
- Where the bedrooms are more than one floor away from the kitchen, the kitchen must be provided with facilities to eat meals, i.e. a kitchen diner or in a separate room adjacent to the kitchen.
- A kitchen diner must be provided with an adequate size table and number of chairs for the number of users.
- One full set of kitchen facilities will include the following, details of which are given later in this document:
  - Kitchen sink
  - Cooking facilities
  - Worktop
  - Food storage (dry goods cupboards and fridge freezers)
  - Kitchen cupboard
  - Power sockets
  - Refuse storage

### **3.2 Kitchen sink**

Sink and a drainer of a suitable and practical size on a base unit, properly connected to the drainage system, and provided with an adequate and constant supply of potable drinking water and an adequate and constant supply of hot water, without fluctuation in temperature.

Each sink must have an appropriate splashback of minimum height 300 mm.

A dishwasher will be acceptable as a second sink.

### **3.3 Cooking facilities**

Any cooker to be suitably located away from doors and windows.

- Individual use – minimum shall be two rings, conventional oven and grill.
- Shared use for up to 5 persons – a standard sized cooker with a minimum of four rings, conventional oven and grill, to be securely fitted.
- A 25 litre microwave with an oven and grill will be acceptable as a second cooker.

### **3.4 Kitchen worktop**

A properly secured, readily cleansable work surface shall be provided in a suitable position adjacent to the cooker in every kitchen. Worktop to be at the same height as the cooker.

Minimum dimensions 600 mm deep x 1000 mm length for 1-3 persons, plus a further 500 mm (length) per additional person sharing up to a maximum 3000 mm.

### **3.5 Dry food storage**

One cupboard for the storage of dry goods per person, with a minimum storage capacity of 0.2 cubic metres. The recommended minimum dimensions to meet this requirement are:

Width: 60cm

Depth: 50cm

Height: 70cm

The cupboard space in the unit below the sink is not suitable for dry goods storage.

### **3.6 Refrigerators/Freezers**

Two worktop height refrigerators with freezer compartment or equivalent (or one worktop height fridge and one worktop height freezer) per five occupants,

### **3.7 Kitchen cupboards and drawers**

Sufficient cupboards and drawers for the storage of kitchen utensils and crockery in shared kitchens.

### **3.8 Power sockets**

There shall be a minimum of four electrical sockets at worktop height plus one socket for each major appliance (e.g. refrigerator/freezer, washing machine etc.) per full set of kitchen facilities. Therefore, two sets of kitchen facilities require at least 8 sockets at worktop level plus one socket for each major appliance.

### **3.9 Refuse storage**

Adequate facilities for storage and disposal of refuse must be provided. At least one 20 litre plastic or metal refuse container (with a lid) for each group of 5 occupants or part thereof within the dwelling and impervious refuse storage containers (bins) with suitable close fitting lids should be provided in accordance with local authority requirements for collection of refuse. There shall be an adequate number of bins for the number of occupants and they should be readily accessible. Tenant responsibilities should be outlined in respect of separation of refuse and presenting bins for collection.

### **3.10 Kitchen safety**

All kitchens and kitchen areas must have a safe and practical layout. In particular:

- a. cooking appliances should have an adjacent work surface
- b. no soft furnishings are to be within 600mm of the cooking appliances
- c. other than an extractor hood, no fixtures or fittings are to be sited directly above cooking appliances.

## **4.0 Personal Washing Facilities**

All facilities should be located in rooms of an adequate size and layout no more than one floor distant from any bedroom and accessible from communal areas unless provided as an en-suite facility for the exclusive use of that occupant.

All baths, toilets and wash hand basins (WHB) should be fit for purpose. Each WHB is to be provided with an appropriate splashback where appropriate.

Any wet standing surfaces should have suitable anti-slip surfaces (e.g. bath mat)

If the WC is located in a separate compartment then a WHB must also be included within the same compartment.

Walls and floors should be reasonably smooth and non-absorbent and capable of being readily cleansed.

### **4.1 Ratios and location of washing facilities**

<b>Occupiers</b>	<b>Up to 4</b>	<b>5</b>	<b>6 – 8</b>	<b>9</b>	<b>10</b>	<b>10-12</b>	<b>13-15</b>
Shared wash hand basin	1	2	2	3	4	4	5
Shared WCs	1	2	2	2	2	3	3
Shared baths or showers	1	1	2	2	2	3	3
-	WC can be sited in the bathroom	At least one WC should be in its own compartment (or in an additional bathroom)			At least two WC's should be in their own compartments (or in additional bathrooms)		

## **5. Ventilation**

Any kitchen or toilet with no openable window; or a bath/shower room or utility room with no openable window should be provided with a mechanical extract fan to reduce condensation and remove smells. The necessary performance of these extract fans is normally measured in litres per second (l/s) as follows:

- Kitchen - 30l/s if placed over the hob and 60l/s if placed elsewhere
- Bath/shower - 15l/s with an additional 15 minute overrun (after the light is switched out)
- Toilet - 6l/s with 15 minute overrun
- Utility room - 30l/s

Alternative rates may be applicable if the ventilation is running continuously

## **6.0 Heating**

Fixed space heating is to be provided in every room including bathrooms and kitchens. Heating should be controllable by the occupants and safely and properly installed and maintained. It should be appropriate to the design layout and construction such that the whole of the letting can be adequately and efficiently heated.

Structural thermal insulation should be provided to minimise heat loss.

## **7.0 Electrical Installation**

Electrical installation to be tested every 5 years by a competent electrical engineer and a copy of the test certificate provided to the Council.

The consumer unit must be located in a common area.

### **7.1 Portable Appliance Testing (PAT)**

If electrical appliances are provided in the property, then the licence holder (or person having control in a non-licensed HMO) must produce a Portable Appliance Test (PAT) certificate to the Council upon request (or during the licence application process)

## **8.0 Gas Installation**

A copy of the current Gas Safety Certificate should be provided to the Council on an annual basis.

## **9.0 Fire Precautions**

Fire precautions should be in accordance with the guidance in the Local Authorities Coordinators of Regulatory Services (LACORS) publication "Housing – Fire Safety. Guidance on fire safety provisions for certain types of existing housing" dated August 2008.

### **9.1 Fire Doors**

The construction of fire doors should be such that when subjected to fire conditions they will act as an effective barrier to the passage of flame, heat and smoke for a specified period of time.

"Fire Door" means a fire resisting door and frame constructed to comply with the appropriate rating requirement of the current British Standards.

Two different types of fire door may be specified for HMOs:

- half hour fire doors (FD30)
- half hour (smoke stop) fire doors (FD30S)

Both types of door require intumescent strips but smoke stop doors are also provided with smoke seals.

The upgrading of existing doors is not accepted as an alternative to the installation of new fire resisting doors.

Sliding doors are not acceptable in fire resisting elements.

Fire doors must be capable of being opened from the inside without the use of a key.

### **9.2 Maintenance of fire precautions**



The manager/person in control must ensure that any firefighting equipment, emergency lighting and fire alarms are maintained in good working order. A maintenance contract must be arranged (with a competent contractor) at the time of initial installation for regular servicing in accordance with the relevant British Standard.

The fire alarm system must also be tested on a regular basis by the manager/person in control and all such tests should be properly recorded within the log book supplied by the installer during the handover procedure. Details of any maintenance contract and/or records of tests, must be provided to the local authority on request.

## **10.0 Contact details**

Contact details of the person responsible for the maintenance of the fire precautions should be displayed in a prominent position in the HMO in accordance with the current HMO Management Regulations along with other relevant contacts, such as information for reporting any repairs including an out of hours emergency contact.

## **11.0 HMO Licensing and Planning Guidance**

HMO owners and their agents are advised to ensure that any HMO does not contravene any planning restrictions or requirements. The granting of an HMO licence does not confer any planning permission and advice should be sought directly from the Planning Department on this issue.

## **12.0 Further Information**

For further information please contact:

Private Sector Housing Team  
Environmental Health  
Broxtowe Borough Council  
Foster Avenue  
Beeston  
Nottingham  
NG9 1AB  
Telephone: 0115 9173438  
Email: [health@broxtowe.gov.uk](mailto:health@broxtowe.gov.uk)