

## **Local Authority Standards for Licensed Houses in Multiple Occupation (HMO's) Under Part 2 Housing Act 2004**

### Contents:

- i. Amenity standards for HMOs or parts of HMOs either occupied by a socially interactive group (shared houses or shared flats normally subject to a joint tenancy) or by individual households living independently who either share facilities (bedsits) or have exclusive use of facilities (self-contained flats).
- ii. Room size standards for properties occupied as above and including specific standards for HMOs where some board is provided, these properties are referred to as 'hostels'.

### Notes:

- iii. The amenity standards include those prescribed by The Licensing and Management of Houses in Multiple Occupation and Other (Miscellaneous Provisions) (England) Regulations 2006 (SI 2006 No. 373).
- iv. The additional amenity standards indicate how the local authority will regard how the 'tests as to suitability for multiple occupation' can be met under Section 65 Housing Act 2004.
- v. The room size standards indicate how the local authority will decide on the maximum occupation of the property under Section 64 Housing Act 2004; this is known as the 'permitted number'.
- vi. The above standards need not necessarily be met on the date a licence becomes operative. Where this is not the case the licence will be issued with conditions requiring compliance with the standards within a required time period.
- vii. The standards do not apply to non-licensable HMOs. Instead, the housing health and safety rating system under Part 1 Housing Act 2004 will be used to assess the suitability of amenity standards and living space.
- viii. All licensed HMOs will be subject to an assessment using the housing health and safety rating system under Part 1 Housing Act 2004. As a result, it is possible that there will be additional requirements to be met.

### Application:

- ix. Where reasonably practicable all HMO licensing standards must be complied with. However, every case must be considered on its own merits as Councils cannot apply a blanket set of standards for all HMOs in its district taking no account of the individual circumstances of the HMO in question. This will particularly be in respect of those standards that are not prescribed by legislation.

**HMO LICENSING STANDARDS  
FOR FACILITIES PROVIDED FOR SHARED AND EXCLUSIVE USE**

**Personal washing and toilet facilities**

Location, size and condition	General	<p>All facilities should be located in rooms of an adequate size and layout within 2 floors of any bedroom and accessible from communal areas unless provided as en-suite facilities for the exclusive use of that occupant. Facilities should be inside the building.</p> <p>All baths or showers, toilets and wash hand basins should be of an adequate size and be provided with an adequate water supply, necessary fittings, drainage and be in a satisfactory condition to enable thorough cleaning. Constant hot water at a suitable temperature to be provided to baths / showers and wash basins. Baths or showers and wash hand basins should be properly sealed into wall surfaces and have 300mm of tiles splashback (or equivalent). Bathrooms and toilet compartments should be of an adequate size and layout.</p>
Baths or showers and toilets	Shared use	<p>Where there are four or fewer occupiers sharing there must be at least one fixed bath or shower and a toilet (which may be situated in the bathroom). Where there are five or more occupiers sharing there must be at least a fixed bath or shower for every 5 occupants (or part of) and at least one toilet separate to the bathroom for every 5 occupants (or part of), a further complete bathroom would be acceptable in place of a separate toilet. See table below as to how this standard can be met.</p> <p>In hostels where children are accommodated at least one bath should be provided.</p>
	Exclusive use	A fixed bath or shower and a toilet.
Wash hand basins	Shared use	<p>To be provided either within each individual unit of accommodation or within each shared bathroom and compartment containing a toilet (see table below).</p> <p>Within each room and compartment containing a toilet.</p>
	Exclusive use	Within each room and compartment containing a toilet.
Ventilation	General	Bathrooms to have mechanical ventilation to the outside air at a minimum extraction rate of 15 litres/second in

		<p>addition to any window(s).</p> <p>Each toilet in a separate compartment is required to have a window equivalent to 1/20<sup>th</sup> of the floor area or mechanical ventilation extracting at a minimum extraction rate of 6 litres/second.</p> <p>Ventilation should not be obstructed externally.</p>
Heating	General	A fixed heating appliance in each bath or shower room sufficient to minimise condensation and provide thermal comfort.
<b>Kitchens</b>		
Location, size and condition	General	<p>If kitchens do not have a suitable dining area this facility must be provided within one floor distant (this may be a living room, bedsit or bedroom of suitable size – see standards for room sizes).</p> <p>If hostels provide all main meals the kitchen facilities below are to be provided for every 10 occupants and the cooker can be replaced with a microwave. If hostels have a commercial kitchen where access is not available at all times a separate kitchen must be provided to the standards below.</p> <p>Kitchens must have a safe and efficient layout and be of a suitable size – see standards for room sizes.</p> <p>All facilities and equipment must be fit for purpose.</p>
Sinks	Shared use	A sink with constant hot and cold water, a draining board and tiled splash back for up to 5 occupants (a dishwasher will be acceptable as a second sink) or within an individual unit of accommodation.
	Exclusive use	A sink with constant hot and cold water, tiled splash back and a draining board.
Cookers	Shared use	A cooker with a 4 ring hob, oven and a grill for up to 5 occupants or within an individual unit of accommodation (a 27 litre combination microwave – one which consists of a microwave, convection oven and a grill – will be acceptable as a second cooker).
	Exclusive use	<p>A cooker with a 4 ring hob, oven and a grill.</p> <p>A cooker with a 4 ring hob, oven and a grill or a 2 ring hob, oven and grill together (positioned so that hobs are at worktop level) with a microwave will be acceptable in accommodation occupied by a single person.</p>

Electrical Sockets	General	Four suitably positioned electric sockets are required plus one per major appliance (i.e. a cooker microwave, refrigerator/freezer, washing machine etc.).
Worktop	Shared use	Fixed worktop(s) with a smooth impervious surface for food preparation, minimum size 500mm x 1000mm for up to 5 occupants or within an individual unit of accommodation.
	Exclusive use	Fixed worktop(s) with a smooth impervious surface for food preparation, minimum size 500mm x 1000mm
Storage	Shared use	A 0.3m <sup>3</sup> dry goods storage cupboard other than a sink base unit per occupier either in each occupant's room or in a shared kitchen.
	Exclusive use	A 0.6m <sup>3</sup> dry goods storage cupboard other than a sink base unit.
Refrigerators	Shared use	Two worktop height refrigerators with freezer compartments or 1 worktop height fridge and 1 worktop height freezer per 5 occupiers or a worktop height refrigerator with a freezer compartment within each individual unit of accommodation.
	Exclusive use	A worktop height refrigerator with a freezer compartment.
Refuse	General	Suitable and sufficient provision for household waste and recycling disposal both within the unit of accommodation and outside.
Ventilation	Shared use	Mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second or 30 litres/second if the fan is sited within 300mm of the centre of the hob. This is in addition to any windows.
<b>Fire precautions (shared houses and bedsit accommodation)</b>		
<p>Provide fire precaution facilities and equipment to reduce fire risk and to ensure the safety of people in the premises as far as is practicable in accordance with the LACoRS (Local Authorities Coordinators of Regulatory Services) publication "Housing – Fire Safety. Guidance on fire safety provisions for certain types of existing housing."</p> <p>This provision must include:</p>		

<p>A fire blanket conforming to BS EN 1869:1997 in each shared kitchen.</p> <p>A fire door conforming to BS 476-22:1987 to be provided to each shared kitchen. For up to 2 storey HMOs other than bedsit accommodation, a sound, well constructed close fitting conventional door is acceptable. NB this does not include a hollow infill-type door ('egg box').</p> <p>All locks on doors onto the means of escape and final exit doors to be capable of being opened from the inside without the use of a key.</p>	
<p>Alternatively, provide the following:</p> <p>(NB the fire detection and emergency lighting requirement below may be in excess of what is needed following a fire risk assessment and, in some cases, additional fire provisions may be needed; for example fire doors on bedsit accommodation and to bedrooms in larger properties).</p>	
<p>Fire detection (shared accommodation – not bedsits)</p>	<p>A Category LD3 Grade A or D fire detection system conforming to BS5839: Part 6:2013 (a Grade A system will be required for properties occupied by 7 or more persons). The system will normally include interlinked smoke detection in the circulation areas at each floor level, heat detection in kitchens, smoke detection in lounges and any cellar. Grade D detectors should have integral battery back-up. A sound level of 75dBA should be reached at bedheads.</p> <p>For 5 and 6 storey properties a Category LD2 Grade A system will be required.</p>
<p>Fire detection (bedsit accommodation)</p>	<p>A Category LD2 Grade A or D fire detection system conforming to BS5839: Part 6:2013 (a Grade A system will be required for properties occupied by 7 or more persons and 3 or more storey properties). The system will normally include interlinked smoke detection in the circulation areas at each floor level, heat detection in kitchens and bedsits with cooking facilities, smoke detection in bedsits without cooking facilities, shared lounges and any cellar. An additional Grade D non-interlinked smoke detector with integral battery back-up will be required in bedsits with cooking facilities. A sound level of 75dBA should be reached at bedheads.</p>
<p>Fire detection (individually owned flat in house/block)</p>	<p>In addition to the above, provide a heat detector in the room/lobby opening onto the escape route linked to the fire detection system in the common parts.</p>
<p>Emergency lighting (3 and 4 storey HMOs)</p>	<p>An emergency lighting system to BS 5266:1:2011.</p>
<p>Fire blanket</p>	<p>A fire blanket conforming to BS EN 1869:1997 in each shared kitchen.</p>
<p>Fire doors</p>	<p>A fire door conforming to BS 476-22:1987 to be provided to each shared kitchen. Alternatively, for up to 2 storey HMOs other than bedsit accommodation, a sound, well constructed close fitting conventional door is</p>

		acceptable. NB this does not include a hollow infill-type door ('egg box').
Security locks		All locks on doors onto the means of escape and final exit doors to be capable of being opened from the inside without the use of a key.
<b>Fire precautions (buildings converted entirely into self-contained flats)</b>		
Follow LACoRS publication "Housing – Fire Safety. Guidance on fire safety provisions for certain types of existing housing."		
<b>Heating</b>		
Fixed heating	General	A fixed and efficient heating appliance(s) capable of maintaining a temperature of 21°C with an outside temperature of -1°C in each unit of living accommodation (electrical appliances must have a dedicated socket). Heating should be available at all times and be under the control of the occupier.
<b>Access</b>		
All facilities are to be available at all times and be internally accessed from all bedrooms and bedsitting rooms.		
<b>Definitions</b>		
Shared use		Where one or more basic amenities (personal washing, toilet or kitchen) are shared by two or more households.
Exclusive use		Where a basic amenity is provided for the use of a single household.
Bedsit accommodation		Accommodation occupied by person(s) living independently of others in the HMO, cooking facilities may be in the room or shared.
Single household		Person(s) of the same family group, this includes an individual living on their own, an individual living in a group is also regarded as a single household.
Family		Includes husband, wife, partner, child, stepchild, step parent, grandchild, grandparent, brother, sister, half-brother, half-sister, aunt, uncle, niece, cousin, foster child.
Unit of living accommodation		Part of the HMO occupied by a single household, this includes bedrooms in shared houses or flats, bedsitting rooms, self-contained flats (all basic amenities provided for exclusive use of that household).

Hostel	Where board is provided as part of the occupation and it constitutes a persons only or main place of residence. Hostel includes bed and breakfast and hotel accommodation used by persons as their only and main residence which is a house in multiple occupation.
--------	---

### Washing and toilet facility standards in licensable HMOs

The standards above relate to facilities shared by either:

- Four persons or fewer (bathroom with toilet required), or
- Five or more persons (bathroom with separate toilet required).

In an HMO facilities may be shared in a number of different combinations of group sizes; for example, 8 persons could be considered to be two groups of four or one group of five and one group of three. This does not mean that persons are restricted to which facilities they can use, but it does mean that there will be flexibility in how facilities can be provided for the whole group.

The chart below indicates the minimum number of facilities that are required, the wash hand basin requirements above have not been included.

Number of people in HMO	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Minimum number of bathrooms with toilet and bath or shower	1	0	2	2	2	1	3	3	3	2	4	4	4	3	5	5	5
Minimum number of bathrooms with bath or shower	0	1	0	0	0	1	0	0	0	1	0	0	0	1	0	0	0
Minimum number of separate toilets needed in addition to the above bathrooms	0	1	0	0	0	1	0	0	0	1	0	0	0	1	0	0	0

(En-suite facilities can only be counted as being used by the occupiers of the bedroom they are attached to).

Below are examples of available options to meet the requirement using different combinations of facilities:

<p><b>In a 5 person HMO:</b></p> <p>Option 1</p> <ul style="list-style-type: none"> <li>· One bathroom with bath or shower;</li> <li>· One separate toilet</li> </ul> <p>Option 2</p> <ul style="list-style-type: none"> <li>· Two bathrooms with bath or shower and toilet.</li> </ul>	<p><b>In a 6 person HMO:</b></p> <p>Option 1</p> <ul style="list-style-type: none"> <li>· Two bathrooms with bath or shower and toilet</li> </ul> <p>Option 2</p> <ul style="list-style-type: none"> <li>· One bathroom with bath or shower and toilet, and;</li> <li>· One bathroom with bath or shower, and;</li> <li>· One separate toilet.</li> </ul>
<p><b>In a 7 person HMO:</b></p> <p>Option 1</p> <ul style="list-style-type: none"> <li>· Two bathrooms with bath or shower and toilet.</li> </ul> <p>Option 2</p> <ul style="list-style-type: none"> <li>· One bathroom containing a bath or shower and toilet, and;</li> <li>· One bathroom containing a bath or shower, and;</li> <li>· One separate toilet compartment.</li> </ul> <p>Option 3</p> <ul style="list-style-type: none"> <li>· Two bathrooms with a bath or shower, and;</li> <li>· Two separate toilet compartments.</li> </ul>	<p><b>In a 8 person HMO:</b></p> <p>Option 1</p> <ul style="list-style-type: none"> <li>· Two bathrooms with bath or shower and toilet.</li> </ul> <p>Option 2</p> <ul style="list-style-type: none"> <li>· One bathroom containing a bath or shower and toilet, and;</li> <li>· One bathroom containing a bath or shower, and;</li> <li>· One separate toilet compartment.</li> </ul> <p>Option 3</p> <ul style="list-style-type: none"> <li>· Two bathrooms with a bath or shower, and;</li> <li>· Two separate toilet compartments.</li> </ul>
<p><b>In a 10 person HMO:</b></p> <p>Option 1</p> <ul style="list-style-type: none"> <li>· Three bathrooms with bath or shower and toilet</li> </ul> <p>Option 2</p> <ul style="list-style-type: none"> <li>· Two bathrooms with bath or shower, and;</li> <li>· Two separate toilet compartments.</li> </ul>	<p><b>In a 13 person HMO:</b></p> <p>Option 1</p> <ul style="list-style-type: none"> <li>· Three bathrooms with bath or shower and toilet, and;</li> <li>· One bathroom with a bath or shower, and;</li> <li>· One separate toilet compartment.</li> </ul> <p>Option 2</p> <ul style="list-style-type: none"> <li>· Two bathrooms with bath or shower, and;</li> <li>· One bathroom containing a bath or shower and toilet, and;</li> <li>· Two separate toilet compartments with WHB</li> </ul> <p>Option 3</p> <ul style="list-style-type: none"> <li>· Four bathrooms with bath or shower and toilet.</li> </ul>

## HMO MINIMUM ROOM SIZES

### ACCOMMODATION WITH FACILITIES SHARED BY OCCUPIERS

These standards apply where there is sharing of some or all facilities i.e. HMO's where:

- Occupiers live independently of others eg single room lettings or bedsit accommodation (kitchen facilities within own room);
- Occupiers forming a group eg students, professional persons and others who interact socially.

Where the room is for the sole use of occupier(s)	Number of persons	
	1	2
Kitchen	4m <sup>2</sup>	5m <sup>2</sup>
Bedroom	6.5m <sup>2</sup>	10.22m <sup>2</sup>
Combined kitchen and living room	11m <sup>2</sup>	15m <sup>2</sup>
Combined bedroom and living room*	9m <sup>2</sup>	14m <sup>2</sup>
Combined bedroom, living room & kitchen	13m <sup>2</sup>	19m <sup>2</sup>

Where the room is shared by occupiers	Number of persons				
	1-3	4	5	6	7-10
Kitchen	5m <sup>2</sup>	6m <sup>2</sup>	7m <sup>2</sup>	9m <sup>2</sup>	11m <sup>2</sup>
Total communal living space**	13.5m <sup>2</sup>	17m <sup>2</sup>	18m <sup>2</sup>	20m <sup>2</sup>	27.5m <sup>2</sup>

\* independent living only

\*\* occupiers forming a group (includes kitchens, dining rooms and living rooms – the kitchen must be at least the minimum size specified above)

### ACCOMMODATION WITH FACILITIES FOR THE EXCLUSIVE USE OF OCCUPIERS

These standards apply where all facilities are for the exclusive use of occupiers forming a single household ie an individual or family (husband, wife, partner, child, stepchild, step parent, grandchild, grandparent, brother, sister, half-brother, half-sister, aunt, uncle, niece, cousin, foster child)

- self contained flats within HMOs

	Number of persons				
	1	2	3	4	5
Bedroom	6.5m <sup>2</sup>	10.22m <sup>2</sup>			
Combined bedroom and living room	9m <sup>2</sup>	14m <sup>2</sup>			
Combined bedroom, living room & kitchen	13m <sup>2</sup>	19m <sup>2</sup>			
Kitchen	4m <sup>2</sup>	5m <sup>2</sup>	5m <sup>2</sup>	6m <sup>2</sup>	7m <sup>2</sup>
Living Room	8m <sup>2</sup>	11m <sup>2</sup>	11m <sup>2</sup>	11m <sup>2</sup>	11m <sup>2</sup>

## HOSTELS

These standards apply to HMO's where board is provided as part of the occupancy

<b>For exclusive use of occupants</b>	<b>Number of persons</b>		
	<b>1</b>	<b>2</b>	
Bedroom	6.5m <sup>2</sup>	10.22m <sup>2</sup>	
Combined bedroom and living room where no separate living room is provided	9m <sup>2</sup>	14m <sup>2</sup>	
Family bedroom (2 adults and 1 child under 10 years old)	14.5 m <sup>2</sup> or 18.5 m <sup>2</sup> where no separate living room is provided		

<b>For shared use of occupants</b>	<b>Number of persons</b>				
	<b>1-3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7-10</b>
Kitchen (all main meals* not provided)	5m <sup>2</sup>	6m <sup>2</sup>	7m <sup>2</sup>	9m <sup>2</sup>	11m <sup>2</sup>
Kitchen (all main meals provided)	5m <sup>2</sup>	5m <sup>2</sup>	5m <sup>2</sup>	5m <sup>2</sup>	7m <sup>2</sup>
Communal living room (not required if individual bedroom and living room meet the standard above)	8.5m <sup>2</sup>	11m <sup>2</sup>	11m <sup>2</sup>	11m <sup>2</sup>	16.5m <sup>2</sup>
	<b>11-15</b>	<b>16 or more</b>			
	21.5m <sup>2</sup>	At discretion of Local Authority			

\* three meals a day (to be provided each day of the week)