

GUIDANCE ON STANDARDS FOR HOUSES IN MULTIPLE OCCUPATION

SOUTHAMPTON CITY COUNCIL

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GUIDANCE ON STANDARDS FOR HOUSES IN MULTIPLE OCCUPATION (HMOS)

Introduction

These standards assist landlords and developers to design, improve and maintain HMOs to a reasonable standard. These standards cover both licensed and non-licensable HMOs.

The standards may be revised from time to time. To ensure that these standards are current, please check with the City Council website on www.southampton.gov.uk/living/housing. New editions of the standards will be re-dated.

Further information about standards for privately rented houses is available on the City Council website including mandatory licensing and the Housing Health and Safety Rating System (HHSRS).

Enquiries about HMOs can be made to Private Housing at Southbrook Rise, 4-8 Millbrook Road East, Southampton. Telephone: 023 8083 3006 or e-mail: private.housing@southampton.gov.uk.

There is considerable diversity in the way that HMOs are occupied and in the health and safety risks that may be present. This advice therefore suggests standards that are appropriate for a wide range of the most common types of HMO.

The advisory standards are flexible and can be adapted to suit circumstances. The exception is in regard to licensed HMOs where national minimum HMO standards must be complied with and in particular the level of bathroom, WC and wash hand basin provision.

As part of the HMO licensing process, the council can discuss with landlords any variations from the standards that may be appropriate for a particular HMO.

WHAT IS A HOUSE IN MULTIPLE OCCUPATION?

The Housing Act 2004 redefines a HMO as a building or part of a building (i.e. flat) which:

- Is occupied by persons not forming a single household and;
- Two or more households occupy and share one or more basic amenities (or lack such amenities);
- Is occupied by more than one household and is a converted building not entirely comprising of self-contained flats;
- Comprises entirely of self-contained flats and the conversion does not comply with the Building Regulations 1991 and less than 2/3 of the flats are owner occupied;
- The HMO is occupied as the only or main residence;

- Rents are payable or other consideration is provided in respect of at least 1 of those occupying the HMO.

ARE ANY BUILDINGS EXEMPT?

Yes – the following are exempt from the HMO definition:

- Building occupied by only two people who do not form a single household;
- Buildings managed by educational establishments, Local Housing Authorities, Registered Social Landlords, Police, Fire, Health Authority or regulated by other legislation such as residential care homes etc;
- Buildings occupied by religious communities;
- Buildings predominantly owner occupied, including residential landlords where the owner occupier (and family members) occupies the building (or flat) with no more than 2 other persons;
- Buildings converted into self-contained flats, where the conversion meets 1991 Building Regulations.

WHAT IS A SINGLE HOUSEHOLD?

A single household includes members of the same family either by blood, marriage or other recognised means such as adoption or fostering. As an example, four friends sharing a student dwelling will be classed as four individual households and therefore a HMO.

EXPLANATION OF CATEGORIES OF HMOs

The number of amenities and the health and safety standards that are appropriate for an HMO are related to the differing needs of different types of occupiers. These standards take this into account and suggest different standards for different categories of HMOs as described below:

Category A HMOs

These are HMOs comprising parts that are rented as individual lettings with exclusive use of certain rooms. Occupiers may share washing, WC and kitchen facilities, but do not usually have a communal living room. The occupiers of this type of HMO tend to live completely independently of each other and have individual tenancy agreements.

Individuals or households may have a letting agreement that specifies the part(s) of the accommodation that they may occupy.

Typical examples are:

1. Single room bedsits – may have exclusive use of, or may share, personal washing, WC and kitchen facilities
2. Flatlets – multi-room lettings sharing some personal washing, WC and kitchen facilities.

Category B HMOs

These are HMOs that are rented to a group of people, commonly students or young professional adults, who may be on a group/joint contract. Occupiers share personal washing, WC and kitchen/dining facilities and usually have a communal living room. The occupiers of this type of HMO tend not to live completely independently of each other and may operate communally.

Hostels

These are HMOs that are generally referred to as hostels, guest houses, or bed & breakfast accommodation which provide accommodation for people with no other permanent place of residence. The accommodation is often on a temporary basis.

The category includes hostel and bed and breakfast establishments used by local authorities for housing homeless people, or similar establishments which provide accommodation for single people whose only financial support is state benefit and who would otherwise be homeless.

General notes to be read in conjunction with the HMO standards provided on the next pages

No kitchen facility should be more than one floor distant from the users of that facility. This will not apply if a communal living space or dining space is available on the same floor, or is not more than one floor away from the kitchen.

No personal washing or WC facility should be more than one floor distant in the case of a category A HMO, or two floors distant in the case of a category B HMO, from the users of those facilities.

A small household is one that consists of no more than 2 persons. Sleeping rooms should not be occupied by more than 2 persons. No persons should share a room unless:

- they are married, or living together as if married
- they are parent and child (as long as the child is the same sex as the parent, or the child is under 10 years of age if opposite sex)
- they are members of the same family and are both of the same sex, e.g. 2 brothers (if below 10 years of age, opposite sexes can share a room)

There may be exceptions to the above sharing rule in bona fide hostels and similar establishments. Advice should be sought from the City Council in these cases.

The term 'bathroom', as used in the standards, normally means a bathroom containing a bath or shower, a WC and a wash hand basin. The basin should be of an adequate size for normal personal hygiene purposes including personal washing, the cleaning of teeth and shaving.

A wash hand basin with a constant adequate supply of hot and cold running water must be provided for each WC. If the WC is separate from a bathroom then a small hand rinse basin will suffice.

A standard cooking appliance should comprise four rings or hot plates, an oven and a grill. Microwave ovens may be satisfactory as supplementary cooking appliances but should not be the only cooking appliances.

The advisory room sizes do not include any en-suite bathroom facilities that may be provided, and do not include any floor area that is not effectively useable, for example, where the ceiling slopes to a low level.

An appliance with 2 rings or hot plates and oven is satisfactory for a one person unit of accommodation.

Sinks must be provided with a draining board and adequate constant supplies of hot and cold running water.

The provision of a second sink in a shared HMO may not be necessary if a dishwasher is provided. Private Housing will advise in these circumstances.

CATEGORY A & B HMOs - SHARED PERSONAL WASHING & WC FACILITIES

	CATEGORY A HMO	CATEGORY B HMO
Bathroom	1 per 5 occupiers	
WC	1 per 5 occupiers	
Wash hand basins	<p>In licensable HMOs 1 WHB to be provided within each letting where it is reasonably practicable. It will be the responsibility of the landlord to demonstrate that is not reasonably practicable for WHB to be provided in each room. Regard should be had to the age and character of the HMO, the size and layout of each room and its existing provision for WHBs toilets and bathrooms.</p> <p>A wash hand basin must be provided with every WC</p>	
Heating	Adequate and suitable heating to be provided.	
Ventilation	Adequate and suitable ventilation to be provided	

KITCHEN FACILITIES STANDARDS

FACILITY	CATEGORY A	CATEGORY B
Cooker	1 per 3 occupiers/small households	1 for up to 5 occupiers. The addition of a microwave oven will allow the facilities to be used by up to 7 persons. If there are more than 7 occupants, 2 cookers must be provided, for use by up to 10 occupants.
Sink	1 per 3 occupiers/small households.	1 for up to 5 occupiers.
Adequate no. of suitably located electrical power points (adjacent to worktop)	4 single sockets or 2 double sockets are required for every 3 occupiers/small households. Additional sockets are needed for a cooker or refrigerator.	4 single sockets or 2 double sockets per 5 occupiers. Additional sockets are needed for a cooker or refrigerator.
Worktops	2m x 0.5m per 3 occupiers/small households.	2m x 0.5m per 5 occupiers.
Dry food storage	Double wall unit or single base unit (0.16m ³) for each occupier/small household. Storage in communal areas to be lockable.	Single wall unit per occupier (0.08m ³)
Refrigerated storage	Standard sized fridge (0.15m ³) with adequate freezer compartment per occupier/small household. If no freezer compartment in the fridge, separate freezers should be provided. Storage in communal areas to be lockable.	Standard sized fridge (0.15m ³) per 5 occupiers. Separate standard sized freezer should be provided per 5 occupiers.
Extractor fan	To be provided	To be provided
Fire blanket	To be supplied and wall mounted, but not to be sited immediately adjacent to or over a cooker	To be supplied and wall mounted, but not to be sited immediately adjacent to or over a cooker
Storage space for crockery & kitchen utensils	Adequate cupboard and/or drawer space	Adequate cupboard and/or drawer space

SPACE STANDARDS

ROOM(S)	CATEGORY A	CATEGORY B
One room unit for one person	13 m ² including kitchen facilities for exclusive use. 10 m ² where separate shared kitchen	Not applicable
One room unit for a co-habiting couple	16.5 m ² including kitchen facilities for exclusive use. 14m ² where separate shared kitchen	Not applicable
Two or more roomed unit for one person	Kitchen – 4.5m ² Living / kitchen – 11m ² Living room – 9m ² Bedroom – 6.5m ² Bed/living room – 10m ²	Not applicable
Two or more roomed unit for two persons living as a single household	Kitchen – 7 m ² Living / kitchen – 15 m ² Living room – 12m ² Bedroom – 10m ² Bed/living room – 14m ²	Not applicable
Shared kitchens	7m ² for up to 5 occupants. 10m ² for 6 – 10 occupants.	7m ² for up to 5 occupants. 10m ² for 6 – 10 occupants.
Bedroom/study	Not applicable	10m ² except where a separate communal living room is provided in which case the bedroom may be 6.5 m ²
	Continued on next page	Continued on next page
Dining/kitchen	Not usually applicable. Check with Private Housing if dining/kitchen present.	11.5 m ² for up to 5 occupants. 19.5m ² for 6 – 10 occupants.
Communal living room	Not usually applicable. Check with Private Housing if dining/kitchen present.	12 m ² for up to 5 occupants. 16.5 m ² for 6 – 10 occupants.

STANDARDS FOR HOSTELS

SHARED PERSONAL WASHING, WC AND KITCHEN FACILITIES

Bathroom	1 per 5 occupiers
WC	1 per 5 occupiers
Wash hand basin	In licensable HMOs 1 WHB to be provided within each letting where it is reasonably practicable. It will be the responsibility of the landlord to demonstrate that it is not reasonably practicable for WHB to be provided in each room. Regard should be had to the age and character of the HMO, the size and layout of each room, and its existing provision for WHBs toilets and bathrooms. A wash hand basin must be provided with every WC
Cooker	1 cooker for up to 3 lettings. 2 cookers for up to 10 lettings and one cooker per additional 5 lettings thereafter.
Sink	1 sink for up to 3 lettings. 2 sinks for up to 10 lettings and one sink per additional 5 lettings thereafter.

SPACE STANDARDS FOR HOSTELS

ROOM(S)	MINIMUM ROOM SIZE
1 person	6.5m ² if communal area provided. 9m ² if no communal area.
2 persons	10m ² if communal area provided. 13m ² if no communal area.
Kitchen facilities located within the letting	Add 3m ² to each of the room sizes given above
Shared kitchens (for use by occupants)	7m ² for up to 5 occupants. 10m ² for 6 – 10 occupants. If more than 10 occupants sharing, contact the Private Housing team for guidance.
Kitchen/dining rooms	11.5m ² for up to 5 persons. 19.5 m ² for 6-10 persons. If more than 10 occupants sharing, contact the Private Housing team for guidance.
Lounge/dining area	12m ² for up to 5 persons. 16.5m ² for 6-10 persons. Dining space to be in close proximity to kitchen. If more than 10 occupants sharing, contact the Private Housing team for guidance.

SOUTHAMPTON CITY COUNCIL - FIRE PRECAUTIONS

National Fire Safety Guidance

A national document giving guidance on fire safety precautions has been available since July 2008. This document has been published by LACORS (Local Authorities Coordinators of Regulatory Services). Southampton City Council and Hampshire Fire and Rescue Service have adopted the principles set out in this document and will apply them when considering fire precautions in HMOs.

The Fire Safety – Housing guidance now considers the fire precautions required on a risk assessment basis. This means that you as the landlord, are responsible for producing a fire risk assessment for each property individually. The guidance document explains how to carry out a fire risk assessment and is available to be downloaded for free on www.lacors.gov.uk (choose publications then “Houses in Multiple Occupation” then “New guidance on fire safety in residential accommodation”). Alternatively it can be downloaded from the Private Housing pages on www.southampton.gov.uk/living/housing.

Alternatively hard copies can be obtained from LACORS on 0207 665 3888, at a cost of £20.00.

The document also gives examples of what fire precautions are considered to be appropriate in certain properties which are considered to be normal risk. These can then be used to establish what fire precautions may be necessary in your own property. However a fire risk assessment still needs to be carried out in order to determine the actual level of protection needed in each individual HMO.

LANDLORD GUIDE TO FIRE RISK ASSESSMENT IN HMOs

The Regulatory Reform (Fire Safety) Order 2005 (RRO) came into force on 1st October 2006. It is enforced by the Fire and Rescue Service. It consolidates much of their previous fire safety legislation into one document, but also provides some new duties and responsibilities for various parties, including landlords. This includes a duty to carry out a fire risk assessment in HMOs.

It is optional to provide a fire risk assessment for your licensable properties. However, you have a duty to carry out a fire risk assessment for all HMOs that you own. It is an offence not to comply with the Regulatory Reform (Fire Safety) Order 2005 and the Fire and Rescue Service may take action against you for non-compliance.

The notes below explain your duties and responsibilities, how to carry out your assessment and the type of information you need to provide.

You can obtain a risk assessment template from the Hampshire Fire & Rescue website at the following address:

<http://www.hantsfire.gov.uk/forbusiness/firesafetyregs/fsriskassessment/selfassessment.htm>

Contacts and further information

If you wish to obtain the full guidance document, "Fire Safety Risk Assessment. Sleeping Accommodation", it can be found on the CLG website at

<http://www.communities.gov.uk/publications/fire/firesafetyrisk4>

The Fire and Rescue Service are the enforcing authority for this legislation, so please contact them for advice and assistance in completing your fire risk assessment:

Hampshire Fire & Rescue Service, Service Delivery (Community Safety Delivery)
Protection Department, Southsea Fire Station, Somers Road, Southsea, Hampshire
PO5 4LU. Tel: 023 9285 5180 Fax: 023 9285 5175

You can also get further details on risk assessment from the LACORS guidance document referred to on page 24.