

# **Calderdale Council**

## **Standards for**

# **Houses in Multiple Occupation**

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## **1. Introduction**

The Housing Act 2004 gives Calderdale Council powers to deal with poor living conditions in Houses in Multiple Occupation (HMOs) and enforce prescribed standards of management to ensure the health, safety and welfare of residents. This document sets out the minimum standards adopted by Calderdale Council.

### **1.1 Definition of a House in Multiple Occupation**

The Housing Act 2004 sections 254-8 provide the full definition of an HMO, but in essence a property occupied by three or more unrelated persons, forming two or more households and sharing standard amenities, constitutes a HMO. Additionally, some buildings which have been converted into self-contained flats, which do not comply with current Building Regulations, are also deemed to be HMOs<sup>1</sup>. These are referred to as section 257 HMOs.

### **1.2 Interaction with the Housing Health and Safety Rating System (HHSRS)**

The Housing Health and Safety Rating System is a risk-based approach to assess whether a dwelling contains hazards that could impact on the health, safety and welfare of persons occupying that dwelling, or visitors to the dwelling. There are 29 potential hazards identified for dwellings. An assessment under the HHSRS will determine if any hazards are present and for each hazard identified whether the hazard is a category one or a category two hazard. Hazards assessed as category one are the most serious and will have a severe impact on the health, safety and welfare of occupiers.

All HMOs should be free of any hazards that are assessed to be category one hazards. The Council has a statutory responsibility to take enforcement action where it identifies any category one hazards.

The Ministry for Housing, Communities and Local Government have produced a guidance document about the HHSRS for landlords and other property related professionals, which contains detailed information on the prescribed hazards, as well as how the system is used to identify, assess and enforce in respect of hazards.

This guidance document can be downloaded from their website here: [www.communities.gov.uk/documents/housing/pdf/150940.pdf](http://www.communities.gov.uk/documents/housing/pdf/150940.pdf)

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<sup>1</sup> Section 257: A building converted into flats that meets the HMO definition is one that wasn't converted in accordance with the 1991 Building Regulations (or later) and still doesn't meet those standards and where a third or more of the flats are rented out on short term tenancies.

### **1.3 Interaction with the HMO Management Regulations**

Regulations for the management of HMOs have been set by Government: - The Management of Houses in Multiple Occupation (England) Regulations 2006. These Regulations place a duty on a person managing a HMO to maintain the building and the facilities within the HMO e.g. bathrooms, kitchens, access routes in and out of the property.

Failure to comply with the Management Regulations is a direct offence i.e. if an HMO is inspected, and contraventions of the Regulations are found, the Council could instigate an immediate criminal prosecution. As an alternative to prosecution the Council can impose a civil penalty of up to £30,000 per breach of the regulations. Persons managing a HMO are therefore advised to make themselves familiar with the requirements of these Regulations.

A summary of the Management Regulations can be found at appendix one. A full copy is available via the following link:

<http://www.legislation.gov.uk/ukxi/2006/372/contents/made>

The management of section 257 HMOs is regulated under The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007, which are essentially the same as the 2006 Regulations. A summary of the Management Regulations can be found at appendix two. <http://www.legislation.gov.uk/ukxi/2007/1903/made>

### **1.4 Energy Performance Certificates**

Where all accommodation in an HMO is let to a group of tenants under a single tenancy agreement and Energy Performance Certificate must be made available to prospective tenants.

Please note that properties with an EPC rating of F and G cannot be rented to new tenants and landlords will not be able to rent out the property at all from April 2020.

### **1.5 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended)**

These Regulations make it a requirement to only rent properties that have an Energy Performance Certificate (EPC) rating of 'E' or above. Exemptions apply and a landlord must register an exemption.

Guidance - <https://www.gov.uk/government/publications/private-rented-sector-minimum-energyefficiency-standard-exemptions>

Register - <https://prsregister.beis.gov.uk/NdsBeisUi/used-service-before>

### **1.6 The Smoke and Carbon Monoxide Alarm (England) Regulations 2015**

These Regulations require landlords in the private rented sector in England to ensure that a smoke alarm is installed on every storey of their rented dwelling when occupied under a tenancy, and that a carbon monoxide alarm is installed in any room which contains a solid fuel burning combustion appliance.

They also require landlords to ensure that such alarms are in proper working order at the start of a new tenancy.

There will also be an on-going requirement to maintain the alarms provided under these Regulations to ensure compliance with the HMO Management Regulations.

### **1.7 Licensing of Specified Houses in Multiple Occupation**

The Housing Act 2004 (section 55) places a duty on Council's to license HMOs that meet a prescribed definition. This is commonly referred to as mandatory HMO licensing. The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 sets out this definition as being:

An HMO that:

- (a) is occupied by five or more persons
- (b) is occupied by persons living in two or more separate households, and
- (c) meets:
  - the standard test under section 254(2) of the Act
  - the self-contained flat test under section 254(3) of the Act but is not a purpose-built flat situated in a block comprising three or more self-contained flats, or
  - the converted building test under section 254(4) of the Act. In the main this will mean any HMO, occupied by five or more persons living in two or more households, where there is sharing of all or some amenity (e.g. a bathroom).

If you own or manage an HMO that meets the above criteria, you must ensure that a licence application is submitted to the Environmental Health Housing Team at Calderdale Council. Contact details can be found at the end of this document.

### **1.8 Planning Permission and Building Regulation Approval**

Planning and/or Building Regulation approval may be required where works are being undertaken to create an HMO or carry out alterations within an existing HMO. Compliance with these standards is not a substitute for securing any required planning permissions or building regulation approval.

Contact details for the Council's Planning and Building Control teams are provided at section 4 of this document and property owners must make their own enquiries to ensure compliance with Planning and Building Regulation requirements.

## **2. The Amenity Standards**

### **2.1 Space for Living**

Standards specified in this section are for HMOs that are commonly known as bedsits and shared houses, including bed and breakfast for temporary accommodation. Standards for section 257 HMOs are detailed in a separate section.

It is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area. Any floor area where the ceiling height is below 1.5m will be discounted when calculating the floor area in any room.

The following will also be discounted when calculating the floor area:

- Bathrooms, shower cubicles, toilet compartments
- Corridors
- Chimney Breasts
- Other significant obstructions that reduce the floor area

For the avoidance of doubt any room in the HMO with a floor area of less than 4.64 square metres cannot be used as sleeping accommodation.

A reference to a number of persons using a room in an HMO as sleeping accommodation does not include a person doing so as a visitor of an occupier of the HMO.

For the purposes of these standards a room is used as sleeping accommodation if it is normally used as a bedroom, whether or not it is also used for other purposes.

### **2.2 Children**

When reading these standards in relation to minimum room sizes for children the following criteria shall always apply:

- No bedroom can be let to a child under the age of 18 without a parent/legal guardian also occupying a bedroom in the HMO.
- A child's bedroom will be lockable (thumb turn lock) with two keys provided to the parent/legal guardian.
- A bed shall be provided for exclusive use by the child.
- Where a child is under the age of ten, the minimum bedroom size is 4.64 m<sup>2</sup> (higher standards will apply in different circumstances, see below).
- Where a bedroom is provided for a child under the age of ten, the bedroom shall be adjacent too or directly across from the bedroom occupied by the parent/legal guardian of that child.

- Where a bedroom is provided for a child under the age of ten, the bedroom shall not contain any kitchen facilities or bathroom facilities.
- Where a bedroom is provided for a child under the age of ten the bedroom shall be fitted with a form of wireless door sensor, which sounds when the door is opened. The receiving unit for the wireless door sounder shall be provided to the parent/legal guardian. Page 8 of 22
- Where there is a garden or other outside space associated with the dwelling it shall be maintained, it shall be free of harbourage for rodents, free of refuse and detritus and articles that could cause harm (physically, chemically or biologically), e.g. items with cutting edges, gas cylinders, pesticides, etc. Where items of this nature are stored in the garden they should be stored in locked container, inaccessible to children. The garden should be safely & easily accessible to the children.
- Balconies must have guarding to a height of at least 1100mm. Guarding should be designed to discourage children from climbing on it and should be strong enough to support the weight of people leaning against it. There shall be no gaps greater than 100mm in width.
- Windowsills (to windows on the first floor upwards or on the ground floor where there is a basement well) less than 1100mm shall be fitted with window restrictors. It shall be possible to override the window restrictors for escape purposes.

### **2.3 Rooms where there are kitchen facilities in a separate room, whether this is a shared kitchen or for exclusive use**

The room sizes in the following table are linked with the provision of adequate dining space associated with the kitchen facilities. If the kitchen does not contain adequate dining space, then the room sizes in the table below will be the required minimum.

Minimum room sizes, where kitchen facilities are in a separate room		
Type of Bedroom	Nature of Occupation	Minimum Floor Space
Single Room	One person (over the age of 10)	9m <sup>2</sup>
Single Room	Child under the age of 10	6.51m <sup>2</sup>
Double Room	2 people co-habiting as a couple	12m <sup>2</sup>
Double Room	2 children under the age of 10	10.22m <sup>2</sup>

Twin Room	2 individuals	If you intend to let a room to 2 individuals who are not living together as a co-habiting couple, please contact Residential Services for further advice
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The occupation of rooms by more than two people is not considered acceptable.

It is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area. Any floor area where the ceiling height is below 1.5m will be discounted when calculating the floor area in any room.

Refer to section 2.2 for standards that apply in relation to children in HMOs.

#### **2.4 Rooms containing their own kitchen facilities within the letting room**

Rooms containing their own kitchen facilities are not considered suitable for occupation by more than one person or more than two persons co-habiting as a couple.

Minimum room sizes, where kitchen facilities are within the letting room		
Type of Bedroom	Nature of Occupation	Minimum Floor Space
Single Room	One person	11m <sup>2</sup>
Double Room	2 people co-habiting as a couple	15m <sup>2</sup>

The occupation of rooms by more than one person is not considered acceptable except for a cohabiting couple.

Rooms containing their own kitchen facilities are not considered suitable for occupation by children (0 – 17 years).

It is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area. Any floor area where the ceiling height is below 1.5m will be discounted when calculating the floor area in any room.

Refer to section 2.2 for standards that apply in relation to children in HMOs

## 2.5 Rooms where there are separate kitchen facilities and a lounge/dining room.

These standards will only be applied in properties where there is evidence that the occupiers are living more like a single household and are comfortable using shared communal space.

Examples of this type of occupation are shared houses where the occupiers came together as a group or have a common shared interest i.e. students or employees from the same college or employer.

Typically, they would cook and eat meals together and would choose to spend time together in a living area or lounge. In addition to minimum room sizes for sleeping purposes, there are minimum room sizes for the lounge/living areas.

Minimum room sizes, where there is a separate kitchen facility and a lounge/dining room		
Type of Bedroom	Nature of Occupation	Minimum Floor Space
Single Room	One person (over the age of 10)	6.51m <sup>2</sup>
Single Room	Child under the age of 10	4.64m <sup>2</sup>
Double Room	2 people co-habiting as a couple	10.22m <sup>2</sup>
Double Room	2 children under the age of 10	6.31m <sup>2</sup>
Twin Room	2 individuals	If you intend to let a room to 2 individuals who are not living together as a co-habiting couple, please contact Residential Services for further advice.
Lounge/Living Area	1-3 people	8.5m <sup>2</sup>
	4-6 people	11m <sup>2</sup> (plus 1 square metre for each additional person sharing the lounge/living room.

The occupation of rooms by more than two people is not considered acceptable.

It is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area. Any floor area where the ceiling height is below 1.5m will be discounted when calculating the floor area in any room.

It would be expected that any lounge/living area will be suitably furnished with adequate, comfortable seating to accommodate all residents in the HMO at any one time.

Refer to section 2.2 for standards that apply in relation to children in HMOs.

## 2.6 Hostel Type Accommodation

Where the type of HMO accommodation to be offered is of a Hostel, Guest House or Bed & Breakfast accommodation type, the following space standards will apply.

Note that in addition to room unit sizes there is also a standard requirement in this type of HMO to supply a common room of a certain size.

The minimum floor area for each bedroom unit shall be as follows:

Minimum room sizes, for hostel type accommodation	
Nature of Occupation	Minimum Floor Space
One person (over the age of 10)	8.5m <sup>2</sup>
Child under the age of 10	4.64m <sup>2</sup>
Two persons (over the age of 10)	11m <sup>2</sup>
Two persons under the age of 10	6.31m <sup>2</sup>
Three persons (over the age of 10)	15m <sup>2</sup>
Three persons under the age of 10	11m <sup>2</sup>
Four persons (over the age of 10)	19.5m <sup>2</sup>
Four persons under the age of 10	15m <sup>2</sup>

It is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area. Any floor area where the ceiling height is below 1.5m will be discounted when calculating the floor area in any room.

For each additional person, there should be an additional 4.64m<sup>2</sup> of floor area. In no case shall a room be occupied by more than five persons being of the same family and rooms shall not be shared unless the individuals concerned consent to share the room.

In any event, no persons over the age of 10 years and of opposite sexes shall be required to sleep in the same room unless they are co-habitees.

In this type of HMO, a common room is to be provided. The area, or aggregate areas if more than one room is to be provided shall be calculated based on 1m<sup>2</sup> of floor area per person. This shall include at least the provision of one area of 15m<sup>2</sup>.

Refer to section 2.2 for standards that apply in relation to children in HMOs.

## 2.7 Kitchen Facilities

These requirements also apply to the use of 'pod' facilities, where the facilities come in a prefabricated unit containing the facilities, which is then fitted and plumbed either in a bedroom or separately.

For all accommodation where kitchen facilities are not within the letting room.

Where exclusive kitchen facilities cannot be provided, one set of kitchen facilities shall be provided for every 5 occupants.

No kitchen facilities are permitted in hallways and landings and in the means of escape from fire.

Where appliances provided are likely to cause noise and/or vibration they are to be located in positions to minimise noise nuisance to neighbouring or adjoining property (vertically and horizontally) and to minimise noise/vibration transmission to sleeping accommodation within the HMO. All appliances must be fitted and adjusted in position to avoid vibration and consideration given to the use of sound proofing and/or anti-vibration materials.

The following are the minimum room sizes for kitchens whether a shared kitchen or a kitchen for exclusive use.

Minimum floor area for kitchens	
Number of Occupants per Kitchen	Minimum Floor Space
One person	5.5m <sup>2</sup>
2 people	6.5m <sup>2</sup>
3 people	7.5m <sup>2</sup>
4 people	8.5m <sup>2</sup>
5 people	9.5m <sup>2</sup>
6 people	10.5m <sup>2</sup>
7 people	11.5m <sup>2</sup>
8-10 people	14.5 m <sup>2</sup>

It is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area. Any floor area where the ceiling height is below 1.5m will be discounted when calculating the floor area in any room.

The kitchen size and layout must enable the practical, safe & hygienic use of the kitchen for storage, preparation and cooking of food.

The wall, floor and ceiling surfaces shall be smooth, impervious and capable of being easily cleaned.

A set of kitchen facilities for up to 5 people shall include:

Minimum Levels for Kitchen Facilities		
Kitchen facilities	Standard	Minimum requirement
Cooker	1 cooker for every 5 people. Where the property is occupied by up to 7 persons a combination microwave may be considered acceptable in lieu of a full-size cooker.	Minimum of 4 burners, oven and grill. A microwave is not a suitable alternative to an oven.  A minimum area of 500mm x 600mm worktop must be provided adjacent to the cooker.
Sink and drainer on a base unit	Provided with a constant supply of hot and cold water and properly connected to the drainage system.  The cold-water supply shall be direct from the mains supply.  Where the property is occupied by up to 7 persons a double sink and drainer may be considered acceptable in lieu of two separate sinks.	1000mm x 600mm.
Fixed worktop	Made of an impervious material.	2000mm x 600mm (shared kitchen) 1000mm x 600mm (single use kitchen).
Storage cupboards	One cupboard for each tenant, the cupboard below the sink cannot be used for food storage.  The cupboard can be in the bedsit where there is sufficient space.	One standard 500mm wide wall cupboard per person.

Minimum Levels for Kitchen Facilities		
Kitchen facilities	Standard	Minimum requirement
	Separate storage space shall be provided for shared cooking equipment such as pans.	One standard 1000mm wide base unit (The cupboard space below the sink is not suitable for storing cooking equipment).
A refrigerator	1 refrigerator for every 5 people.	245 litres for 5 people. If refrigerators are provided in individual lettings a smaller refrigerator in the kitchen could be accepted. This must be discussed with the case officer.
A freezer	1 freezer for every 5 people.	85 litres for up to 5 people.
A washing machine	A washing machine with an adequate exclusive power source, water supply and drainage properly plumbed in.	Where there are more than 10 people occupying an HMO, there must be at least 2 washing machines.
A clothes dryer	A clothes dryer with an appropriate power socket and venting to the outside provided.  If it is not possible to vent to the external atmosphere, then a condensing dryer is to be used.	Where there are more than 10 people occupying an HMO, there must be at least 2 clothes dryers.
Electrical power sockets	4 double 13 amp sockets provided within the food preparation area, at least 2 shall be above worktop level.  1 extra socket to be provided for each major appliance (fridge, freezer, washing machine). The	The sockets should be spaced as evenly as possible around the kitchen and suitable for use with electrical appliances on the kitchen worktop e.g. toasters.

Minimum Levels for Kitchen Facilities		
Kitchen facilities	Standard	Minimum requirement
	cooker to be connected to a separate cooker spur.	
Ventilation	Suitable natural and/or artificial ventilation to prevent the build-up of steam.	Mechanical extract fan with an extraction rate of 15 litres/sec (min 3 air changes per hour).
Lighting	Suitable natural and/or artificial lighting.	Sufficient to enable the safe preparation and cooking of food.

It is preferable for a kitchen to contain only one set of facilities. However, if a kitchen is large enough, 2 sets of facilities may be installed in the same kitchen for up to a maximum of 10 users. A kitchen for 10 users shall be a minimum of 14.5 square metres in area.

The kitchen should preferably be not more than one floor from any letting room that it serves but cannot be more than 2 floors from any letting room.

The following table details the minimum provision where the kitchen facilities are provided within the letting room. For the avoidance of doubt, this includes the use of 'pod' facilities, where the facilities come in a prefabricated unit containing the facilities, which is then fitted and plumbed in the letting room.

Minimum Levels for Kitchen Facilities within Letting Rooms	
Kitchen facilities	Minimum Provision
Sink and drainer on a base unit	Suitably sized sink with drainer provided with a constant supply of hot and cold water.
Cooker	2 burners, oven and a grill. A microwave is not a suitable alternative to a cooker.
Worktops	Securely fixed worktop of minimum size 600mm x 600mm. located adjacent to the cooker. If the cooker is of a type placed on a worktop an additional worktop must be provided exclusively for the cooker.
Storage cupboard for dry goods	Minimum capacity 0.15m <sup>3</sup> . The base unit below the sink is not suitable for the storage of dry goods.

Refrigerator	Minimum capacity 140 litres.
Electrical sockets	Two double sockets appropriately sited with the worktop(s), and 1 extra socket to be provided for each major appliance (fridge, freezer, washing machine).
Lighting and ventilation	Suitable and sufficient natural and/or artificial lighting to enable the safe preparation of food. Suitable and sufficient natural and/or artificial ventilation to rapidly remove the build-up of steam mechanical extract fan with an extraction rate of 15 litres/sec (min 3 air changes per hour).

## 2.8 Clothes Drying Facilities

Consideration should also be given to the provision of clothes drying facilities externally e.g. a rotary line or a suitably located and ventilated tumble dryer, etc.

Where appliances provided are likely to cause noise and/or vibration they are to be located in positions to minimise noise nuisance to neighbouring or adjoining property (vertically and horizontally) and to minimise noise/vibration transmission to sleeping accommodation within the HMO. All appliances must be fitted and adjusted in position to avoid vibration and consideration given to the use of sound proofing and/or anti-vibration materials.

## 2.9 Bathrooms and WC

The following applies to all bathroom/shower and WC facilities whether shared or for exclusive use and includes en-suite facilities. This includes the use of 'pod' facilities, where the facilities come in a prefabricated unit containing the facilities, which is then fitted and plumbed either in a bedroom or separately:

- Each bath or shower room must also contain a wash hand basin.
- All rooms containing baths/showers, WCs and wash hand basins must be of adequate size and include space for drying and dressing and somewhere appropriate to hang towels and clothes.
- All rooms containing baths/showers, WCs and wash hand basins must be adequately lit, ventilated and heated.
- All baths and wash hand basins to have a tiled (or similar impervious material) splash back of minimum height 300mm. All shower cubicles to be fully tiled (or similar impervious material) or be a complete self-standing cubicle.
- The minimum acceptable size for a bath is 1700mm x 700mm.

- The minimum acceptable cubicle floor area for a shower is 0.64m<sup>2</sup>. In calculating this, the minimum measurement of any cubicle side is 700mm.
- Every bath, shower and wash hand basin must be provided with an adequate and continuous supply of hot and cold water and be connected to the drainage system in compliance with current Building Regulations.

Where exclusive bathroom/shower room and toilet facilities cannot be provided, bath or shower rooms, and toilets with a wash hand basin shall be provided as follows:

Minimum Levels for Bathroom/WCs		
Number of Occupants per Bathroom	Minimum Requirements	Standard
1-4 persons	One bathroom or shower room, and one toilet with a wash hand basin	The WC may be located within the bath/shower room
5 persons	One bathroom or shower room, and one toilet with a wash hand basin	The WC and wash hand basin shall be provided in a room separate to the bath/shower room
6 – 10 persons	Two bathrooms or shower rooms, and two toilets with a wash hand basin	One of the required WC and wash hand basins shall be provided in a room separate to the bath/shower room
11-15 persons	Three bathrooms or shower rooms, and three toilets with a wash hand basin	Two of the required WC and wash hand basins shall be provided in rooms separate to the bath/shower rooms

Where appliances provided are likely to cause noise and/or vibration they are to be located in positions to minimise noise nuisance to neighbouring or adjoining property (vertically and horizontally) and to minimise noise/vibration transmission to sleeping accommodation within the HMO. All appliances must be fitted and adjusted in position to avoid vibration and consideration given to the use of sound proofing and/or anti-vibration materials.

## 2.10 Buildings converted into flats (Section 257 HMOs)

Section 257 of the Housing Act 2004 defines the circumstance where a building converted into flats is a HMO. This is a building wasn't converted in accordance with the 1991 Building Regulations (or later) and which still does not meet those standards and where a third or more of the flats are rented out on short term tenancies.

The standards detailed below are for units occupied by a single household. Where the units are occupied by two, who are not cohabiting as a couple, or more unrelated persons the standards detailed at sections 2.1 – 2.9 will apply.

The table below details the minimum required standards for a section 257 HMO:

Minimum Room Sizes for Section 257 HMOs	
Type of Room	Minimum Floor Space
Studio – one person	11m <sup>2</sup>
Studio two persons cohabiting as a couple	15m <sup>2</sup>
Separate kitchen – single occupancy	5.5m <sup>2</sup>
Separate kitchen – two or more occupiers	6.5m <sup>2</sup>
Bathroom	Must meet the requirement of section 2.9
Separate bedroom – single occupancy	6.51m <sup>2</sup>
Separate bedroom – couple	10m <sup>2</sup>
Additional bedrooms single person	6.5m <sup>2</sup>
Additional bedrooms couple	10m <sup>2</sup>

All kitchens must meet the standards detailed at 2.7 section above.

All bathrooms must meet the standards detailed at section 2.9 above.

The management of section 257 HMOs is regulated under The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007.

[http://www.legislation.gov.uk/ukxi/2007/1903/pdfs/ukxi\\_20071903\\_en.pdf](http://www.legislation.gov.uk/ukxi/2007/1903/pdfs/ukxi_20071903_en.pdf)

### **3. All HMOs – Further Requirements.**

#### **3.1 Heating**

All units of accommodation must be equipped with adequate means of space heating. 'Adequate' will mean that heating must be available, if required, to all tenants at all times and be capable of heating habitable rooms to 21°C when the outside temperature is -1°C and all other rooms to 18°C when the outside temperature is -1°C. Although provision for space heating may be centrally controlled such systems should be operated to ensure that occupants are not exposed to cold indoor temperatures and the amount of heating in each unit must be under the control of the occupying tenant.

The method of heating must be safe and should be efficient and affordable. A current gas safety certificate must be available where gas appliances are provided. Where heating is provided by a gas or electric central heating system, the gas or electricity supply must be via a quarterly credit meter and not a key or card meter (except where a system is exclusive to a self-contained flat).

#### **3.2 Refuse Storage and Disposal**

Appropriate refuse storage facilities should be provided within dwellings with suitable access to disposal facilities. Refuse containers to be located away from habitable rooms. Where dwellings do not have a yard or garden to store refuse bins, suitable bins should be provided to permit storage without causing odours or attracting vermin or pests.

The management of a House in Multiple Occupation is a commercial activity and as such a Manager may have to consider increasing the facilities provided by the Local Authority to prevent refuse accumulations and to meet recycling requirements.

#### **3.3 Lighting and Ventilation**

##### **Natural Lighting and Ventilation**

All habitable rooms, including shared communal rooms such as living rooms, dining rooms and kitchens shall have an adequate level of natural light and ventilation provided by means of an openable clear glazed window to enable normal domestic activities to be carried out safely and conveniently during daytime lighting conditions.

Where practicable bathroom and toilet compartments shall also comply with this standard. Glazing to windows and doors in bathrooms and toilet compartments shall be obscured to protect privacy.

### **Artificial Lighting**

All habitable rooms, kitchens, bathrooms, toilet compartments, staircases, landings and passages shall be provided with adequate electrical lighting, and all wiring and fittings shall be maintained in a safe and usable condition.

All habitable rooms, kitchens, bathrooms, and toilet compartments shall have at least one ceiling or suitably located wall lighting outlet with the capacity to allow normal domestic activity to be undertaken without strain after dark. Light switches shall be fixed and conveniently located near the entrances to rooms and circulation spaces.

Bathrooms shall have ceiling pull switches or a wall switch outside the room.

On common staircases, landings and passages, lighting shall be controlled from each landing. If time switches are used, the light shall remain illuminated for a reasonable time to allow for people to easily traverse the distance between the switches, whilst walking slowly. The controls shall be such that a person may illuminate the whole route as it is travelled, in stages or otherwise.

### **3.4 Cleaning of Shared Rooms and Spaces**

It is the manager's responsibility to ensure that all shared rooms and spaces e.g. communal lounges, kitchens, bathrooms and corridors are regularly cleaned. To include:

- A regularity of cleaning sufficient to the needs of the HMO and the people it accommodates.
- Cleaning is to include (but not limited to), floors and their coverings, windows, surfaces, doors, etc.
- Standards of cleaning in kitchens are to be of a hygienic level that minimises cross contamination, the transmission of food borne illness and the attraction of pests (rodents and insects).
- The cleaning schedules are to include the regular cleaning of shared refrigerators, freezers, ovens, hobs, microwaves, other kitchen appliances supplied and washing/drying facilities.
- Standards of cleaning in bathrooms, shower rooms and WCs to be of a level that maximises personal hygiene for the occupants of the HMO.

This is to include (but not limited to) the regular cleaning of sanitaryware and its drainage to prevent accumulations and to maintain the proper flow of grey water and sewerage.

### 3.5 Fire Safety

The following fire safety advice is in accordance with the recommended standards detailed by LACORS in their publication "Housing – Fire Safety, Guidance on fire safety provisions for certain existing types of housing"<sup>2</sup> with regard to fire safety risk assessment in sleeping accommodation. Responsible persons who operate licensed HMOs are required to record their fire safety arrangements and the responsible person must allow the Fire Authority to see those arrangements.

An automatic fire detection and alarm system shall be provided to ensure early warning in the event of a fire. The actual works required in any particular case will depend on the layout of the property and are decided upon by the Council after undertaking risk analysis and following consultation with the Fire Authority. In most cases a fire detection and alarm system that complies with BS5839 Part 6: 2019 is required. In most cases kitchens and sleeping or living rooms will require an appropriate heat or smoke detector. A current inspection certificate from a competent person will be required.

An emergency lighting system shall be provided in most cases with luminaires provided in such numbers and locations to adequately illuminate the staircase enclosure in the event of failure of the main lighting. In most cases an emergency lighting system meeting BS 5266-1 will be required. A current inspection certificate from a competent person will be required.

Electricity supplies to automatic fire detection and alarm systems and emergency lighting shall be from a landlord's supply. A current inspection certificate from a competent person will be required with respect to the fixed electrical installation and portable appliances supplied by the landlord.

Generally, all rooms opening on to an escape route should be provided with a 30(s) minute fire door. This will include fitting cold smoke seals, intumescent strips to the frame or door, providing 3x N° 100mm steel hinges, overhead door closers and locks which are openable from the inside without the use of a key.

Suitable fire fighting equipment must be provided, adequate and appropriate to the risk. Normally, kitchens and lettings with kitchen areas shall be provided with a properly mounted fire blanket.

In larger HMOs or any HMO where there is a regular turnover of residents, signs are required to provide clear, unambiguous information to enable persons to safely leave the building in an emergency. Escape signs must comply with the provisions of the Health and Safety (Safety Signs and Signals) Regulations 1996 and, generally, be positioned that a person escaping will always have the next escape sign in sight.

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<sup>2</sup> [http://www.cieh.org/policy/fire\\_safety\\_existing\\_housing.html](http://www.cieh.org/policy/fire_safety_existing_housing.html)

Where the HMO is required to be licenced the licence holder, or the appointed manager will be the 'responsible person' with respect to the Regulatory Reform (Fire Safety) Order 2005 and BS 5839-1 and must appoint a 'competent person' or persons with enough training and experience or knowledge and other qualities to enable them properly to assist in undertaking the preventative and protective measures.

Further detailed advice can be found at:

<http://www.legislation.gov.uk/ukxi/2005/1541/contents/made>

### **3.6 Contact Details for the Landlord**

Display in a prominent place in the HMO the contact details including name, address and telephone number for the landlord. The telephone number must be one that residents can use to contact the landlord out of hours in the case of an emergency.

If a landlord is regularly out of the country or away for long periods of time, a local manager should be appointed who can act on behalf of the landlord, contact details for this person should also be displayed.

## **4. Contact details for Environmental Health**

### **4.1 Housing Investigation Team**

Calderdale Council  
c/o Community Protection Team  
Environmental Health  
Halifax Town Hall  
Crossley Street, Halifax  
West Yorkshire  
HX1 1UJ  
01422 288001  
E-mail: [community-safety@calderdale.gov.uk](mailto:community-safety@calderdale.gov.uk)

### **4.2 Planning Services**

Calderdale Council  
c/o Halifax Town Hall  
Crossley Street, Halifax  
West Yorkshire  
HX1 1UJ  
01422 392237  
E-mail: [planning@calderdale.gov.uk](mailto:planning@calderdale.gov.uk)

### **4.3 Building Control**

Calderdale Building Control Services  
PO Box 51  
Halifax  
01422 392291  
Email: - [building.control@calderdale.gov.uk](mailto:building.control@calderdale.gov.uk)

### **4.4 Energy Efficiency Advice & Information**

Housing Energy Action Team  
01422 288001  
Email: - [heat@calderdale.gov.uk](mailto:heat@calderdale.gov.uk)

## **Appendix One - Summary - The Management of Houses in Multiple Occupation (England) Regulations 2006**

<http://www.legislation.gov.uk/uksi/2006/372/contents/made>

**Regulation 3** - Duty to inform the occupier of contact details including name, address and telephone number and to display this information in a prominent place in the HMO. If a landlord is regularly out of the country or away for long periods of time, a local manager should be appointed who can act on behalf of the landlord, contact details for this person should also be displayed.

**Regulation 4** - Duty of the manager to take safety measures in relation to providing and maintaining the means of escape from fire & fire fighting equipment and to reasonably protect the occupiers of the HMO from injury.

**Regulation 5** - Duty of the manager to maintain water supply & drainage. Water rates should be registered in the name of the landlord/manager who is responsible for paying the bills.

**Regulation 6** - Duty of the manager to supply & maintain gas & electricity, including the provision of the latest gas safety certificate to the local authority when requested and the uninterrupted supply of gas and electricity. Utility bills should be registered in the name of the landlord/manager who is responsible for paying the bills. Key meters are not acceptable.

**Regulation 7** - Duty of the manager to maintain common parts, fixtures, fittings and appliances including stairs, banisters, floor coverings, windows, lighting, shared appliances, yards, gardens and boundaries. Common parts must be kept free from obstruction, clean and in good order & repair.

**Regulation 8** - Duty of the manager to maintain living accommodation and any furniture, fittings and appliances provided by the landlord.

**Regulation 9** - Duty to provide waste disposal facilities suitable for the number of people occupying the HMO.

**Regulation 10** - Duties of occupiers to reasonably cooperate with, not to hinder or frustrate the manager in performance of his duties; to provide information reasonably requested by the manager for the purpose of carrying out his duties; take reasonable care to avoid causing damage; properly dispose of rubbish; and comply with reasonable instructions regarding the means of escape from fire, prevention of fire and the use of fire equipment.

## **Appendix Two - Summary - The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007**

**Regulation 3. Limitations of the Regulations** – only apply to areas of the HMO where it would be reasonable to expect the License Holder to exercise control. The manager's duty to maintain or keep in repair is to be reasonable taking account of the age, character and prospective life of the house and the locality in which it is situated.

In relation to the water supply or drainage or the supply of gas or electricity, there is no obligation on the manager of the HMO to take any action which is the responsibility of a local authority or any other person.

**Regulation 4.** Duty to inform the occupier of contact details including name, address and telephone number and to display this information in a prominent place in the HMO.

**Regulation 5.** Duty of the manager to take safety measures in relation to providing and maintaining the means of escape from fire & fire fighting equipment and to reasonably protect the occupiers of the HMO from injury, having regard to the design, structural conditions and the numbers of flats and occupiers in the HMO. Particular attention is drawn to the safety of the roof, balcony and windows.

**Regulation 6.** Duty of the manager to maintain water supply & drainage.

**Regulation 7.** Duty of the manager to supply & maintain gas & electricity, including the provision of the latest gas safety certificate and electrical certificate to the local authority when requested and the uninterrupted supply of gas and electricity.

**Regulation 8.** Duty of the manager to maintain common parts, fixtures, fittings and appliances including stairs, lifts, banisters, floor coverings, windows, lighting, shared appliances, yards, gardens and boundaries. Common parts must be kept free from obstruction, clean and in good order & repair.

**Regulation 9.** Duty of the manager to maintain living accommodation and any furniture, fittings and appliances provided by the landlord.

**Regulation 10.** Duty to provide waste disposal facilities suitable for the number of people occupying the HMO.

**Regulation 11** - Duties of occupiers to reasonably cooperate with, not to hinder or frustrate the manager in performance of his duties; to provide information reasonably requested by the manager for the purpose of carrying out his duties; take reasonable care to avoid causing damage; properly dispose of rubbish; and comply with reasonable instructions regarding the means of escape from fire, prevention of fire and the use of fire equipment.