



# **Licensing of Houses in Multiple Occupation (HMO)**

## **A Landlord's Guide to Standards in HMOs**

**2024**



## Introduction

People that hold a licence to operate a HMO must comply with the Council's HMO Licensing Conditions. Some of these conditions are Mandatory and are imposed on all HMO Licences in the UK, in accordance with Housing Act 2004. Others are local conditions that will be imposed on HMOs in Rhondda Cynon Taf. A list of the conditions relevant in RCT is included in Appendix 1 at the end of this guide.

The purpose of the licensing conditions and the guidance outlined below is to assist licence holders in ensuring that all accommodation subject to licensing enjoys a satisfactory standard of management, provides a safe and healthy living environment for occupants and does not adversely impact on the locality and other residents.

## Management of the property by Fit and Proper Persons

It is a legal requirement that all managers and licence holders (or other persons as may be deemed appropriate by the Council) are “fit and proper persons” to be involved in the management of a HMO. The Council will also need to satisfy itself that the licence holder and manager have a sufficient level of competency to operate a HMO.

In making its decision, the Council must have regard to any relevant convictions or other evidence that shows these persons have committed any offence involving fraud, violence, dishonesty, sex crimes, unlawful discrimination (e.g. on grounds of race, colour or ethnic origins) or contravened any housing and tenant law [See *Housing Act 2004, Section 66 for further details*].

Should the Council have concerns in respect of proposed licence holders and managers of HMOs being fit and proper persons, they may require a Basic Criminal Record Check to be submitted with their application for a licence to operate a HMO. These may be obtained from ‘Disclosure Scotland’. For further information, please refer to the ‘Guidance for Disclosure Applicants’ enclosed with this pack. In addition, you can contact their telephone helpline on 0870 609 6006 or their website [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk). A fee may be payable for this service.

In addition to the information about relevant convictions, the Council will have regard to other factors such as an applicant's experience, training or membership of a recognised, relevant association. All information provided by applicants for a licence will be taken into account in deciding if someone is suitable to hold a licence. It will not necessarily be the case that a licence will be refused if a criminal record is declared.

The Council must also be satisfied that there are suitable management arrangements in place for the property and, in particular, that suitable and sufficient arrangements have been made to deal with any emergency that may arise at or in connection with the house. For example, has the licence holder told the tenants what to do if the boiler breaks down or if the fire alarm system

malfunctions? Licence holders that live a distance away from their licensed property but who do not employ a local manager, should pay particular attention to this requirement.

Finally, licence holders and managers need to be aware that it is the responsibility of all managers of HMOs to comply with the Management of Houses in Multiple Occupation (Wales) Regulations 2006 *and/ or the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007*.

The Regulations impose duties on a person managing a HMO in respect of:

- Providing information to occupiers
- Taking safety measures, including fire safety measures
- Maintaining the water supply and drainage
- Supplying and maintaining gas and electricity including having it regularly inspected
- Maintaining common parts, fixtures, fittings and appliances
- Maintaining living accommodation; and
- Providing waste disposal facilities

Failure to ensure proper and adequate management of a HMO is an offence liable to prosecution. On conviction, the Courts can impose fines of up to £20,000.

### **A Property in Good Repair and Free from Hazards**

In accordance with the requirements of Part 1 of the Housing Act 2004, any rented properties, including HMOs, should provide a safe and healthy environment for any occupier or visitor. To satisfy this principal, a dwelling should be designed, constructed and maintained with non-hazardous materials and should be free from both unnecessary and avoidable hazards. In particular it should be free from damp and mould, have an efficient means of heating and be energy efficient, have safe and sufficient electrical installations and be free of particular deficiencies that will cause an accident e.g. trip hazards or collision hazards.

*The 'Housing Health and Safety Rating System Landlord's Self-Assessment Form' enclosed in the HMO Application Pack provides information on the specific hazards within dwellings that will be assessed upon inspection of your HMO by the Council.*

All licensed HMOs must also be in a good state of repair. It is the licence holder and managers' responsibility to ensure that even minor disrepair does not interfere with the comfort of occupiers. The house must also be in reasonable repair externally and this includes reasonable decorative order. Structural timbers such as fascia boards and soffits, and window and door frames should be kept in good condition, be free from rot and where necessary be regularly painted or otherwise maintained.

Bedrooms and other communal rooms such as living rooms and kitchens in the property must be of adequate size and there is a requirement for a minimum provision of amenities such as toilets and baths, cookers and sinks.

The dwelling must also have sufficient natural lighting and ventilation in all bedrooms and living rooms. Kitchens and bathrooms may also require additional mechanical ventilation providing sufficient air changes for the floor area.

*Appendix 2 and 3 of this information pack provides specific advice on Space and Amenity Standards for HMOs.*

## Safe Means of Escape from Fire

Research has shown that HMOs are at an increased risk of fire so it is important that a safe means of escape and other fire precautions are provided.

A 'means of escape' is the provision of a protected route from the house, so the occupants can leave safely in the event of fire. The provision of a means of escape does not, in most cases, mean an external fire escape. Generally, the safe route out of a house is via the existing staircase, hallway and landing, which are protected with fire resisting materials. In some cases other structural elements of the property may also require upgrading such as the walls, ceilings, doors and floors between different occupancies.

Other fire precautions may also be required in HMOs and these usually include:

- Firefighting equipment (e.g. fire extinguishers and fire blankets)
- A smoke detection or automatic fire alarm system and evidence that this is regularly maintained
- Emergency lighting
- A safe electrical and gas installation
- Fully openable, escape windows, in certain circumstances.

*The Fire Safety guides enclosed with the HMO Application pack provide additional information on fire precautions in HMOs. This information has been prepared in conjunction with the Fire and Rescue Service and takes account of the guidance contained in the LACORS document Housing- Fire Safety.*

## Safe Furniture and Domestic Appliances

Consumer Safety Laws require that all furniture and household equipment provided in rented accommodation complies with the relevant safety legislation. These state that the equipment or furniture is fit for purpose and safe to use.

### Safe Furniture

In respect of soft furnishings, these should be made of fire retardant materials. The safety legislation covers all new and second hand upholstered furniture and furnishings, e.g. settees, beds, headboards. *The Guidance notes accompanying the HMO Application form provides further advice on furniture safety.*

### Safe Domestic Appliances

There is a duty on all landlords and managing agents to ensure that all electrical equipment, for example, televisions, washing machines, fridges, vacuum cleaners, toasters, microwaves etc. supplied as part of a letting is maintained in a safe condition.

In order to help demonstrate that landlords/agents have taken all reasonable steps to ensure compliance with regulations, all such appliances should have safety checks carried out regularly, and also following a change of tenancy.

These tests should be carried out by a competent person and a written record of the tests and date kept as evidence to demonstrate compliance with the requirements.

The Electrical Safety Council's Guidance recommends Portable Appliance Testing (PAT) to satisfy the obligation to ensure that any portable electrical appliances, which the landlord provides under the tenancy are safe at the point of letting, and at periodic intervals after that.

The Guidance recommends that when providing portable appliances for tenants, the landlord should check that every appliance has a CE mark. It also recommends that you should only provide appliances with additional safety marks e.g. the British Standard Guidance mark or the BEAB approved mark.

Tenants should be provided with instruction manuals and be told to read and follow them.

If you do not undertake PAT tests, the Guidance recommends that portable electrical appliances should be checked by the landlord before letting the property to ensure that there are no cuts/abrasions to the cable, the plug is satisfactory, there are no loose parts or screws, that there are no signs of burning and there is no damage. You are recommended to regularly check them after that.

There is detailed guidance regarding the frequency of carrying out PAT testing. PAT testing must only be carried out by a qualified person.

Examples of the recommended periods are as follows:

Fridges/Freezers/washing machines      PAT Test every 4 years minimum

Toasters, vacuum cleaners, kettles      PAT Test every 2 years minimum

Should the Licensing Authority, have concerns in respect of the safety of a portable appliance and the possible risk of injury to a tenant and or visitor, the Licensing Authority will require the landlord to carry out a Portable Appliance Test to be carried out by a qualified person in order to demonstrate that the appliance is safe to use.

## Responsibility for Community and Environmental Matters

One of the main purposes of HMO licensing is to ensure that HMOs and their occupants do not adversely impact on the locality by way of anti-social behaviour. Many of the conditions that the Council will place on licences are therefore aimed at ensuring licence holders manage their properties well. They will need to take all reasonable steps to minimise any nuisance caused by their tenants, by reason of their behaviour (e.g. excess noise from the property) or from environmental issues such as waste and bins left on the highway or rubbish accumulating in gardens.

In order to achieve these aims, licence holders will need to ensure their tenants are aware of the conditions imposed on the licence regarding anti-social behaviour and waste disposal. They need to tell tenants that noisy and nuisance behaviour at the house or in the street is not acceptable. They need to ensure tenants know what waste collection arrangements have been made for the house (e.g. what day of the week the Council collects the rubbish), where to place their rubbish and at what time.

Licence holders may wish to fulfil their obligations by introducing particular clauses on tenancy agreements. Alternatively, they may wish to give tenants a formal, written notice when they take up the tenancy that covers these licence conditions. Tenants that then fail to act responsibly and who cause problems in the community may face action by the Council.

In the event of any problem, the Council will expect that the licence holder co-operates with the Council to address nuisance or other problems caused by their tenants.

*The 'Living in Harmony with the Community' Notice enclosed at Appendix 4 of this Guide has been produced to assist licence holders in fulfilling the community and environmental conditions on their licence.*

Unkempt gardens and boundary walls and fences often cause problems in neighbourhoods and experience has shown that this can be particularly true where there are high concentrations of HMOs. For this reason, the Council will require that the boundary walls or fences at the licensed HMO provide an effective boundary to the property to deter unauthorised entry and promote crime prevention. They should also be of sound and proper construction. Gardens should also be maintained and vegetation should not be permitted to become excessively overgrown. In particular, gardens must not provide any harbourage for rodents. Yards and paved areas should also be kept clean and tidy. The condition of any boundary wall, fence, garden or other external area including sheds and garages must not be detrimental to the locality.

Licence holders should avoid leaving signage up outside the property for prolonged periods. While it is proper that licensees advertise their HMOs for let, it can be detrimental to a locality if these signs and boards are left up unnecessarily.

## **Inspections**

Inspections will be undertaken prior to the issue of a licence and also during the term of the licence.

- All inspections will be carried out in order to:
- Check compliance with standard and varied licensing conditions – see Appendix 1
- Check compliance with the Management of Houses in Multiple Occupation (Wales) Regulations 2006 and/ or The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007
- Check compliance with the Rent Smart Wales Code of Practice
- To carry out a Housing Health and Safety Rating System (HHSRS) assessment in accordance with Part 1 of the Housing Act 2004

As a result of the HHSRS assessment it is possible that there will be additional requirements to be met. Any works which are required to be carried out as a result of an inspection, must be undertaken in accordance with time period specified by the Council.

## Appendix 1

### *Mandatory and Additional Licensing Conditions 2024*

*(Housing Act 2004 Section 67)*

*These conditions are mandatory and will be imposed by Rhondda Cynon Taf County Borough Council in all Houses of Multiple Occupation (HMOs) that are subject to a licensing scheme within the scope of Part 2 of the Housing Act 2004. The Council may apply others with discretion in appropriate circumstances and the list below should therefore not be regarded as exhaustive.*

#### **1. Number of persons/households permitted to occupy the property**

- 1.1 The licence holder must not permit the HMO to be occupied by more than the number of persons specified in the licence.*
- 1.2 The use and level of occupancy of each room shall not be changed without the prior written approval of the Licensing Authority.*

#### **2.Changes to the licensed property, licence holder or management arrangements**

- 2.1 No alteration that may impact on the licence conditions will be made to the property without prior notification to the Licensing Authority*
- 2.2 Any material change of circumstances in respect of the licence holder, manager or anyone else involved with the property itself or its management must be notified to the Licensing Authority within seven days of such a change occurring. This will include any change of contact details.*

#### **3. Letting Arrangements**

- 3.1 The licence holder shall supply all occupiers of the house with a written statement of the terms on which they occupy it.*
- 3.2 The licence holder will provide each new occupier at the start of their occupancy with:*
  - (a) Written information on recycling and refuse storage, collection and disposal arrangements;*
  - (b) Written information on procedures for the escape from the building in case of fire, including, but not limited to, understanding the alarm, the importance of fire doors and protecting the escape, keeping the escape route free from obstruction and proper use of fire-fighting equipment provided. The licence holder shall ensure that all occupiers are fully aware of procedures for dealing with false fire alarms;*
  - (c) Written details of the arrangements that are in place for dealing with repairs and emergency situations at or in connection with the property. This should include names, telephone numbers and email addresses where available;*
  - (d) Written information about anti-social behaviours detailed in **condition 7** of this licence*

- (e) Information is provided regarding the operation of the heating system and advice given in respect of minimising condensation dampness and mould growth

3.3 The Licence Holder or Manager shall ensure that all reasonable requests by an authorised Officer of the Council's HMO licensing Team to examine or survey the property are fulfilled and access is gained without unnecessary delay.

#### **4. The condition of the property and associated facilities**

4.1 The licence holder must ensure that the HMO has adequate means of escape and other fire precautions in case of fire in line with the Council's adopted standards and the requirements of the Fire and Rescue Service, and or the requirements of the Approved Document B of the Building Regulations currently in force, as applicable.

4.2 The licence holder must ensure that the HMO is maintained free from serious disrepair.

4.2A The licence holder must ensure that the HMO complies with the Council's adopted space and amenity standards.

4.3 The licence holder must ensure that adequate space heating is provide and maintained in each unit of living accommodation.

4.4 A working carbon monoxide alarm must be fitted to any room that is used partly or wholly as living accommodation and also contains any appliance which burns, or is capable of burning, solid fuel, mains gas or liquid petroleum gas fuel.

4.5 The licence holder must ensure that adequate amenities, facilities and equipment are provided and maintained in good order in the HMO for the use of the occupants at all times. This shall include satisfactory facilities for the storage, preparation and cooking of food including an adequate number of sinks with a suitable and sufficient supply of hot and cold water, in line with the Council's adopted amenity standards. It shall also include the provision of an adequate number of suitably located water closets, an adequate number of suitably located fixed baths or showers and wash hand basins, each of which is provided with a suitable and sufficient supply of hot and cold water and properly connected to the drainage system.

4.6 The licence holder must ensure that the internal common parts, staircases and other communal areas are maintained on good order and that they are so far as practicable in a clean and tidy condition.

4.7 All licensable properties must attain a minimum "E" rating energy performance unless the premises is exempt in accordance with criteria specified with The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

4.8 The Licence holder shall ensure that all portable electrical appliances provided by the landlord for use by the tenants occupying the property shall be kept in a safe condition. Upon request by the Council, an up to date annual Portable Appliance Testing (PAT) certificate shall be provided as evidence to satisfy this condition.

4.9 The Licence Holder shall ensure, as far as reasonably practicable, any waste arising from building work or improvements to the house is not stored or does not

accumulate within the curtilage of the property. All accumulations shall be removed without delay to a licensed waste disposal facility.

## **5. Fire precautions**

5.1 The licence holder must ensure that there are appropriate means of escape, fire precautions and equipment provided at the property in line with the Council's adopted standard. The licence holder will provide the Council with a declaration, on demand, as to the design, installation and conditions of the system

5.2 The licence holder shall ensure that the fire alarm and detection system and fire extinguishers provided at the property are maintained in good working order; that the alarm system, including sounders and smoke detectors, are tested at appropriate intervals in accordance with the installer's/ manufacturer's instructions and that any defects are remedied immediately.

As a minimum, the alarm system should be tested by operating all alarm sounders in the dwelling at least once every month, annually testing each smoke detector for response to smoke, cleaning of the smoke detectors periodically in accordance with the manufacturer's instruction, or such other measures as may be deemed appropriate to the circumstances. Fire extinguishers should be visually checked monthly and annually serviced.

Keep a written record of testing and maintenance of the alarm system, for example in the form of a log book. This record must be made available for inspection upon demand of the licensing authority.

5.3 The licence holder shall ensure that arrangements are in place for an appropriate person being available to attend the property at any time in the event of a false alarm to ensure that the fire alarm system is properly re-set. Contact details for this person shall be registered with the Council's Housing Standards Team, Ty Elai, Dinas Isaf East, Williamstown, Tonypany CF40 1NY. Email [publichealthhousing@rctcbc.gov.uk](mailto:publichealthhousing@rctcbc.gov.uk)

5.4 The Licence holder shall ensure that the fire alarm is tested by a suitable and competent contractor following all false alarms and fire occurrences to ensure the system is properly re-set. The licence holder shall ensure that the Council is informed of a fire occurrence at the property within 24 hours of the fire occurrence being notified to the licence holder or their nominated representative.

### **5.5 Maintenance of Fire Sprinkler Systems (where installed)**

Written evidence should be provided to the Licensing Authority annually that any sprinkler system installed within a licensed property is maintained in accordance Section 7 of BS 9251:2014 : Fire sprinkler system for domestic and residential occupancies - Code of practice

The sprinkler system should be subject to an annual inspection and test by a competent person, as follows.

- a) The system should be inspected to determine whether all components are functioning as designed.
- b) The system should be inspected for leaks.
- c) The system should be inspected to determine whether any or all

*modifications have been carried out in accordance with this standard.*

*d) Where there has been a material alteration to the building, an increase in fire loading or a change to include vulnerable occupants, an assessment should be made as to whether the category of system is still appropriate.*

*e) The sprinklers and cover plates should be inspected to determine whether they have been tampered with or whether their spray pattern has been impeded.*

*f) Valves should be exercised to ensure free movement and any locking mechanism should be checked and reinstated.*

*g) The test valve should be operated to determine whether the system's design flow rate and pressure, as hydraulically calculated, is achieved.*

*h) Alarms should be tested to determine whether they function as designed.*

*i) Backflow prevention devices should be maintained in accordance with the manufacturer's recommendations or BS EN 806-5.*

*j) Any remote monitoring arrangements should be tested to determine whether they are being transmitted and received correctly.*

*NOTE 2 It is essential that any alarm receiving centre to which alarm signals are relayed is notified before, and immediately after completion of, any tests that could result in an alarm signal.*

*k) Where trace heating is installed, its operation should be checked.*

## **6. Gas, Electrics and Furniture**

**6.1** *If gas is provided to the house, with reference to the gas appliance, boilers and flues (the 'gas appliances etc.'): -*

- I. The licence holder must ensure that at all times the gas appliances etc. provided as part of the tenancy are in a safe condition.*
- II. A certificate from a Gas Safe registered engineer concerning the condition of the gas appliances etc. shall be provided to the Council with each application for a licence. A copy of this certificate must also be provided to each tenant upon the start of a tenancy agreement and annually thereafter.*
- III. On each occasion that the gas appliances etc. are altered in any way, the licence holder must produce to the Council a further certificate from a Gas Safe registered engineer concerning the condition of the gas appliances etc.*
- IV. The licence holder must produce to the Council annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.*

**6.2** *The licence holder must keep electrical appliances and furniture made available by him in the house in a safe condition. In particular, the licence holder must ensure that all upholstered furniture and furnishing provided as part of the tenancy comply with the standards required in the Furniture and Furnishings (Fire Safety) Regulations 1988 as amended and any other statutory instrument or other enactment which may, after the date of licensing, directly or indirectly replace them, with or without amendment. On demand, the licence holder must supply the council with a declaration by him as to the safety of these appliances and furniture.*

**6.3** *With reference to the electrical installations in the house: -*

- I. *The licence holder must ensure that all lighting to the common parts is kept in good working order.*
- II. *The licence holder must ensure that at all times the electrical wiring to the lighting and power circuits, and the circuits to the fire alarm and emergency lighting systems and all electrical appliances (the 'circuits and/or appliances') provided as part of the tenancy arrangements are in a safe condition.*
- III. *Prior to licensing, the proposed licence holder must produce to the Licensing Authority, an electrical certificate issued from a qualified electrician confirming the satisfactory condition of the circuits and/or installation. The electrical certificate must not be more than 5 years old.*
- IV. *On each occasion that the circuits and/or installation are altered in any way, the licence holder must produce to the Council, a further certificate from a qualified electrician confirming the satisfactory condition of the circuits and/or installation.*
- V. *For the purposes of this condition, a "qualified electrician" means a member of the Electrical Contractors Association (ECA), the National Inspection Council for Electrical Installation and Contracting (NICEIC), the Institute of Electrical Engineers (MIEE), or person qualified to the current IEE Wiring Regulations / British Standard ( BS 7671:2008(2015) 2382-15). The licence holder must ensure that the electrician is suitably qualified to provide an Electrical Installation Condition Report (EICR)*

## **7. Community and Environmental Matters**

*7.1 The licence holder must ensure that all reasonably practicable means are used to ensure that the occupants of (and their visitors to) the property;*

*a) refrain from engaging in conduct causing or likely to cause nuisance or annoyance to a person residing, visiting or otherwise engaged in lawful activity in the locality, particularly in the following ways:-*

- *the playing of amplified (or other) music which is audible in the neighbouring properties or the streets;*
- *behaviour constituting breach of the peace or contravening the Public Order Act 1986, the Criminal Justice Act 1994 or other relevant enactment;*

*b) refrain from using the property or allowing it to be used for illegal purposes or for an arrestable offence committed in the property or the locality;*

*and to this effect, the licence holder must take steps to ensure the occupants of the property are aware of the conditions imposed by the Council relating to their behaviour and this must be done at the commencement of any tenancy, as a minimum.*

*7.2 The licence holder must take all reasonable steps to co-operate with the Council over any action or investigation they may undertake in respect of anti-social behaviour arising in connection with the occupiers of (or visitors to) the licensed HMO.*

*7.3 The licence holder must ensure that the external structures, gardens and yards of the house are maintained in satisfactory repair (including decorative repair), clean condition and good order so as not to be detrimental to the amenity of the*

*occupying tenants, neighbours, surrounding community or neighbourhood. The terms 'structures' includes windows, doors, roof, fascia and soffit boards, rainwater goods and boundary walls, gates and fences.*

*7.4 The licence holder must ensure that adequate and suitable refuse storage receptacles are provided for the exclusive use of the occupiers within a designated area of the property.*

*7.5 The licence holder shall ensure that the occupiers of the house have written notification of the relevant collection and disposal arrangements for refuse arising from the property. The written notification shall include a statement that it is an offence to place refuse for collection on the public highway, public footpath or other designated collection point earlier than 12 hours before the scheduled time of collection. The licence holder must notify the occupiers of the HMO that they shall not permit litter or refuse to spread from the house onto the street or other land outside the curtilage of the house.*

## **7. Waste storage and disposal arrangements**

*7.1 The licence holder shall ensure that suitable and sufficient storage facilities are provided for household waste and recycling to prevent animals and birds from access to the waste pending its disposal.*

*7.2 The licence holder must ensure so far as practicable that the external areas within the curtilage of the property are kept clean, are free of accumulations of waste and are free from rodent infestations.*

## **8. Provision of satisfactory management arrangements**

*3.1 The licence holder must ensure that the HMO is properly managed at all times. In particular the licence holder must ensure compliance with the Management of Houses in Multiple Occupation (Wales) Regulations 2006 and/or the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007 and ensure that the property is appropriately managed or supervised for the purpose of ascertaining whether there are contraventions of the management regulations.*

*3.2 The licence holder must provide all tenants with a written statement of the terms on which they occupy the premises.*

*3.3 The licence holder must ensure that any persons involved with the management of the HMO are to the best of their knowledge "fit and proper persons" for the purposes of the Housing Act 2004.*

*3.4 The licence holder must ensure that there are adequate arrangements in place for dealing with emergency occurrences at or in connection with the property and must take suitable steps to ensure that all occupiers of the property are aware of the arrangements.*

*3.5 The licence holder must display in a prominent position in the house the following information: -*

- I. A copy of the licence currently in force in respect of the property.*

- II. The name, address and contact number of the licence holder and manager if different, and nominated agent if applicable.*
- III. Details of contact arrangements in case of an emergency in respect of the property.*
- IV. A copy of a valid test certificate for the fire detection, warning and emergency lighting system.*
- V. A copy of a valid test certificate for all gas appliances etc. (if any).*

## Appendix 2

### Minimum Amenities and facilities Standard in HMOs

*Please refer to the Licence Handbook 2024 for guidance as to whether your property is a HMO and if so, what type.*

#### **Heating provisions**

Each unit of living accommodation in a HMO must be permanently equipped with adequate means of fixed space heating i.e. a system that can be controlled by the occupants, that has been safely and properly designed, installed and maintained so as to be capable of heating the whole house. Controls must be in place so as to allow the occupiers to regulate the temperature.

*For example:*

*A gas/ oil fired central heating system (wet system) with individual radiators (of suitably heat output for the size of the room in which they are installed) throughout the property with a thermostat centrally located (or individual thermostatic radiator valves TRVs) that the occupiers can adjust themselves.*

#### **Internet Network Cables**

Ethernet cables which trail around the HMO indiscriminately, can increase the likelihood of slips, trips and falls. In addition, cables which trail through doorways can also impede the opening and closing of fire doors and prevent the doors from closing in a tightly against the frame.

Where internet provision is provided as part of the tenancy, Landlords are advised to provide wireless routers which are cable or serving the entire house through wireless means.

Alternatively, where internet service is not provided as part of the tenancy, consideration should be given to installing hardwired Ethernet cables from the telephone master socket to all bedrooms. Any such installation should ensure that Ethernet cables do not represent a tripping or fire safety hazard.

Evidence of Fire Safety or Fall type hazards will be remedied in accordance with the Housing Health and Safety Rating System.

### **Accommodation with Shared facilities e.g. shared houses or flats.**

#### **Baths and toilets**

Where all or some of the units of living accommodation do not contain bathing and toilet facilities for the exclusive use of the occupants, there shall be at least;

☐ 1 to 4 persons - **One full bathroom** containing bath or shower, wash hand basin and WC;

- ☐ ☐ 5 persons - **One bathroom** containing bath and shower and **one separate WC** with wash hand basin (or a second bathroom which contains a WC);
- ☐ ☐ 6 to 10 persons - **Two bathrooms** each containing bath/shower and **at least two WCs** – one of which must be separate and contain a wash hand basin, **the second** may be contained within one of the bathrooms;
- ☐ ☐ All baths and wash hand basins to be equipped with fixed taps providing a satisfactory supply of cold and constant hot water supply;
- ☐ ☐ Bathrooms to be suitably and adequately heated and ventilated.
- ☐ ☐ All bathrooms and toilets are to be of an adequate size and layout.
- ☐ ☐ All baths, toilets and wash hand basins are to be fit for the purpose.
- ☐ ☐ All bathrooms and toilets are to be suitably located in relation to the living accommodation in the house.

**NB:** Bathroom – a room with a bath or a shower

Full bathroom - a room containing a bath or shower, WC and wash hand basin

All bathrooms must be suitably and adequately heated and ventilated.

### **Kitchens**

Where all or some of the units of accommodation do not contain any facilities for the cooking of food for the exclusive use of the occupants, there shall be at least (for all sharing occupants):

- ☐ ☐ A kitchen suitably located in relation to the living accommodation in the house of such layout and size and equipped adequately facilities for the occupants of the house to store, prepare and cook food.
- ☐ ☐ As a minimum, the kitchen shall be equipped with a sufficient quantity, for the number of occupants using the facilities, of the following equipment which shall be fit for the purpose and as a minimum have:

### **Sinks**

An appropriate number of sinks (with a satisfactory supply of cold and constant hot water to each) with draining boards must be provided. Generally, this will consist of 1 sink per 5 occupants. Options for up to 7 occupants is to provide one sink and a dishwasher (or 2 sinks). For 8 – 10 persons 2 sinks will be required. 11-15 persons 3 sinks will be required.

### **Cookers**

Installations or equipment for the cooking of food must be provided in the following ratios:

1 Cooker (oven grill, 4 hobs) per 5 occupants

Options for up to 7 occupants, rather than providing a second full cooker, is to provide one full cooker and one convector combination microwave oven of minimum 27 litre capacity. This option is not available where there are 8 or more occupants

For 8-10 persons: 2 cookers (oven grill and 4 hobs)

For 11-15 persons: 3 cookers (oven grill and 4 hobs)

### **Electric sockets within kitchens**

A minimum of 2 double sockets at work top level (sited in accordance with current Electrical Regulations) plus switched sockets to serve white goods such as fridges, freezers, dishwashers, washing machines etc.

### **Electrical socket provision within other areas**

There must be sufficient electrical sockets in all rooms to avoid the use of multi adaptors/ extension leads which increase the risk of a fire starting and present a tripping hazard.

Two suitably located double sockets should be provided as a minimum provision within bedrooms. There may be circumstances where additional socket provision is required following a hazard rating safety assessment.

### **Cupboards for the storage of food or kitchen and cooking utensils**

As a minimum a 1 x 400/500mm standard kitchen base/wall unit must be provided per occupier (or an equivalent volume of useable shelved cupboard or cupboards per occupier)

**NB** Cupboards located below sink units will not be counted as food/ utensil cupboards

### **Worktops for the preparation of food**

Provision of a minimum of 2.0 linear metres of 600mm width per 5 occupants with an additional 0.5 linear metres of worktop for each extra person

### **Fridges (with freezer compartments or otherwise separate freezer)**

#### **Fridges**

As a minimum

Used by 1-4 persons	~	1 standard (600mm) under counter fridge
Used by 5-8 persons	~	2 standard (600mm under counter fridges (or equivalent capacity single large fridge)
Used by 9-12 persons	~	3 standard under-counter fridges

#### **Freezers**

To be provided in addition to fridges in the same ration and size if no freezer compartment within the fridge.

**NB** ice boxes will not be counted as a freezer compartment

### **Appropriate refuse disposal facilities**

Provide suitable receptacles within the kitchen for kitchen waste.

### **Extractor fans**

Extractor fan (vented to outside air) to be provided with a minimum extraction rate of 30 litres/ second if located above or to the side of the cooker or 60 litres / second if located elsewhere.

### **Fire blanket(s) and fire door(s)**

To be fitted in accordance with LACORS Housing Fire Safety Guide or as specified in schedules of work specified by the Licensing Authority or Statutory Notice.

### **Facilities in units of accommodation with some shared basic facilities e.g. bedsits.**

### **Kitchens**

Where a unit of living accommodation contains kitchen facilities for the exclusive use of the individual household, and there is no other kitchen facility available for that household, that unit must be provided with: As a minimum, the kitchen shall be equipped with the following equipment which shall be fit for the purpose and as a minimum:

### **Sink**

An appropriate number of sinks (with a satisfactory supply of cold and constant hot water to each) with draining boards must be provided. 1 sink per unit (For flats with more than 2 occupiers, apply standard for shared HMOs)

### **Cooker**

Installations or equipment for the cooking of food must be provided as follows:

- Minimum 2 hobs, oven and grill (maybe a worktop appliance) per single person unit.
- Minimum 4 hobs, oven and grill per double person unit

(For flats with more than 2 occupiers, apply standards for shared HMOs)

### **Electric socket provision within the kitchen area**

Minimum requirement of 2 double sockets located within the kitchen/ food preparation area Additional sockets/ designated cooker point must be provided for cooker and refrigerator.

### **Electrical socket provision within other areas**

There must be sufficient electrical sockets in all rooms to avoid the use of multi adaptors and or extension leads which increase the risk of a fire starting and present a tripping hazard.

The suitability of socket provision will be determined following a hazard rating safety assessment.

### **Cupboards for the storage of food or kitchen and cooking utensils**

As a minimum a 1 x 400/500mm standard kitchen base/wall unit must be provided per occupier (or an equivalent volume of useable shelved cupboard or cupboards per occupier)

**NB** Cupboards located below sink units will not be counted as food/ utensil cupboards.

### **Worktops for the preparation of food**

Provision of a minimum of 2.0 linear metres of 600mm width per 5 occupants with an additional 0.5 linear metres of worktop for each extra person

### **Fridges (with freezer compartments or otherwise separate freezer)**

As a minimum, 0.1 cubic metres (100 litres) (3.5 cubic feet) combination of refrigerated and frozen food storage per person (this would normally mean one shelf in a fridge and one shelf in a freezer, per person).

### **Personal Washing**

Where no adequate shared washing facilities are provided for the unit of living accommodation, an enclosed and adequately laid out and ventilated room with a toilet and bath or fixed shower supplying adequate cold and constant hot water must be provided for the exclusive use of the occupiers of that unit either-

- I. Within the living accommodation; or
- II. Within reasonable proximity of the living accommodation

### **Other types of HMO and Shared Houses**

Examples are Hostels or Refuges, Bed and Breakfast accommodation used for homeless persons, private houses with lodgers, converted flats or other buildings. There are specific amenity standards that are applicable to these HMOs.

If you operate one of these types of rented properties, you should contact the Housing Strategy and Standards Team for further advice. You may be asked to provide details in writing to the Council in order for us to make a decision about your property (by way of submitting an 'Application to Licence a HMO').

No fee will be payable until a determination that your property need to be licensed is reached by the Council.

\*The Council has adopted these standards as the minimum standards which should be attained by licensed/ licensable HMOs. Should amenity standards fall below the adopted standards, the Council will require works to be carried out in order to achieve them. All standards which are stipulated within legislation, must be achieved. In exceptional circumstances, where these standards are not specifically prescribed in legislation, and cannot be practically achieved, the deficiency will be risk assessed using the Housing Health and Safety Rating system and an alternative standard will be considered to reduce the risk.

## Appendix 3

### Space Standards

All minimum sizes quoted are also subject to each room offering adequate, usable living space.

#### **Accommodation with Shared facilities e.g. shared houses or flats.**

##### **i) Single person units.**

Each bedroom/study 10.22m<sup>2</sup> or 110sq.ft. except where a separate living room or dining room is provided, in which case the bedroom shall be 6.50m<sup>2</sup> or 70sq.ft.

##### **ii) 2 person units**

Each bedroom/study 14.86m<sup>2</sup> or 160sq.ft. except where a separate living room or dining room is provided, in which case the bedroom shall be 11.15m<sup>2</sup> or 120sq.ft.

#### **Communal Rooms**

##### **a) Kitchens Minimum Areas**

Used by 1-5 persons 6.97m<sup>2</sup> or 75sq.ft.

Used by 6-10 persons 10.22m<sup>2</sup> or 110sq.ft.

Used by 11-16 persons 13.47m<sup>2</sup> or 145sq.ft.

Used by 16+ persons 16.62m<sup>2</sup> or 180sq.ft

##### **b) Living Rooms and Dining Rooms**

Used by 1-5 persons 11.15m<sup>2</sup> or 120sq.ft.

Used by 6-10 persons 16.62m<sup>2</sup> or 180sq.ft.

Used by 11-16 persons 21.37m<sup>2</sup> or 230sq.ft.

Used by 16+ persons 25.08m<sup>2</sup> or 270sq.ft.

##### **c) Kitchen/Diner with no separate lounge**

Used by 4-5 persons 14.86m<sup>2</sup> or 160sq.ft.

Used by 3 persons 11.15m<sup>2</sup> or 120sq.ft.

## **Units of accommodation with some shared basic facilities e.g. bedsits and flatlets.**

### **i) Single person units – 1 room only**

Minimum Areas

With kitchen facilities 13.00m<sup>2</sup> or 140 sq.ft. With separate shared kitchen 10.22m<sup>2</sup> or 110sq.ft.

### **ii) Single person units – 2 or more rooms**

Minimum Areas

Each kitchen 4.65m<sup>2</sup> or 50sq.ft

Each living/kitchen 11.15m<sup>2</sup> or 120sq.ft.

Each living room 9.29m<sup>2</sup> or 100sq.ft.

Each bedroom 6.50m<sup>2</sup> or 70sq.ft.

### **iii) 2 or more person units – 1 room only**

Not normally suitable for 2 or more persons.

### **iv) 2 or more person units – 2 or more rooms**

Minimum Areas

Each kitchen 4.65m<sup>2</sup> or 50sq.ft.

Each living/kitchen 14.86m<sup>2</sup> or 160sq.ft.

Each living room 12.08m<sup>2</sup> or 130sq.ft.

Each living/bedroom 13.94m<sup>2</sup> or 150sq.ft.

Each bedroom 10.2m<sup>2</sup> or 110sq.ft.

## **Additional notes**

Irrespective of overall floor area, consideration will be given to the shape and useable living space within the room when determining its suitability for occupation. No account will be taken of any part of a room where the ceiling height is less than 1.5 metres.

## Appendix 4

*(Please photocopy and use in private rented properties)*

### Living in Harmony with the Community

- I agree to refrain from causing annoyance to neighbouring properties by playing amplified music which is audible in the street or neighbouring properties.
- I agree to refrain from behaving in a manner which is unlawful or constitutes a breach of the peace or other relevant enactment.
- I agree to store the refuse storage bin either in the front garden or rear garden.
- I agree to keep the external areas of the property free of accumulations of waste and litter.
- I agree to put the household waste and recyclable waste out for collection on the designated collection day.
- Your waste collection day is.....
- I agree to recycle in accordance with the Council's scheme and use the appropriate receptacles to do so.

Your recycling collection day is.....

Tenants Signatures (Please Date):