



CITY OF LONDON

GUIDANCE ON HMO STANDARDS

This guidance is intended for Houses in Multiple Occupation (HMOs) in the City of London. It applies to all HMOs whether or not they are licensable.

They will assist landlords and developers to design, improve and maintain HMOs to a reasonable standard.

The City of London will have reference to this document in exercising its powers and duties under the Housing Act 2004 and associated legislation.

The guidance is intended to be flexible, as there may be more than one way to achieve a required standard. However, alternatives to the guidance must be approved by the City of London Pollution Control Team.

What is an HMO?

The Housing Act 2004 sections 254 and 260 provides a definition of an HMO.

A building is defined as a House in Multiple Occupation (HMO) if the following apply:

- It is occupied as living accommodation by at least three people;
- who belong to more than one family or household;
- in accommodation that is not self-contained;
and;
- rent, or some other consideration, is payable by at least one of the occupiers;
and;
- it is the occupiers' only or main residence.

The definition also applies to whole buildings that have been converted to a mix of self-contained and non-self-contained accommodation, and to self-contained flats within buildings.

An HMO is also a building that has been converted entirely into self-contained flats and the conversion does not meet 1991 Building Regulation standards.

However, if at least two thirds of the flats are owner-occupied, the building will not be an HMO.

An individual tenancy may have exclusive use of the basic facilities (bath/shower, WC and kitchen), but the accommodation would only be defined as self-contained if the sleeping/living area and all the facilities are behind one door.

What is a shared house HMO?

There is no legal definition of a 'shared house' but, for the purposes of this guidance, shared houses (or flats occupied on a similar basis) are described as HMOs where the whole property has been rented out by an identifiable group of sharers such as students, work colleagues or friends as joint tenants. Each occupant would normally have their own bedroom but would share the kitchen, dining facilities, bathroom, WC, living room and all other parts of the house. All the tenants will have exclusive legal possession and control of all parts of the house, including all the bedrooms.

There is normally a significant degree of social interaction between the occupants and they will, in the main, have rented out the home as one group. There is a single joint tenancy agreement. In summary, the group will possess many of the characteristics of a single family household although the property is legally an HMO.

Shared houses will themselves vary in nature. For example, some shared homes will have both shared dining space and a separate living room, whilst in others shared dining and living space will be very limited.

Allowed variations from the bedsit-type HMO standards will therefore vary depending on the circumstances of each shared house but, in general terms:

- Bedroom sizes may be smaller in shared houses where the residents have access to suitable and sufficient additional shared dining and/or living space
- The requirement for separate food storage facilities for each person in a shared home may not be a necessary requirement

What is a licensable HMO?

HMOs require a mandatory licence where they are occupied by at least five people, in a building that has at least three storeys, and where at least one person's accommodation is not self-contained. Where the whole building has a mix of self-contained and non-self-contained flats, the whole building will be licensable. If the HMO is a self-contained flat within a three storey building, the flat will be licensable if it has at least five occupiers.

This applies even where one or more of the storeys are in commercial use. The flat may be on any storey of a three storey building for it to be licensable. Where the accommodation is licensable, the government has prescribed national minimum standards for amenities and these requirements must be met. Where a requirement is mandatory, it will be indicated in the guidance. It is intended that in the main, the standard of accommodation provided in both licensable and non-licensable HMOs should be the same.

What is a household?

A household can be a single person. For two or more people to be part of the same household, they must be closely related by blood, be married, civilly partnered, or co-habiting partners of either sex, or be in recognized relationships such as step children, or adopted or fostered children. Some live-in employees also count as being in the same household.

Housing Health and Safety Rating System

The Housing Health and Safety Rating System (HHSRS) is a system for assessing the health and safety risks in dwellings. The principle of HHSRS is that any residential premises (including the structure, means of access, and any associated outbuilding, garden or yard) should provide a safe and healthy environment for any potential occupier or visitor.

The HHSRS is comprehensive in its coverage of key health and safety risks in dwellings. It assesses the risk associated with certain hazards and, if the likelihood of harm is significant, the City of London may take action to ensure that the risk is removed.

Standards for bedsit-type accommodation

For the purpose of this guidance, bedsit-type accommodation is HMO accommodation that does not fall within the shared house HMO description above.

Space Standards for Sleeping Accommodation

Number of occupiers	Where kitchen facilities provided in a separate room	Where kitchen facilities provided in the same room
One	8.5 sq. m	13 sq. m
Two	13 sq. m	18 sq. m

A maximum of two people are permitted to share a room for sleeping **irrespective of age**. If there are two occupiers, they must be living together as partners, family members or consenting friends. A room shared by more than two people would be considered to be overcrowded, and may be the subject of enforcement action.

A room used for sleeping must not be shared by people of the opposite sex who are 10 and over, unless they are married or living together as husband and wife.

When measuring the size of the room and assessing usable space, the shape of the room should be taken into account as well as the total floor area.

Space taken up by fitted units are counted in the floor area calculation, but chimney breasts, lobbies and en-suite bathroom or shower rooms are not.

Rooms must have a minimum floor to ceiling height of at least 2.14 m over 75% of the floor area. Any floor area where the ceiling height is less than 1.53 m is disregarded.

Kitchen Facilities

Kitchen facilities should be no more than one floor away from the letting. Where this is not practicable, a dining area of a size suitable for the number of occupiers should be provided on the same floor as, and close to, the kitchen.

Kitchens must be of an adequate size and shape to enable safe use of food preparation by the number of occupiers and the following guidelines for shared kitchens apply:

Number of persons sharing	Minimum Room Size (Square Meters)
Up to 3	5.5
4 or 5	7.5
6 or 7	9.5
8 to 10	11.5

Where all or some of the lettings within the HMO do not contain cooking facilities, they must be provided for sharing with other households. There should be one full set of facilities per 5 persons sharing, irrespective of age.

Some flexibility may be considered in well-managed properties where there are 6 or 7 persons, subject to a risk assessment carried out by the local authority.

Where there are 8 – 10 persons, either an additional full set of cooking facilities must be provided, or additional facilities must be provided in an appropriate number of individual lettings where the room is large enough. If two sets of facilities are in the same shared kitchen, each set must be separated and in distinct areas of the room.

Cooking facilities where provided in a bedsit (or any dwelling) should be sited remote from the entrance door. The cooker should not be situated below a window.

A kitchen must not be the sole access to a room used for sleeping and must not be installed in a hallway. For general guidance for inner rooms see section 12 of the LACORS Housing – Fire Safety guidance.

A humidistat-controlled mechanical extractor must be provided where there is inadequate natural ventilation by means of a window. Newly converted kitchens must have a mechanical extractor regardless of whether there is an open-able window.

With the exception of an extractor hood, fixtures and fittings are not to be directly located above cooking appliances.

Sufficient refuse storage to be provided adequate for the number of occupiers.

A set of cooking facilities is comprised as follows:

Number of Occupiers	Facilities	Specifications
Up to 5	Cooker	Cooker with a 4-ring hob, oven and grill (a cooker with a 2-ring hob permanently and safely installed on a fixed worktop may be allowed within single person bedsits only)
6 or 7		Four-ring hob, oven and grill and an additional combined microwave oven and grill
Up to 5	Sink/Drainer	1000mm sink/drain set on a base unit, provided with a constant supply of hot and cold water and properly connected to the drainage system
6 or 7		A double sink/drain set installed as above <u>or</u> A single sink/drain set plus a dishwasher
One household	Worktop	1000mm x 600mm worktop, fixed at an appropriate height and made of suitable impervious material
Up to 5		The equivalent of 2000mm x 600mm worktop space provided and fitted as above
6 or 7		The equivalent of 2000mm x 600mm worktop space provided and fitted as above, plus additional space for extra appliances
All	Splashback	300 mm tiled Splashback or its equivalent to be provided to the sink/drain set, worktop and any cooker without an integral Splashback.
Up to 5	Electrical Sockets	One suitably located electrical socket for each dedicated appliance such as a cooker, refrigerator and washing machine. In addition, 4 sockets (in either double or single combinations) to be provided above the worktop
6 or 7		As above plus an additional 2 sockets
All	Floor covering	Impervious and washable floor covering to cover the floor area of the kitchen

Per household	Food storage cupboard Must be secure and provided for a specific household if provided within shared kitchen	One double wall cupboard [1000mm wide] or one single base cupboard [500mm wide] per household – may be provided within bedsit or within shared kitchen The base unit below the sink/drainage is not acceptable for food storage
Per household	Refrigerator A suitable Refrigerator for each household is the preferred option. Should be secure or provided for a specific household if provided within shared kitchen	A small fridge freezer where provided within lettings
Up to 5		Where provided in a shared kitchen, equivalent of 2 worktop height refrigerators both with freezer compartments, or 1 worktop height fridge and 1 worktop height freezer
6 or 7		As per shared kitchen for up to 5 persons, plus the equivalent of an additional worktop height refrigerator with freezer compartment

Personal washing and WC facilities

Bathrooms and WC's should normally be within one floor of lettings and, where shared, must be accessible from a common area.

WC's and bath/shower rooms must be fitted with a suitable and functioning lock and all room surfaces must be impervious and readily cleansable.

Bath/shower rooms and WC's must be adequately ventilated, and bath and shower rooms must be adequately heated, such as by radiator, wall-mounted convector or fan heater, or under floor heating. Electric bar heaters are not permitted. In newly provided bathrooms, a mechanical extractor must be installed in addition to any open-able window.

Where only one bathing facility is provided in the premises, it must be a bath, preferably equipped with a suitable seal and a fixed overhead shower. A fixed shower rail and curtain must be installed.

Where a shower cubicle is provided, it must be of a sufficient size that the user can bathe and dress without injury (minimum size 1600mm x 900mm for single-purpose shower room).

Separate WC compartments are required to be a minimum of 1300 x 800mm.

Windows to bathrooms and WCs are to be glazed with obscured glass.

The facilities must be adequate for the number of occupiers, and the following guide should be followed when determining the adequacy of the provision. External WC's are not counted.

Those persons having exclusive use of a bath/shower or WC will be discounted when calculating the level of shared facilities required.

Number of occupiers	Facilities	Specifications
Up to 5	<p>1 bath with wash hand basin</p> <p>At least 1 WC. The WC should, wherever possible, be in a separate compartment from the bathroom but may be within the bathroom if up to 4 persons accommodated</p> <p>Where 5 persons accommodated, and cooking facilities (including a sink) are not provided to each letting, wash hand basins should be provided within each letting, wherever this is practical</p>	<p>Standard size bath [minimum 1700mm x 700mm] with minimum 450 mm Splashback</p> <p>Full-size wash hand basin (minimum 500mm x 400mm) with tiled Splashback.</p> <p>Both to have constant supply of hot and cold water.</p> <p>If the WC is separate, it must have an additional wash hand basin (which does not need to be full-sized) & tiled Splashback within the compartment</p>
6 to 10	<p>2 bathrooms with wash hand basins in each</p> <p>One of bathrooms must contain bath, and the other a shower which may be a fixed over bath type</p> <p>At least 2 WCs, at least one of which should be in a separate compartment from a bathroom</p> <p>Where cooking facilities (including a sink) are not provided to each letting, wash hand basins should be provided within each letting, wherever this is practical.</p>	<p>As above but at least 2 sets of bathroom/WC amenities are required</p>

<p>More than 10</p>	<p>An additional set of bathroom and WC amenities for every 1 to 5 persons accommodated</p> <p>At least 50% WCs to be in compartments separate from bathrooms</p> <p>Where cooking facilities (including a sink) are not provided to each letting, wash hand basins should be provided within each letting, wherever this is practical</p>	<p>11-15 persons – 3 sets of facilities 16-20 persons – 4 sets of facilities Etc.</p>
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Standards for shared house HMO accommodation

Space Standards for Sleeping Accommodation

Where shared house type HMOs are provided with suitable shared dining and/or living space, the following space standards will apply:

Number of occupiers	Minimum room size (Square Meters)
One	6.5
Two	10.2

Where the residents occupying a shared house type HMO do not have access to suitable dining and/or living space, the bedsit-type space standards will apply in determining minimum bedroom sizes

Where a communal living room is provided [in addition to any space that is required for shared kitchen and dining] it should normally be at least 13 square meters for a 3 person shared house, plus 1 square meter added for every additional person thereafter.

If dining facilities are combined with the living room, the room should be at least 14 square meters for 3 people, plus 1 square meter for every additional person thereafter.

Kitchen Facilities

As per the standard for bedsit-type HMOs except that food storage cupboards and refrigerators would normally be located within the shared kitchen and would not be required to be secure or identifiable to a particular household member

Personal washing and WC facilities

As per the standard for bedsit-type HMOs except that wash hand basins will not be required to be provided within each bedroom/letting.

Fire Safety

Fire safety standards to be in accordance with the LACORS Housing Fire Safety Guidance:

http://www.cieh.org/library/Knowledge/Housing/National_fire_safety_guidance_08.pdf

Heating

An adequate means of fixed space heating must be provided in all rooms, including common areas of the dwelling, WC compartments and bathrooms, so that a constant temperature of at least 21°C can be maintained in sleeping rooms and bathrooms and at least 18°C in all other rooms. Radiators must be fitted with thermostatic valves.

HMO Management

The Management of HMOs Regulations 2006 and The Licensing and Management of Houses in Multiple Occupation and Other Houses (Additional Provisions) Regulations 2007 detail full responsibilities of HMO managers and are summarised below:

Responsibilities of the manager

The manager must ensure that:

The manager's name, address and any telephone contact number is made available to each household in the premises and these details must be clearly displayed in a prominent position.

Each letting is in a clean condition at the beginning of any rental period and that the internal structure, fixtures/fittings/appliances, windows and mechanical ventilation are maintained in good repair and clean working order.

All common parts, for example staircases, passageways, corridors, halls, lobbies, entrances, balconies and steps are maintained in good and clean decorative repair, in a safe working condition and kept reasonably clear from obstruction.

Outbuildings, boundary walls, yards and fences are maintained in a good state of repair and clean condition. The garden must be kept in a safe and tidy condition.

The water supply is constant and not unreasonably interrupted and that the drainage system is maintained in good, clean and working condition.

Annual gas safety tests are carried out on all gas appliances within the HMO by a GasSafe registered engineer, and evidence is supplied to support this annually to the City of London.

The electrical installation is inspected and tested at intervals not exceeding five years by a person qualified to undertake such inspection and testing, and evidence is supplied to support this if requested by the City of London.

Other management requirements

Furniture and Furnishings (Fire Safety) Regulations 1998 (amended 1989 & 1993)

Furniture and furnishings supplied in conjunction with the accommodation must comply with specified levels of fire resistance.

Additional Considerations

Compliance with these standards does not negate the need for compliance with other statutory provisions, including the Housing Act 2004 and supporting Regulations.

Compliance with these standards does not confer planning approval for any particular use. Contact the Planning Team on 020 7332 1710 or plans@cityoflondon.gov.uk

For further information contact the Pollution Control Team on 020 7606 3030 or publicprotection@cityoflondon.gov.uk

References

London Borough of Waltham Forest – Standards for Houses in Multiple Occupation
East London HMO Guidance
DOE Design Bulletin: Spaces in the Home (1972)
Statutory Instrument 2006 No 373 and Statutory Instrument 2007 No 1903
Joint London Boroughs Code of Practice for Hostel Accommodation
East London Guidance on HMO standards
GLA Housing Space Standards
Housing Act 2004
Housing Health and Safety Rating System Operating Guidance
Building Regulations Part F
Lacors guidance on overcrowding