



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

HOUSES IN MULTIPLE OCCUPATION

RECOMMENDED STANDARDS

CONTENTS	PAGE
Introduction	3
Section 1: What is an HMO?	4
Section 2: Licensing in Stockport	6
Section 3: Housing Health and Safety Rating System	7
Section 4: Fire Precautions	9
Section 5: Cooking Facilities	11
Section 6: Bathroom Amenities	14
Section 7: Heating, Ventilation & Thermal Insulation	16
Section 8: Natural & Artificial Lighting	18
Section 9: Space Standards	19
Section 10: Management Regulations	21
Appendix 1: Additional Relevant Guidance	22

Introduction

This document is intended to provide landlords with a guide to the minimum standards that Stockport Council considers appropriate for houses in multiple occupation (HMOs).

Properties that meet these standards are likely to comply with current housing legislation because the risks to the health, safety and welfare of the occupying tenants and any visitors to the property will have been reduced to an acceptable level.

The guide takes account of the 'prescribed standards' outlined in current statute for properties requiring a licence under the mandatory scheme. Where no 'prescribed standards' exist the standards previously adopted by the Council have been incorporated.

If you require further advice or assistance please do not hesitate to contact the Housing Standards Team:

Housing Standards Team
Stockport Council
Town Hall
Stockport
SK1 3XE

E-mail: housing.standards@stockport.gov.uk

Telephone: (0161) 474 4181

Landlords must ensure that their properties comply with all the relevant planning legislation and / or Building Regulations in addition to any requirements recommended in this document or required for the purposes of licensing under the mandatory scheme.

Please note that the granting of an HMO license or acknowledging the existence of an HMO does not confer any Planning or Building Regulation approval.

Section 1: What is a House in Multiple Occupation?

The following types of properties are considered to be houses in multiple occupation (HMOs) as defined by the Housing Act 2004:

- an entire house or flat that is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet
- a house that has been converted entirely into bedsits or other non self-contained accommodation (i.e. hostel type) and which is let to 3 or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities.
- a house that is occupied by a resident landlord and his family together with three or more tenants (at least one of whom is unrelated to the others) and where the residents share a kitchen, bathroom or toilet.
- a converted house that contains one or more flats which are not wholly self contained (i.e. the flat does not contain a kitchen, bathroom and toilet behind a main entrance door) and which is occupied by 3 or more tenants who form two or more households.
- a building that is converted entirely into self-contained flats if
 - the conversion did not meet the standards of the 1991 Building Regulations;
 - and**
 - more than one-third of the flats are let on short-term tenancies.

Please note that purpose built blocks of flats are not considered to be HMOs. However, individual flats within a purpose built block could still be considered as such if they are occupied by three or more unrelated persons sharing amenities

'Main Residence'

In order to be an HMO, the property must be used as the tenants' only or main residence and it should be used solely or mainly to house tenants. Properties let to students and migrant workers will be treated as their only or main residence and the same will apply to properties which are used as domestic refuges.

'Households'

The following are 'households' for the purposes of the Housing Act 2004:

- members of the same family living together including:

- couples married to each other or living together as husband and wife (or in an equivalent relationship in the case of persons of the same sex) and relatives living together, including parents, grandparents, children (and step-children), grandchildren, brothers, sisters, uncles, aunts, nephews, nieces or cousins
- half-relatives will be treated as full relatives. A foster child living with his foster parent is treated as living in the same household as his foster parent
- any domestic staff are also included in the household if they are living rent-free in accommodation provided by the person for whom they are working.

As a result of the above:

- three friends / colleagues / students sharing together are considered to be three households.
- a couple sharing with a third person would count as two households.
- a family renting a property would be a single household. If that family had an au-pair to look after their children that person would be included in their household.

Exemptions

Certain types of properties are not classed as HMOs (other than for the purposes of the Housing Health and Safety Rating System – see Section 3). These include:

- two person flat share; a property, or part of a property, lived in by no more than two 'households' each of which consists of just one person
- a property where the landlord and his household is resident with up to 2 tenants
- buildings occupied entirely by freeholders or long leaseholders
- buildings managed or owned by a public body (such as the Police or the NHS), a local housing authority or a registered social landlord
- a building where the residential accommodation is ancillary to the main use of the building, for example, religious buildings, conference centres etc
- buildings which are already regulated (and where the description of the building is specified in regulations), such as care homes, bail hostels etc (however, domestic refuges are not exempt).
- Self-contained properties with no shared amenities

Full details of all the exemptions can be found in Schedule 14 of the Housing Act 2004

Section 2: Licensing in Stockport

The Housing Act 2004 introduced three distinct licensing regimes:

- Mandatory licensing of certain high risk HMOs. This is a national scheme and is limited to properties of three or more storeys, where five or more persons who form two or more households share amenities such as a kitchen or a bathroom. In practice this will cover three storey hostels, bedsits and shared houses with the appropriate level of occupancy. Please note that properties converted into self contained flats are excluded from this scheme.
- Additional licensing – an authority can seek approval from the Secretary of State to licence other categories of HMO if there is a particular problem in their area.
- Selective licensing – an authority can seek approval from the Secretary of State to licence all rented property in a defined area. This is aimed at areas of low demand with major housing concerns, absentee landlords and significant problems with anti-social behaviour.

At present Stockport Council only intends to implement the mandatory HMO licensing scheme. If your property appears to meet the relevant criteria above you must apply for a licence without delay. Further information and advice on licensing can be obtained from the Housing Standards Team.

Section 3: The Housing Health & Safety Rating System

The Housing Health and Safety System (HHSRS) is a risk assessment tool used to assess potential risks to the health and safety of occupants in residential properties. It is part of the Housing Act 2004 and replaces the fitness standard in the Housing Act 1985. The HHSRS came into effect in April 2006.

The HHSRS is an evidence based assessment system that currently covers the 29 hazards most likely to be found in housing. It looks at the likelihood of an incident arising from the condition of the property and the likely harm outcomes.

The overall principle behind the system is that all dwellings (including the building structure, outbuildings, gardens, yards and access routes), should provide a safe and healthy environment for the people who live in and visit them. Dwellings should be free from unnecessary hazards or, if they are unavoidable, they should be made as safe as reasonably possible.

The HHSRS affects all owners and landlords, including social landlords. Private landlords should be aware that any future inspections of HMOs will be made using this methodology.

Any action taken by the council will be based on a three stage consideration:

- the hazard rating determined under the HHSRS assessment which has been carried out by Council staff
- whether the Council has a duty or power to act.
- the Council's judgement as to the most appropriate course of action to deal with the hazard.

Where an unacceptable hazard is identified, the Council has a range of options to improve the situation. These include:

- serving a hazard awareness notice informing of the presence of hazards
- serving an improvement notice requiring essential repairs or improvements.
- making a prohibition order, which closes the whole or part of a dwelling or restricts the number of occupiers
- taking emergency action where there is an imminent risk to the occupiers.

General guidance on the HHSRS can be found by referring to the relevant document produced by Central Government (see Appendix 1). This document is designed to give landlords and property related professionals a better understanding of the process and includes sections on landlord responsibilities, identifying hazards, cause of hazards and profiles of each of the potential health and safety hazards in dwellings.

However, to assist landlords further Stockport Council has now produced specific guidance on some of the more common hazards and this is now offered in the following sections.

Sections	Relevant Hazard(s)
Section 4: Fire Precautions	Fire
Section 5: Cooking Facilities	Food Safety
Section 6: Bathroom Amenities	Personal Hygiene, Sanitation & Drainage
Section 7: Heating, Ventilation & Thermal Insulation	Damp & Mould Growth Excess Cold
Section 8: Natural & Artificial Lighting	Lighting Falling on Level Surfaces etc Falling on Stairs etc
Section 9: Space Standards	Crowding & Space

Section 4: Fire Precautions

General Principles

Fire risks in HMOs can be complex. Such properties often provide accommodation for people from a wide range of backgrounds and may house vulnerable or disadvantaged groups. In some HMOs there is a high occupancy turnover rate with little social interaction or cohesion between occupiers. The mix of often poor quality, low cost housing and vulnerable occupants can lead to a higher than normal fire risk.

All HMOs should be provided with adequate means of escape and other fire precautions in case of fire. These requirements attempt to ensure that occupiers receive early warning of such events and are able to escape from their lettings and out of the building by travelling through the building in safety to a final exit point.

The general principles are to provide:

- a protected common internal route of escape (usually comprising the existing hallway, stairways and landings).
- measures to prevent the spread of fire and smoke
- adequate detection systems to warn occupiers of any danger
- fire fighting equipment for use in limited circumstances

Current Legislation

At present two separate pieces of legislation cover fire safety in HMOs. These are the:

- Housing Act 2004
- Regulatory Reform (Fire Safety) Order 2005.

The Housing Act 2004 uses the HHSRS as outlined in Section 3 as the principal tool for assessing fire safety risks and regulating standards in all types and tenures of residential accommodation including HMOs. These requirements are policed by local housing authorities.

The Regulatory Reform (Fire Safety) Order 2005 places duties on housing providers to risk assess fire safety in their properties, to take adequate precautions to reduce that risk and to manage that risk which remains. The duties apply throughout a range of property types but in HMOs they apply only within the common areas (although housing providers need to consider the risk created within the private areas too). These duties are enforced by the fire & rescue authorities.

A national protocol between local housing and fire & rescue authorities has helped to identify discrete areas of inspection and enforcement in HMOs. Generally the lead enforcing roles have been allocated as follows:

Local housing authorities:

- shared houses
- all HMOs (whether or not subject to mandatory licensing)
- all self contained flats, whether purpose built or converted.

Fire & rescue authorities:

- mixed commercial and associated residential accommodation
- sheltered housing
- hostels / bed & breakfast / hotels
- all HMOs owner or managed by local authorities

Relevant Standards & Guidance

The current national fire safety guide (see Appendix 1) offers guidance on the relevant measures that should be provided in the different types and sizes of HMOs. Landlords who follow this guidance will be able to reduce the fire safety risk in their properties to an acceptable level and will be deemed to have satisfied the requirements of the current legislation.

Alternatively, landlords can carry out their own risk assessment under the Regulatory Reform (Fire Safety) Order 2005 and prepare and submit a suitable scheme of works for approval by Stockport Council and Greater Manchester Fire & Rescue Authority.

Section 5: Cooking Facilities

General

Good quality facilities for the storage, preparation and cooking of food prevent the risk of infection from food poisoning organisms. A well designed and adequately sized kitchen will also prevent accidents and, where appropriate, will reduce the stress and anxiety associated with shared use.

Shared Cooking Facilities (includes Shared Houses and Hostels)

Kitchen facilities should be provided in a ratio of not less than one complete suite of facilities to five persons. Where more than five persons are accommodated then another complete suite of facilities should be provided. The additional suites must be safely sited and a further kitchen may be required to accommodate the additional facilities.

All kitchens must be suitably located in relation to the living accommodation and be of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food.

A complete suite of facilities should comprise:

- a sink and drainer with a suitable splash back.
- an adequate supply of cold and constant hot water to each sink supplied
- installations or equipment for the cooking of food. As a minimum there should be a suitable full size cooker comprising 4 hot rings, 1 grill and 1 oven or equivalent 'split level' provision.
- a minimum of 2 double electric power points immediately adjacent to a work top in addition to any dedicated point serving a cooker.
- impervious work top surfaces for the preparation of food (recommended minimum total surface area of 2000mm x 600mm).
- suitable provision for the storage of dry food or kitchen and cooking utensils. This can be achieved by providing two standard double wall or base units (in addition to the storage under the sink).
- a refrigerator with a freezer compartment
- adequate refuse disposal facilities
- extractor fans capable of extracting 60 litres / second (or 30 litres / second adjacent to a hob).

Additional Requirements for Hostels

Kitchens used by staff / management for preparing meals for the occupiers shall be regarded as a commercial kitchen and must comply with all relevant regulations relating to food hygiene and safety. Generally, occupiers must not prepare their own meals or snacks in the commercial kitchen.

Where additional services are required to comply with the relevant food hygiene regulations, the landlord must provide these services.

Where the provision of meals amounts to less than half board (half board being breakfast & evening meal), the landlord should provide self catering facilities in addition to those situated in the commercial kitchen. The facilities provided should comply with the minimum standards for a shared kitchen detailed above.

Where the provision of meals amounts to full or half board, the landlord should provide conveniently sited self catering snack facilities in a ratio of not less than one complete suite of facilities to five persons, in addition to the commercial kitchen.

A suite of snack facilities should comprise:

- a sink and drainer with a suitable splash back.
- a constant supply of hot and cold running water to the sink
- a suitable surface available for use solely as a work top with a minimum size of 1000 x 600 mm, 2 electric points should be provided at this work top.
- suitable provision for the cooking / reheating of food including a small cooker / grill or microwave, a toaster and a kettle.

Exclusive Cooking Facilities (includes self contained flats & bedsits).

Where a unit of accommodation contains kitchen facilities for the exclusive use of the individual household, and there are no other kitchen facilities available for that household, that unit should be provided with:

- a sink and drainer with a suitable splash back
- a constant supply of cold water and either a constant hot water supply or a hot water supply provided by an over / under sink storage unit with a minimum capacity of 10 litres
- equipment for the cooking of food. As a minimum there should be a full size cooker comprising:

2 hot rings, 1 grill and 1 oven for a letting occupied by one person; or
4 hot rings, 1 grill and 1 oven for a letting occupied by more than one person.

- impervious work top surfaces for the preparation of food (minimum total surface area of 1000mm x 600mm for a one person letting).
- a minimum of 2 electric power points immediately adjacent to a work top in addition to any dedicated point serving a cooker
- suitable provision for the storage of dry food or kitchen and cooking utensils. This can be achieved by providing one standard double wall or base unit (in addition to the storage under the sink).
- a refrigerator

Please note that the standards referring to the provision of refrigerators and equipment for cooking food do not apply if:

- the landlord is not contractually bound to provide such appliances or equipment;
- the occupier of the accommodation is entitled to remove such appliances or equipment from the HMO; or
- the appliances or equipment are otherwise outside the control of the landlord

However, in such circumstances landlords would still be required to provide adequate space together with suitable gas and / or electric supply points so that the refrigerators / equipment can be installed.

Section 6: Bathroom Amenities

General Principles

Well designed and maintained bathroom facilities prevent the spread of infectious diseases and, where appropriate, will reduce the stress and anxiety associated with shared use.

All baths, showers and wash hand basins in an HMO should be equipped with taps providing an adequate supply of cold and constant hot water.

All bathrooms in an HMO should be suitably and adequately heated and ventilated.

All bathrooms and toilets in an HMO should be of adequate size and layout.

All baths, toilets and wash hand basins in an HMO should be fit for the purpose.

All bathrooms and toilets in an HMO must be suitably located in or in relation to the living accommodation in the HMO (generally facilities should not be more than one floor distant from the users).

Exclusive Bathroom Facilities

Where there are no adequate shared washing facilities provided for a unit of living accommodation, an enclosed and adequately laid out and ventilated room with a toilet, wash hand basin and bath or fixed shower must be provided for the exclusive use of the occupiers of that unit either:

- within the living accommodation; or
- within reasonable proximity to the living accommodation.

The room containing these facilities must be readily accessible and not more than one floor away from the living accommodation.

Shared Bathroom Amenities

This applies where all or some of the units of living accommodation in an HMO do not contain bathing and toilet facilities for the exclusive use of each individual household.

Where there are four or fewer occupiers sharing those facilities there should be at least one bathroom with a fixed bath or shower, wash hand basin and a toilet (which may be situated in the bathroom).

Where there are five or more occupiers sharing those facilities there should be:

- one separate toilet with wash hand basin with appropriate splash back for every five sharing occupiers; and
- at least one bathroom (which may contain a toilet and wash hand basin) with a fixed bath or shower for every five sharing occupiers.

Where reasonably practicable there should also be a wash hand basin with an appropriate splash back in each unit except those where a kitchen sink has already been supplied. Although this would apply to bedrooms in shared houses and hostels it is likely that in most cases the extent of plumbing and the practical difficulties involved in supplying suitable drainage to each wash hand basin preclude this from being a viable option.

The following table has been included to help you interpret the information above:

Number of Persons	Minimum Provision
1 to 4	1 Bathroom (Bath / Shower, Toilet & Wash Hand Basin)
5	1 Bath / Shower Room & 1 Separate Toilet / Wash Hand Basin
6 to 8	2 Bathrooms (Bath / Shower, Toilet & Wash Hand Basin)
9	1 Bathroom (Bath / Shower, Toilet & Wash Hand Basin), 1 Bath / Shower Room & 1 Separate Toilet / Wash Hand Basin
10	2 Bath / Shower Rooms & 2 Separate Toilets / Wash Hand Basins

Section 7: Heating, Ventilation & Thermal Insulation

General

Adequate provision for heating, ventilation and thermal insulation in a property is vital to prevent two of the most common hazards associated with residential accommodation namely 'excess cold' and 'damp & mould'.

Heating

Each unit of living accommodation in an HMO should be equipped with an effective means of space heating.

The main habitable rooms should be provided with a central heating system or a fixed heating appliance capable of maintaining a temperature of 18°C or more when the outside temperature is -1°C. If the central heating serves more than one letting then heating must be available 24 hours each day to each of the lettings and must be capable of being controlled to each letting by the occupier.

Examples for consideration could include:

- Gas / oil programmable central heating
- LPG / solid fuel central heating
- Modern gas fires / balanced flue gas wall heaters
- Electric storage radiators
- Fixed modern panel heaters

Ventilation

All habitable rooms must be ventilated directly to the external air by a window, the openable area of which should be equivalent to at least 1/20th of the floor area of the room. It is also desirable for non-habitable rooms such as bathrooms and water closets to be provided with sufficient natural ventilation.

Non-habitable rooms that are not provided with adequate natural ventilation must be provided with suitable mechanical ventilation in accordance with the following:

Kitchens	60 litres / second (or 30 litres / second adjacent to a hob)
Bathrooms	15 litres / second.

The siting and fixing of all units must be in accordance with the manufacturer's instructions.

Thermal Insulation

The following measures should be provided where appropriate:

- a minimum of 100mm loft insulation.
- cavity wall insulation (where the wall cavities are 50 mm+)
- lagging to all pipes passing through unheated spaces and to all primary hot water pipework.
- water tank / hot water cylinder jackets

Internal or external insulation for solid walls in older pre-1920 properties should only be considered if a landlord is planning to completely renovate the whole property.

The provision of double glazed units may also be a consideration where the glazed area of the window(s) forms a significant part of the external wall and the units themselves are in a state of disrepair and / or are ill fitting.

Section 8: Natural & Artificial Lighting

General

Adequate natural and artificial lighting should be provided to prevent falls on the level or on the stairs as well a whole range of other physical and psychological effects.

Relevant Standards

All habitable rooms must have adequate natural lighting and should be provided with an area of clear glazing situated in a window or a door that has a total glazed area equivalent to 1/10th of the floor area of the room. It is also desirable for non-habitable rooms such as bathrooms and water closet compartments, and common circulation areas such as landings and stairways to be provided with suitable and sufficient natural lighting.

All parts of the house must have adequate artificial electrical lighting. All wiring and fittings must be in a safe condition and all light switches must be conveniently and safely located. It is particularly important that the hallway, stairways and landings are adequately illuminated to allow safe travel along a level or from one level to the next. Time delay switches are only permissible on communal routes of travel and must allow adequate time for occupiers or visitors to make their journeys safely.

Section 9: Space Standards

General

Lack of space and overcrowded conditions have been linked to a number of health outcomes, including psychological distress and mental disorders, especially those associated with a lack of privacy and childhood development.

Deficiencies can also increase the risks associated with a number of other hazards. The risk of domestic accidents is greater where there is insufficient space for occupants. Small kitchens also increase the risk of accidents. Similarly beds and other furniture can end up being placed too close to fixed heating appliances giving rise to a heightened risk of fire

Room Sizes

The following are recommended as the minimum room sizes for HMOs:

Bedrooms (Shared Houses & Hostels)			
One Person		6.50 sq.m	70 sq.ft
Two Person		10.22 sq.m	110 sq.ft
Combined Rooms (Bedsits)			
Bedroom / Living Room	One Person	10.22 sq.m	110 sq.ft
	Two Person	14.86 sq.m	160 sq.ft
Living Room / Kitchen	One Person	11.15 sq.m	120 sq.ft
	Two Person	14.86 sq.m	160 sq.ft
Bedroom / Living Room / Kitchen	One Person	13.00 sq.m	140 sq.ft
	Two Person	24.15 sq.m	260 sq.ft
Living Rooms and Dining Rooms (Shared Houses & Hostels)			
Two to Five Persons		11.15 sq.m	120 sq.ft
Six to Ten Persons		16.62 sq.m	180 sq.ft

Kitchen Facilities

The minimum areas given below are a guide only. Smaller rooms could be acceptable if the Authority can be satisfied that the size, design and layout still allow the occupants to prepare, cook and serve food in a safe and hygienic manner.

Kitchens (Individual Lettings)

One Person	4.65 sq.m	50 sq.ft
------------	-----------	----------

Kitchens (Shared Houses and Hostels)

Two to Five Persons	7.43 sq.m	80 sq.ft
Six to Ten Persons	10.22 sq.m	110 sq.ft

Dining Kitchens (Shared Houses & Hostels)

Two to Five Persons	11.61 sq.m	125 sq.ft
Six to Ten Persons	19.51 sq.m	210 sq.ft

Section 10: Management Regulations

Both managers and occupiers of HMOs are required to observe the appropriate regulations concerning the management of Houses in Multiple Occupation.

These place a duty on managers to provide information to occupiers; to take safety measures; to maintain utility supplies and drainage; to maintain common areas including fixtures, fittings and appliances; to maintain living accommodation and to provide waste disposal facilities.

Similarly occupiers are required to conduct themselves in a manner that will not hinder the manager in the performance of his / her duties; to allow the manager to enter living accommodation to carry out duties imposed by the regulations; to avoid causing damage; to store litter in accordance with the manager's arrangements and to comply with reasonable instruction in respect of means of escape, the prevention of fire and the use of equipment.

Appendix 1: Additional Relevant Guidance

Housing, Health & Safety Rating System

“Housing, Health & Safety Rating System: Guidance for Landlords & Property Related Professionals”

Published by: Department of Communities & Local Government

Hard copies of this publication and alternative formats are available from:

DCLG Publications
PO Box 236
Wetherby
West Yorkshire
LS23 7NB

Tel: 08701 226 236
Fax: 08701 226 237
Textphone: 08701 207 405
Email: odpm@twoten.press.net

or online via the website: www.communities.gov.uk

National Fire Safety Guide

“Housing – Fire Safety”

Published by: LACORS (Local Authorities Coordinators of Regulatory Services)

Hard Copies of this publication cost £20 and can be obtained from:

LACORS (Private Sector Housing)
3rd Floor, Local Government House
Smith Square
London
SW1P 3HZ

E-mail: housing@lacors.gov.uk