



# **Minimum Standards for Houses in Multiple Occupation within the London Borough of Hillingdon**

## **Housing Act 2004**

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## INTRODUCTION

These minimum standards apply to Houses in Multiple Occupation (HMO's) within the London Borough of Hillingdon and provide guidance in determining whether a property is: -

- (i) Suitable for the number of occupants, or
- (ii) Overcrowded, through excessive numbers of persons being accommodated or likely to be accommodated having regard to the sizes and number of rooms and amenities available.
- (iii) Meets the requirements set out within 'The Management of Houses in Multiple Occupation (England) Regulations 2006' (See appendix)

## HOUSING ACT 2004 s.65

The local housing authority cannot be satisfied that the house is reasonably suitable for occupation by a particular maximum number of households or persons if they consider that it fails to meet prescribed standards for occupation by that number of households or persons.

The nationally prescribed standards are stated in Schedule 3 of the Licensing and Management of Houses in Multiple Occupation Regulations 2006<sup>1</sup> (1 Statutory instrument 2006 No. 373). This document is the **locally adopted standards** derived from the **nationally prescribed standards** and give additional detail to assist owners and officers to determine whether the nationally prescribed standards are met. The council decided on 20 April 2006 through a decision of the council's Cabinet to adopt the national standards for Houses in Multiple Occupation with regard to the provision of basic amenities and that other issues regarding room sizes, overcrowding, fire safety and health and safety hazards would be dealt with by the national Housing Health and Safety Rating System and/or locally adopted standards.

## PLANNING REQUIREMENTS

Owners should also have regard to any planning permission that may be required prior to using a house as an HMO. Planning officers will look at additional areas such as off street parking, over intensity of conversions, sound insulation, type of property e.g. terraced/ detached etc. For more information a copy of Supplementary Planning Guidance 2004 "Houses in Multiple Occupation and other non self-contained housing" is available on the Council's website<sup>2</sup> (<sup>2</sup> Search "SPG HMO"). Owners and managers of HMOs also need to make sure they have planning permission if they subdivide a house into self-contained units or change the use of a house from a single dwelling to an HMO with 7 or more occupiers. Change of use to HMO for up to 6 occupiers does not require planning permission, except in Uxbridge South and Brunel wards where planning permission is required for change of use to HMO.



## MINIMUM STANDARDS - INTRODUCTION

Failure to meet these standards would lead to:

- a) A refusal or revocation of an HMO licence (if the property requires one)
- b) A possible breach of the Management of HMO (England) Regulations 2006 <sup>3</sup> (<sup>3</sup> Statutory Instrument 2006 No. 372)
- c) Enforcement under Housing Act 2004 and the Housing Health and Safety Rating System (HHSRS) if the failure to meet the standard creates a category one or two hazard in the property.

As a minimum, properties should always:

- meet the Decent Homes Standard;
- be free from Category 1 and significant Category 2 hazards with regard to the Housing Health and Safety Rating System (HHSRS) introduced by the Housing Act 2004;
- be expected to be free from such Category 1 and significant Category 2 hazards for a period of at least 5 years from inspection;
- comply with all other legislation relating to the health and safety of residential occupants;
- be in such a condition so as not to cause nuisance to any neighbouring properties.
- Any furniture supplied by anyone other than the occupier shall comply with The Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended in 1989 and 1993).
- All gas appliances and services shall comply with the Gas Safety (Installation and Use) Regulations 1998.
- Any work carried out at the property, which requires either Building Regulation approval or Development Control consent should have such approval.
- This guidance does not cover types and numbers of furniture, kitchen or electrical appliances or internal decorative repair



## EXTERNAL STANDARDS

The exterior and structural elements of the building include load-bearing elements as well as all the elements which give the dwelling its appearance, shape and stability as well as weather-proofing capacity. These can include means of access, amenity space, foundations, walls, roof, chimneys and doors. Services, such as drainage and space for refuse storage should also be considered.

### BUILDING ELEMENTS

- The roof coverings, flashings, chimney stacks, chimney flaunching, brickwork, pointing, render, windows, doors, rainwater goods, wastewater goods and drainage shall be in good condition and repair.
- The dwelling should be free from any threat to the occupants relating to the collapse of an element of part of the fabric of the building being displaced because of inadequate fixing, disrepair or adverse weather conditions.
- External decoration should be in good condition and should not require redecoration for a further five years.
- Flues serving gas appliances (including fires and stoves) should terminate in accordance with either Building Regulation approval or Development Control consent.
- Building elements should be watertight and free from significant cracking.
- The property should show no visible signs of damp, wet or dry rot. The damp proof course should not be bridged by external render, paving or earth. Air bricks should be free from obstruction and should have grilles to prevent access by rodents

### SURFACE AND FOUL WATER DRAINAGE

- There should be adequate provision for surface and foul water drainage.
- All rainwater pipes should discharge properly into the drainage system.
- All access covers to drainage and other services should be fitted with suitable flush mounted covers adequately marked to indicate purpose.

### EXTERNAL STAIRCASES AND STEPS

- Staircases and steps should be constructed and be in such a condition to prevent occupants tripping or falling. Staircases should have adequate handrails, guarding and lighting. There should be no projections into or obstruction on a staircase.
- Staircases should be protected from adverse weather conditions and should be of a non-slip nature. There should be no open risers on staircases.
- See additional information in – **Staircases and Steps**.



## **YARDS AND AMENITY SPACE**

- Common parts (if any) should be in good repair and condition. This should include structure, access ways, security doors and lifts.
- External yards, paths, steps and access ways and surrounds should be in good order, even and well drained.
- Paths should have adequate friction, should not have excessive slopes and have adequate lighting.
- There should be no tripping or falling hazards from paths, ramps or thresholds.
- There should be no unguarded drops from paths, patios, steps, staircases, terraces, balconies, flat roofs or garden areas.
- There should be no iron-spiked railings or other sharp residual projections.
- All boundaries should be clearly defined and enclosed by well maintained and suitable walls or fences.

## **INTERNAL STANDARDS**

- The design and construction of internal parts of the dwelling should not place an occupant at risk from physical injury from either collision or entrapment.
- The design, layout and construction of the dwelling shall allow good standards of cleanliness and shall prevent the harborage and access into the premises of pests.
- The design of the dwelling and functional space within it shall not place occupants at risk of physical strain.
- Occupants should not be exposed to the health risks from ingestion of lead from any of the dwelling elements and finishes.

## **WALLS AND CEILINGS**

- Walls and ceilings should be sound, free from cracks and bowing and should not show any signs of movement.
- Any timber or Formica cladding, polystyrene tiles and covings should be removed.
- Any Artex or similar coatings should be tested for asbestos content. If necessary, following testing, coatings should be removed in accordance with relevant codes of practice.

## **FLOORS**

- Floors should be sound, free from damp or rot, level and free from signs of deflection. There should be no loose or damaged floorboards.
- Where carpet is fitted it should be properly laid and well secured, including threshold strips.
- Old thermoplastic tiles should be tested for asbestos content. If necessary, following testing, coverings should be removed in accordance with relevant codes of practice.



## **DOORS AND WINDOWS**

- Doors and windows should be well-fitting and should open and shut properly. Windows should not be painted shut.
- Doors should be of suitable size with sufficient headroom. Where possible doors should open in the direction of travel into the room.
- Low level glazing (windows less than 800mm above finished floor level, doors and adjacent panels less than 1500mm above finished floor level) should be impact resistant or have permanent screen protection. Non-compliant glass may be re-glazed with safety glass (complying with BS 6206) or upgraded using safety film but must satisfy current regulations.
- All large areas of glazing e.g. patio doors, should comply with Part N of the Building Regulations.
- Fixed stays or stops should be provided to all windows above ground floor level that restrict opening to 100mm maximum, except those windows required to be escape windows under the Building Regulations.
- Window sills should be a minimum of 1.2m above finished floor level. If lower than 1.2m, protection and restricted opening controls should be provided to the window.
- All WC and bathroom windows should be provided with obscure glazing.
- Fixed window panes with louvres above are not acceptable.

## **KITCHEN, DINING and LIVING FACILITIES**

- The kitchen should be of satisfactory layout and have adequate provision for hygienic storage, preparation and cooking of food, so preventing the risk of infection to occupants.
- The occupants should not be exposed by reason of layout, size, design or other feature to risk from hot surfaces or risk from burns or scalds caused by contact with flames or hot liquids.
- Kitchen units and appliances should be free from defects and in good working order. In general, kitchen facilities should be less than 20 years old.

The following shall be provided as a minimum for every 5 people sharing one set of facilities:

- A fridge freezer with a gross capacity of at least 10.6 cubic feet / 300 litres.
- An oven and grill with a 4 ring hob
- Two x two-gang 13 amp electric power points in addition to any provided for an oven, washing machine, dishwasher or fridge-freezer. At least one of these two-gang power points should be at work top level.
- Worktop made of a smooth and impervious material, measuring at least 1500 x 600 mm, and securely fixed in place
- A sink with drainer made of smooth and impervious material with a supply of hot and cold water. The sink should be properly connected to pipes, which safely carry away wastewater to discharge into drainage system



- A lockable food storage cupboard of at least 0.93m<sup>2</sup> per unit of accommodation
- Appropriate refuse disposal facilities
- Appropriate extractor fan, which provides an extraction rate of 60 litres per second in compliance with Building Regulations Document F.

In all shared kitchens we recommend that in addition to the above, one microwave is provided for every five people.

We also recommend that wherever possible, each unit of accommodation is provided with a fridge with a gross capacity of at least 130 litres, with a frozen food compartment.

- Joints around sinks and worktops should be sealed with silicone sealant and maintained effectively to ensure water tightness.
- Waste pipes and taps should be defect free with no leaks or drips. Taps should be easy to operate.
- A kitchen must not be the sole access to a room used for sleeping.
- Kitchen facilities must not be installed in a hallway.
- A humidistat-controlled mechanical extractor must be provided where there is inadequate ventilation by means of a window. Newly converted kitchens must have a mechanical extractor regardless of whether there is an openable window.
- Where kitchen facilities are shared by more than one household then the facilities should be no more than one floor away from the letting. Where this is not practicable, a dining room area of a size suitable for the number of occupiers should be provided.
- In Houses of Multiple Occupation kitchens must be of an adequate size and shape to enable safe use of food preparation by the number of occupiers

## **BATHROOM AND TOILET FACILITIES**

- There should be adequate provision for personal hygiene.
- Bathroom facilities should be in good working order and free from defects.
- Bathrooms and WC's should be within one floor of lettings, and where shared, must be accessible from a common area. They must be fitted with a suitable lock and the surface should be impervious and readily cleansable.
- The bath and shower should be positioned to prevent falls and where necessary handles and grab rails should be provided. Sharp edges or projections should be removed and non-slip surfaces should be provided where necessary. Shower cubicles must be of sufficient size that the user can bathe and dress without injury.
- Adequate tiled splash-back should be provided to the baths and wash hand basins (300mm high)
- showers should have tiling of sufficient height to protect the decoration of the wall (minimum of 1.80m) which is properly sealed and a shower screen or curtain of a sufficient standard to prevent water damage to floor



- Joints around baths and wash hand basins should be sealed with silicone sealant and effectively maintained
- Facilities should be provided with appropriate and adequate lighting
- All baths, showers and wash hand basins in an HMO must be equipped with taps providing an adequate supply of cold and constant hot water.
- All bathrooms in an HMO must be suitably and adequately heated and ventilated
- All bathrooms and toilets in an HMO must be of an adequate size and layout.

Sanitary facilities throughout the dwelling **MUST** include:

<b>SCHEDULE OF AMENITY STANDARDS IN RELATION TO NUMBER OF PERSONS</b>	
1 - 4 persons	<ul style="list-style-type: none"> <li>• No requirement for wash hand basins in bedrooms.</li> <li>• At least 1 bathroom and 1 WC (the bathroom and WC may be combined)</li> </ul>
5 persons	<ul style="list-style-type: none"> <li>• Where reasonably practicable a wash hand basin is required in each bedroom with appropriate splash-back (except any unit in which a sink has been supplied)</li> <li>• At least 1 bathroom (which may contain a toilet) with a fixed bath or shower for every 5 sharing occupiers.</li> <li>• 1 separate toilet with wash hand basin with appropriate splash-back for every five sharing occupiers</li> <li>• Where 2 or more separate bathroom facilities are provided we may waive the requirement for wash hand basins within bedrooms</li> </ul>
6 - 10 persons	<ul style="list-style-type: none"> <li>• Where reasonably practicable a wash hand basin is required in each bedroom with appropriate splash-back (except any unit in which a sink has been supplied)</li> <li>• 2 bathrooms (which may contain a toilet) with a fixed bath or shower and</li> <li>• 2 separate toilets with wash hand basins with appropriate splash-backs</li> <li>• Where 3 or more separate bathroom facilities are provided we may waive the requirement for wash hand basins within bedrooms</li> </ul>
11 - 15 persons	<ul style="list-style-type: none"> <li>• Where reasonably practicable a wash hand basin is required in each bedroom with appropriate splash-back</li> <li>• 3 bathrooms (which may contain a toilet) with a fixed bath or shower and</li> <li>• 3 separate toilets with wash hand basins with appropriate splash-backs</li> </ul>



## **STAIRCASES AND STEPS**

- Staircases should be of such construction and in such a condition to prevent occupants tripping or falling.
- Stairs or steps shall not be overly steep nor staircases excessively long.
- Steps should have level, even treads and should provide adequate friction.
- The stairs should be sound and show no sign of deflection.
- There should be no open risers on staircases.
- Minimum headroom on a staircase should be 1900mm and minimum stair width should be 750mm.
- There should be landings at the top and bottom of all flights. Landings should have a minimum width of 750mm and length of 500mm.
- Stair nosings should not be overly long. All nosings should be adequately secured to treads.
- There should be no projections on the staircase (e.g. coat hooks), no accessible glass, sharp edges or hard surfaces.
- Stair coverings should be securely and safely fastened.
- There should be handrails to all staircases (both internal and external) which are of sufficient size, suitably constructed and fully supported.
- If stairs are over 1000mm wide two handrails should be provided.
- Handrails should be between 900 and 1000mm high.
- Stairs and landings with a drop in excess of 600mm should be guarded. The guarding should be of adequate construction with maximum openings of 100mm, height between 900 and 1000mm and designed to prevent climbing.

## **BALCONIES and FLAT ROOFS WITH ACCESS**

- Balconies and flat roofs with access should be properly constructed and guarded so as to prevent occupants falling between levels.
- All guarding should be of adequate construction with maximum openings of 100mm, height of 1100mm and designed to prevent climbing.

## **WATER SUPPLY**

- The water supply to the premises should be separately supplied, of potable quality and satisfactory for drinking and domestic purposes such as cooking and washing.
- A mains supply of drinking water should be provided to the kitchen sink.
- An easily accessible and properly functioning stop cock should be provided to the mains water supply within the dwelling.
- Water storage tanks should be properly housed, secured, insulated and covered.
- The hot water supply system should be such that heated water can be delivered at a temperature below 46°C.



## **DAMPNESS INCLUDING CONDENSATION**

- The dwelling should be free from dampness prejudicial to the health of the occupants. This includes rising damp, penetrating damp and condensation.
- When considering dampness due to condensation regard shall be had to the thermal performance of the structure, the heating installation and the ventilation arrangements. Particular attention should be paid to exposed elements and non-traditional construction.

## **VENTILATION**

- The dwelling should be adequately ventilated, insulated and screened so that the occupants do not suffer from excessive heat.
- Adequate permanent ventilation should be provided to all habitable rooms, kitchens, bathrooms and WCs. An openable window equivalent to one twentieth of the floor area will achieve this.
- Where there is no window to a kitchen, bathroom or WC there should be mechanical extract ventilation installed. Humidistat controlled mechanical extractor fans should be provided to kitchens (min. output 60 l/s) and bathrooms (min. output 15 l/s). There should be a 15-minute over-run where there is no openable window.
- The flues of all permanently closed fireplaces should be fitted with adequate ventilation to stop condensation.

## **LIGHTING**

- There should be adequate natural and artificial lighting to all habitable rooms, kitchens, bathrooms, WCs, stairways, circulation spaces and common parts. (External obstructions to natural light must be taken into consideration).
- Habitable rooms should have an area of glazing equivalent to at least one tenth of the floor area. 3.15.3 Adequate external lighting should be provided to all means of access and egress.

## **HEATING AND THERMAL COMFORT**

Heating should be matched to the thermal capacity and performance of the structure. The heating system should comprise of either full gas central heating or electric storage heaters at off peak or low cost rates.

- The premises should be capable of being heated to a temperature of 21°C in living areas and 18°C in bedrooms when the outside temperature is - 1°C.
- The heating should be controllable by the occupants i.e. have a timer and/or thermostat and should operate independently from the hot water system.
- The heating should be properly installed and regularly maintained by a Gas Safe or NICEIC registered engineer. Copies of their certificates should be provided.



- There should be a fixed heating appliance or radiator in every room. Portable gas or electric heaters are not acceptable. If the heating appliance is an electric fire it can only be a wall-mounted convector heater and it must be connected to a fused spur. Where a new boiler is required the installation should meet the latest SEDBUK Band “A” rating (high efficiency boilers).
- Effective insulation should consist of a minimum 250mm loft insulation or equivalent to achieve the performance above. All hot water cylinders should be properly insulated.

## **ELECTRICAL INSTALLATION**

- The electrical systems should be free of all hazards which could cause an electrical shock, fire or burns to an occupant.
- An electrical test certificate (18th edition) should be provided (NICEIC). The certificate must demonstrate that there are no electrical defects that affect the occupant’s safety.
- There should be sufficient electrical sockets throughout the dwelling to prevent overloading.

## **GAS INSTALLATION**

- All gas appliances should be properly fixed and ventilated, Gas Safe approved and should be certified as safe by a Gas Safe registered engineer on an annual basis. There should be no evidence of the production of Carbon Monoxide, Nitrogen Dioxide, Sulphur Dioxide or uncombusted fuel gas.
- Occupants should not be exposed to the risk of explosion from gas appliances and installations or other heating systems
- A gas safety test certificate (Gas Safe Register) and a copy of a service contract should be provided from a Gas Safe registered engineer.

## **FIRE SAFETY REQUIREMENTS**

The HMO’s design, construction and condition must

- limit the spread of fire and smoke
- provide adequate fire protection to the means of escape and between each unit of accommodation.

The HMO must be provided with appropriate detection and alarm systems and, as appropriate, emergency lighting and fire fighting equipment.

Owners should seek further advice from the Council’s Building Control Team to confirm a particular fire safety related design would comply with the current Building Regulations.

The HMO must comply with the Standard Fire Safety Schedules of works in accordance with the Regulatory Reform (Fire Safety) Order 2005.



## **SMOKE DETECTION IN PROPERTIES**

As a minimum standard, hard wired mains operated smoke alarms with battery back up to BS 5446 should be provided to the ceiling in the dwelling hallway and in each landing area.

- At least one smoke detector should be provided on each floor level. Larger properties with corridors in excess of 5m in length will require additional smoke detectors.
- The smoke detectors must be interlinked so that they all sound continuously in the event of a fire.
- Smoke detectors shall be inspected and tested periodically to ensure their proper operation.
- There should be suitably fixed fire blankets (conforming to BS EN 1869:1997) in kitchens.

All HMO's should meet the requirements listed above as a minimum. Landlords should refer to **Regulatory Reform (Fire Safety) Order 2005** and **LACORS** for further information on fire detection and protection.

## **SPACE STANDARDS**

### **Living Rooms**

Where a common living room is provided, such as in shared houses, this should be a minimum size of 10m<sup>2</sup>.

### **Bedrooms**

- The minimum room sizes that should be provided are below are also subjected to each room being of a shape offering adequate useable living space. Areas where the ceiling height is less than 1.53m, such as an attic room shall not be counted as part of the floor area.
- Separate kitchens, whether shared or used exclusively in connection with a particular single tenancy shall be of sufficient size for their purpose. Where kitchen facilities are provided within other rooms, as a guide, a minimum additional floor area of 3.7m<sup>2</sup> should be required.
- The sharing of rooms by persons of the opposite sex over the age of 10 shall not be permitted unless and they are over 16 and live as husband and wife.
- A child will be considered as an individual person in terms of these standards.
- Communal space, hallways corridors, landings, kitchens, toilets or bathrooms cannot be used as sleeping accommodation.



The table below should be used to determine the permitted number of occupants for the dwelling:

<b>Maximum Number of Occupants Per Room Based on Usable Floor Space</b>	
<b>4.64m<sup>2</sup> - 6.5m<sup>2</sup> (Approx 50 - 69 sq ft)</b>	<b>1 Occupant under 10 years old</b>
<b>6.51m<sup>2</sup> - 10.2m<sup>2</sup> (Approx 70 - 110 sq ft)</b>	<b>1 Occupant (1 Household)</b>
<b>More than 10.2m<sup>2</sup> (Approx 111 sq ft or more)</b>	<b>2 Occupants (1 Household)</b>

Note: The total maximum occupancy of the property will also depend on the level of kitchen and bathroom facilities provided being sufficient to support the maximum number of occupants.

## **GENERAL ITEMS**

### **SECURITY**

- The dwelling should provide an adequate level of security to prevent unauthorised entry by intruders and should allow the occupiers to maintain a satisfactory level of defensible space.
- Access doors to premises should have adequate locks. The primary entrance door should be fitted with a minimum of a mortice deadlock to BS 3621 openable from the inside without a key.
- All door and window frames and furniture should operate properly and should be in a good state of repair

### **PEST CONTROL**

- The dwelling should be free from pests and pest infestations (including, but not limited to rats, mice, pigeons, cockroaches, fleas, bed bugs) so that the occupants are not subjected to threats to their physical or mental health.
- Where pests or pest infestations are found during occupation, a suitably qualified pest control contractor should be engaged to carry out all necessary treatments and other works to ensure the eradication of the pests.
- Where pest control works are carried out within occupied dwellings, the occupier must be made aware of the location of any baits or other chemical treatments.

You may wish to refer to **The Management of Houses in Multiple Occupation (England) Regulations 2006; Statutory Instruments No. 372** for further details.



## **Contact Details for the Private Sector Housing Team**

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