

Mole Valley District Council

House in Multiple Occupation (HMO) Licensing Policy and Standards

1. Background

A House in Multiple Occupation (HMO) is defined in the Housing Act 2004. It is a building which is rented to three or more persons who form two or more households, and where those households share one or more of the amenities such as a bathroom, toilet or cooking facilities. A household is defined as a single person, a family, or a cohabiting couple.

2. HMO Licensing

In the Housing Act 2004, the government introduced a requirement for the largest HMOs, specifically those that were three storeys or more, with five or more tenants, to be inspected and licensed by the local housing authority.

The Government has now extended the scope of mandatory HMO licensing through the 'Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018'. Now all HMOs that:

- contain five or more occupants,
- who form two or more households and
- share one or more amenity,

must be licensed by the Council.

The properties no longer need to consist of three storeys or more. This extension to the scheme will now include any rental property which meets the criteria, even if the accommodation is all situated on one level.

The aim of licensing is to ensure that every licensable HMO is safe for the occupants and visitors and is properly managed. The responsibility for applying for a licence rests with the person having control of, or the person managing the property. Prospective licence holders are required to submit an application form, supply various certificates for gas and electrical safety, a fire alarm servicing certificate and pay the licensing fee.

Where possible an officer will normally undertake an inspection of the property as part of the application process, but this can happen at any time during the licensing period. The licence is issued for a period of five years, with mandatory conditions

attached to the licence, which will include the maximum number of occupants and households that can occupy the HMO.

Where the Council is not confident in the management arrangements in place for a licensable HMO, it may only licence the HMO for a one year trial period before deciding whether to issue the full five year licence.

2.1 Temporary Exemption Notice

Where a landlord is, or shortly will be taking steps to make an HMO non-licensable, the Council may agree to serve a Temporary Exemption Notice (TEN). A TEN can only be granted for a maximum period of three months. In exceptional circumstances a second TEN can be served for a further three-month period. A TEN will be served where the owner of the HMO states in writing that steps are being taken to make the HMO non- licensable within 3 months.

2.2 Duty holder

The responsibility for ensuring that a relevant HMO is licensed rests with the person having control of, or the person managing, the property. This is basically the owner, or the person who lets the property and collects the rent.

2.3 Effective Implementation

The Council is required to make such arrangements as are necessary to secure the effective implementation in their district of the licensing regime. In order to achieve this the Council will:

- Adopt a suitable policy;
- Determine an appropriate fee;
- Prepare and provide suitable application forms;
- Prepare and provide written advice;
- Prepare procedures and train staff;
- Publicise licensing using the Council magazine/web-site;
- Alert relevant organisations

2.4 Applications

The Council will provide application forms that set out all the information required from the responsible person to make a full application for consideration by the Council.

Applications will be available in hard copy from Environmental Health and will be downloadable via the Council's web site.

The Council will make a decision in a timely fashion as to whether a licence will be granted or refused.

2.5. Register

The Council will maintain a register containing the prescribed information about licensed HMOs for the public to view.

2.6 Designation of areas subject to additional licensing

The Housing Act 2004 enables Councils to extend the licensing regime beyond the mandatory bounds set. The Council can create an Additional Licensing Scheme where there is evidence that properties are badly managed and give rise to particular problems such as anti social behaviour. Similarly it is possible to introduce Selective Licensing more broadly to private sector housing where there is low housing demand or anti-social behaviour. Currently the criteria for such action are not met in Mole Valley and there are no proposals for this action to be taken.

3. Suitability for occupation

Licences will only be granted where the Council is satisfied that:

- the HMO is reasonably suitable for occupation by the number of persons permitted under the licence, or that it can be made suitable by the imposition of conditions under the licence;
- the licence holder is a fit and proper person;
- the proposed licence holder, of all the persons reasonably available to be the licence holder, is the most appropriate person to hold the licence;
- the proposed manager, is either the person in control, or their agent or employee and is fit and proper to be the manager.
- the proposed management arrangements for the house are satisfactory.

Each of these elements is dealt with in detail in the succeeding paragraphs.

3.1 Reasonably suitable for occupation

Minimum national standards for Houses in HMOs are prescribed in [national regulations](#) under the Housing Act 2004, (The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006). These relate to the provision of bathrooms, WCs, kitchens, fire safety and heating within HMOs. Even in some cases where these prescribed standards are met.

Under Section 65 of the Housing Act 2004, more detailed local HMO standards can be set to reflect local housing conditions, provided they do not fall below the national standards. Mole Valley District Council has adopted local standards, and these are set out in Appendix 1. Deviations from the Council standards may be permitted where the Council considers it reasonable in the circumstances.

3.2 Fit and proper person

To be able to hold an HMO licence a person has to be considered to be “fit and proper”. As part of the licence application process each applicant will be asked details of:

- Any unspent convictions for offences involving fraud or other dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
- Any unlawful discrimination on grounds of sex, colour, race, ethnic or national origins, or in connection with the carrying on of a business.
- Any contravention of any provision of the law relating to housing or of landlord and tenant law (including any civil proceedings that resulted in a judgement against the landlord).

Where an applicant is deemed not to be 'fit and proper' to hold a licence, an alternative licence holder must be nominated and assessed. If there is no suitable nominated licence holder this is not a reason to refuse a licence. In this situation the Council becomes responsible for the management of the HMO.

3.3 Proposed Management arrangements

The HMO Management Regulations cover the legal duties for the day-to-day running of HMOs. In deciding whether proposed management arrangements for a house are satisfactory regard will also be had to:

- (a) whether any person proposed to be involved in the management of the house has a sufficient level of competence
- (b) whether there is a system for tenants to report defects (including emergencies) and arrangements for responding
- (c) whether there is a system of periodic inspections to identify repair or maintenance matters

4. Duration of licences

Licences will usually be granted for five years. Where there are concerns about the property or the management a shorter period may be used but this will not be less than 12 months.

5. Licence Fees

Councils are permitted to charge a fee for licensing work. The fee can take account of all costs incurred in carrying out the licensing functions. The fee to be charged currently will be £687 per property.

6. Licence conditions

An HMO licence will specify the maximum number of occupants who may occupy an HMO, which will depend on the number and size of rooms and the kitchen and bathroom facilities. Mandatory conditions will also include requiring the licence holder:

- to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;
- to ensure that the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;
- to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;
- to ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.

Where a breach is found to exist, the Council will consider granting a period to rectify the situation.

There are also mandatory conditions requiring the licence holder:

- if gas is supplied to the house, to produce to the local housing authority annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months;
 - to keep electrical appliances and furniture provided, in a safe condition;
- to supply the authority, on demand, with a declaration as to the safety of such appliances and furniture.
- to ensure that smoke alarms are installed in the house and to keep them in proper working order;
- to supply the authority, on demand, with a declaration as to the condition and positioning of such alarms.
- to supply to the occupiers of the house a written statement of the terms on which they occupy it.

The Council may also require compliance with discretionary conditions relating to the following areas:

- (a) the management, use and occupation of the house concerned, and
- (b) its condition and contents.

The Council will apply conditions that are considered reasonably necessary such as:

- *HMOs will comply with the statutory Management of HMO (England) Regulations 2006 within three months*
- *owners or managers must provide copies of up to date reports of fire detection, alarm system and emergency lighting to the Council annually*
- *a requirement for regular maintenance of the property and facilities*

- *the name, address and telephone number of the licensee or manager, a copy of the licence, a copy of the valid gas safety certificate must be displayed in the common parts or sent to every tenant*
- *that tenancy agreements must set out how owners or managers intend to deal with anti social behaviour from tenants or visitors*
- *that any anti-social behaviour arising in the HMO is dealt with under the terms of the tenancy agreement.*

Other specific conditions relevant to particular properties may also be applied such as requiring additional facilities or equipment at the property, or works to be undertaken within a particular timescale.

7. Inspection Policy

An Environmental Health Officer will undertake an inspection of every property subject to a licence application. The inspection may be carried out prior to the issue of the licence or at some time during the licence period.

In addition to checking the HMO for compliance with The inspection of each HMO will involve the application of the Housing Health and Safety Rating System (HHSRS), which is set out in the Housing Act 2004. This will include a risk assessment of the effect of housing conditions on the health and safety of occupiers. The HHSRS involves the assessment of 29 potential hazards and scoring their severity to decide whether improvements are needed. If more serious "category 1" hazards are found the Council has a duty to take action. If less serious "category 2" hazards are found, the Council has the discretionary power to require action.

In general the Council will seek to remove or reduce category 1 or category 2 hazards in the house by the exercise of Part 1 functions of the Act, which includes the service of, for example, an Improvement Notice or Prohibition Order, and not through licence conditions.

The Council will not unreasonably delay the granting of the licence pending any of its Housing Act enforcement responsibilities but it will prioritise enforcement in certain circumstances eg where a fire hazard warrants the service of a Prohibition Order.

8. Interim and Final Management Orders

An Interim Management Order (IMO) is a short-term intervention by the Council lasting up to 12 months.

IMOs may be made when the licensing regime fails. They enable the Council to take over the management of a HMO where there is no fit and proper person available to manage it.

The Council also has a duty to make an IMO if:

- The property is required to be licensed, but is not, and the Council considers there is no reasonable prospect of it granting a licence in the near future.
- The Council intends to revoke an existing licence and upon revocation there will be no reasonable prospect of the property being licensed in the near future (e.g. to another suitable person)

Where the Council is considering imposing an IMO, it must be satisfied the making of an IMO is necessary to protect the health, safety or welfare of occupiers or adjoining occupiers/owners. (If there is a threat to evict persons occupying the house in order to avoid the house being required to be licensed, this may constitute a threat to the occupiers' welfare.)

A local authority may make an IMO to ensure that:

- immediate steps are taken to protect the health, safety or welfare of occupiers and adjoining occupiers/owners and
- other steps are taken, as required, to ensure the proper management of the house pending further action.

An IMO transfers the management of the property to the Council for a period of up to twelve months. During this period the Council may:

- Do anything in relation to the property, which could have been done by the landlord, including repairs, collecting rents etc.
- Spend monies received through rents and other charges for carrying out its responsibility of management, including the administration of the property
- Create new tenancies (with the consent of the landlord).

The Council must keep full accounts of income and expenditure in respect of the HMO and make those accounts available to the landlord.

All such Orders have to be authorised by a First Tier Tribunal (Property Chamber).

A final management order is an order (expiring not more than 5 years after it is made) that the Council can make for the purpose of securing the proper management of the house on a long-term basis in accordance with a management scheme contained in the order.

In exceptional circumstances the Council may need to make a Final Management Order (FMO) on a property which is already being managed under an IMO. As with the IMO, the Council must make an application to the FTT for such an order. An FMO must be made if the property should be licensed by the date of expiry of the IMO, but the Council consider that a licence cannot be granted by that date. The FMO would enable the Council to continue to manage the HMO for the duration of

the order and it also enables the Council to create new tenancies without the consent of the landlord.

FMOs can be varied or revoked by the Council and the provisions, including on appeals, are similar to those for the variation and revocation of HMO licences.

For more information on HMO Licensing or Management Orders please contact the Environmental Health Team.

9. Temporary exemption notices

Where a landlord is, or shortly will be, taking steps to make an HMO non-licensable, the Council may serve a Temporary Exemption Notice (TEN). A TEN can only be granted for a maximum period of three months. A second three-month TEN can be served in exceptional circumstances.

The service of a TEN will be considered where an owner of a licensable HMO states in writing that he/she is taking steps to make an HMO non-licensable and states that the HMO will not be licensable within three months. Further such notices will only be served in exceptional circumstances.

10. Penalties for non compliance

The Housing Act 2004 makes it a criminal offence if a person controlling or managing an HMO does not have the required licence. A person found guilty of such an offence will be subject to a fine up to a maximum of £20,000.

Breaching any condition of a licence is also an offence, punishable by a fine not exceeding level 5 on the present scale (£5,000 currently).

All incidences of non-compliance will be dealt with in accordance with the Private Sector Housing Enforcement Policy.

11. Rent Repayment Orders

The Housing Act 2004 enables Councils to apply for Rent Repayment Orders (RROs) in regard to offences related to HMOs. A landlord who operates an unlicensed HMO can be subject to a RRO when issued by a First-tier Tribunal (Property Chamber).

If rents were paid through Housing Benefit, the Council will use its powers under the Act to seek RROs for repayment of the rent for a maximum period of twelve months or for the period since the landlord was required to license the HMO, if less.

12. Re-inspections

Re-inspections will be carried out with regard to licensing requirements. Re-inspections may be necessary to check on the progress of works that have been required or to routinely check on compliance with the terms of the licence. The frequency of routine re-inspections will be based on a risk rating system.

13. Variations

Variations to issued licences may be made at any time with the agreement of the licence holder, or on the Council's own initiative. Variations made on the Council's initiative will be subject to the Appeal provisions in the Act.

14. Revocations

The Council will exercise the power to revoke a licence with due care. It is recognised that unless the property ceases to be a licensable HMO this is a serious step, however it will be taken where the circumstances specified in the Act occur.

15. Appeals

Informal appeals regarding an officer's decision to set particular licence conditions or to refuse, revoke or vary a licence can be made to the Manager of the Environmental Health and Licensing Partnership.

Formal appeals to the First Tier Tribunal (Property Chamber) (FTT) are provided for under the Act if the Council decides to:

- refuse a licence
- grant a licence with conditions
- revoke a licence
- vary a licence or
- refuse to vary a licence

The FTT has quasi-judicial status and is made up of housing lawyers, valuers, surveyors and lay people. Members qualified to chair committees and tribunals are appointed by the Lord Chancellor and other members are appointed by the ODPM. Three members usually sit on each committee or tribunal.

APPENDIX 1

COMPLEMENTARY STANDARDS TO THE STATUTORY STANDARDS APPLICABLE TO VARIOUS CATEGORIES OF HOUSE IN MULTIPLE OCCUPATION

(See policy para 4.1)

- CATEGORY A** Buildings or parts of buildings occupied as individual rooms, bedsits and flatlets which are considered to have a number of rooms for exclusive occupation, not necessarily behind one door, with some sharing of amenities usually bathroom and/or toilet and may be a kitchen. In such a house each occupancy would be separately rented.
- CATEGORY B** Buildings or parts of buildings occupied on a shared basis. Usually the house will be let to a defined group and not individuals. The house is most likely to be shared by four or more people and although most commonly students, other groups of people come together and share certain amenities as they wish but have certain individual facilities such as a bedroom.
- CATEGORY C** Buildings or parts of buildings let in lodgings i.e. catering for lodgers on a small scale but not living as part of the main household. This is the traditional "house let in lodgings" normally with a resident owner/occupier where meals are provided in a dining room and would be typified by a family or household who might take in a small number of students or other individuals away from their primary place of residence.
- CATEGORY D** Buildings or parts of buildings generally referred to as "hostels", "guest houses", "bed and breakfast accommodation". They provide accommodation for people with no other permanent place of residence as distinct from a hotel which provides accommodation for visitors to the area for a short time. This category would include hotels and bed and breakfast establishments used by Councils to house homeless families, or similar establishments which provide accommodation for single people whose only financial support is state benefit and who would otherwise be homeless. This category would include hotels used for such accommodation even on a casual basis and if there was a mix of homeless households with that hotel as their only place of residence, and short term visitors.

(d) to ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.

These figures are based on a two person occupancy. For occupancies of more than two persons reference will be made to Sections 325 and 326, Housing Act 1985.

B. Natural Lighting

1. All habitable rooms shall be provided with an area of clear glazing situated in either a window and/or a door, equivalent in total area to at least 1/10th of the floor area of the room.
2. All kitchens, bathrooms and water closet compartments shall comply with 1 above. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of part C, to the satisfaction of the Head of Environmental Health.
All glazing to windows in bathrooms and water closet compartments shall be obscure.
3. All staircases, landings and passages shall be provided with an area of clear glazing in a window. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of part C, to the satisfaction of the Head of Environmental Health.

C. Artificial Lighting

1. All habitable rooms, kitchens, bathrooms, water closet compartments, staircases, landings and passages shall have adequate electric lighting.

There shall be sufficient switches to operate the artificial lighting on each landing, corridor or passage and each switch shall allow adequate lengths of corridors, passages and stairways to be illuminated at the same time.

D. Ventilation

1. All habitable rooms, kitchens, bathrooms and water closet compartments shall have a minimum floor to ceiling height of 2.3m, except in the case of attic rooms, which shall have a minimum height of 2.3m over an area of the floor equal to not less than half of the area of the room, measured on a plane 1.5m above the floor.
2. All habitable rooms shall be ventilated directly to the external air by a window, the openable area of which shall be equivalent to at least 1/20th of the floor area of the room.
Neither an openable door giving access directly to the external air nor a louvred opening in such a door will be acceptable for the purpose of this requirement.
3. All kitchens, kitchen/diners, bathrooms, water closet compartments shall comply with 2. above but where this is not practicable, mechanical ventilation providing a minimum of three air changes per hour shall be provided.
4. Mechanical ventilation provided for bathrooms and wc's shall be fitted with an overrun device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

E. Water Supply

1. A conveniently accessible supply of cold running water suitable for drinking purposes shall be available in each unit of accommodation separately or via sink taps in shared kitchens.

F. Sanitary Facilities

1. Each separate occupancy shall be provided with a wash hand basin together with its own supplies of hot and cold running water, situated within the unit of accommodation, and of minimum dimension 560mm x 430mm.
2. Baths, showers and wc's shall be provided in accordance with Schedule 3 of S.I. 2006 No.373 for every 5 occupants or part thereof.
3. External wc's shall not count.

G. Space Heating

1. All habitable rooms shall be adequately heated by a suitable central heating radiator or fixed space heating appliance of either gas or electricity that the occupying tenant can control. Solid fuel shall only be permitted on the ground floor where it can be shown that there is adequate fuel storage and that there will not be any risk to safety from the removal of hot ashes. Portable or removable heating appliances will not be acceptable.
2. All heating systems shall be of a sufficient output so as to heat adequately the main living rooms to a temperature of 18°C and other habitable rooms to 16°C with an outside temperature of -1°C.

H. Refuse, Storage and Disposal

1. Refuse storage containers shall be provided sufficient for the needs of the house and of a type acceptable to the Council.
2. The licence holder to comply with any scheme which is provided by the local housing authority and which relates to the storage and disposal of household waste at the HMO pending collection.

CATEGORY B HMO STANDARDS (Shared house type)

A. Space Standards

One Person Units of Accommodation

- (i) Each bedroom/study: 10m² except where a separate living room is provided which is not a kitchen or a kitchen/dining room, in which case the bedroom shall be 6.5m².

2. Two Person Units of Accommodation

- (i) Each bedroom/study: 15m² except where a separate living room is provided which is not a kitchen or a kitchen/dining room, in which case the bedroom shall be 11m².

3. Common Rooms

Kitchens:	
used by 1-5 persons	7m ²
used by 6-10 persons	10m ²
used by 11-15 persons	13.5m ²
used by 16+ persons	16.5m ²
(ii) Dining/ Kitchens:	
used by 1-5 persons	11.5m ²
used by 6-10 persons	19.5m ²
used by 11-15 persons	24m ²
used by 16+ persons	29m ²
(iii) Living rooms and dining rooms:	
used by 1-5 persons	11m ²
used by 6-10 persons	16.5m ²
used by 11-15 persons	21.5m ²
used by 16+ persons	25m ²

B. Natural Lighting

1. All habitable rooms shall be provided with an area of clear glazing situated in either a window and/or a door, equivalent in total area to at least 1/10th of the floor area of the room.

2. All kitchens, bathrooms and water closet compartments shall comply with 1. above. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of part C, to the satisfaction of the Head of Environmental Health.
All glazing to windows in bathrooms and water closet compartments shall be obscure.
3. All staircases, landings and passages shall be provided with an area of clear glazing in a window. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of part C, to the satisfaction of the Head of Environmental Health.

C. Artificial Lighting

1. All habitable rooms, kitchens, bathrooms, water closet compartments, staircases, landings and passages shall have adequate electric lighting.

There shall be sufficient switches to operate the artificial lighting on each landing, corridor or passage and each switch should allow adequate lengths of corridors, passages and stairways to be illuminated at the same time.

D. Ventilation

1. All habitable rooms, kitchens, bathrooms and water closet compartments shall have a minimum floor to ceiling height of 2.3m, except in the case of attic rooms, which shall have a minimum height of 2.3m over an area of the floor equal to not less than half of the area of the room, measured on a plane 1.5m above the floor.
2. All habitable rooms shall be ventilated directly to the external air by a window, the openable area of which shall be equivalent to at least 1/20th of the floor area of the room.
Neither an openable door giving access directly to the external air nor a louvred opening in such a door will be acceptable for the purpose of this requirement.
4. All kitchens, kitchen/diners, bathrooms, water closet compartments shall comply with 2 above, but where this is not practicable, mechanical ventilation providing a minimum of three air changes per hour shall be provided.
5. Mechanical ventilation provided for bathrooms and wc's shall be fitted with an overrun device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

E. Water Supply

1. A conveniently accessible supply of cold running water suitable for drinking purposes shall be available in each unit of accommodation separately or via shared kitchen sink taps.

F. Sanitary Facilities

1. Each unit of accommodation shall be provided with a wash hand basin together with its own supplies of hot and cold running water, situated within the unit of accommodation, and of minimum dimension 560mm x 430mm.

Where this is not practicable, a suitably located shared bathroom comprising wc, fixed bath or shower, and wash hand basin with hot and cold water supplies shall be provided for up to 4 occupiers sharing. All shared bathrooms to comply with Schedule 3 of S.I. 2006 No.373.

G. Space Heating

1. All habitable rooms shall be adequately heated by a suitable central heating radiator or fixed space heating appliance of either gas or electricity that the occupying tenant can control. Solid fuel shall only be permitted on the ground floor where it can be shown that there is adequate fuel storage and that there will not be any risk to safety from the removal of hot ashes. Portable or removable heating appliances will not be acceptable.
2. All heating systems shall be of a sufficient output so as to heat adequately the main living rooms to a temperature of 18°C and other habitable rooms to 16°C with an outside temperature of -1°C.

H. Refuse, Storage and Disposal

1. Refuse storage containers shall be provided sufficient for the needs of the house and of a type acceptable to the Council.
2. The licence holder to comply with any scheme which is provided by the local housing authority and which relates to the storage and disposal of household waste at the HMO pending collection.

CATEGORY C HMO STANDARDS (Lodger type)

A. Space Standards

1. Bedrooms:

All bedrooms to be as follows:

1 person	6.5m ²
2 persons	10m ²
3 persons	16.5m ²
4 persons	21m ²

2. Living Rooms

All common living rooms to be as follows:

used by 1-5 persons	11m ²
used by 6-10 persons	16.5m ²
used by 11-15 persons	21.5m ²
used by 16+ persons	25 m ²

B. Natural Lighting

1. All habitable rooms shall be provided with an area of clear glazing situated in either a window and/or a door, equivalent in total area to at least 1/10th of the floor area of the room.
2. All kitchens, bathrooms and water closet compartments shall comply with B.1. above. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of part C, to the satisfaction of the Head of Environmental Health.
All glazing to windows in bathrooms and water closet compartments shall be obscure.
3. All staircases, landings and passages shall be provided with an area of clear glazing in a window. Where this is not practicable adequate artificial lighting shall be provided in accordance with the requirements of part C, to the satisfaction of the Head of Environmental Health.

C. Artificial Lighting

1. All habitable rooms, kitchens, kitchen/diners, bathrooms, water closet compartments, staircases, landings and passages shall have adequate electric lighting.
There shall be sufficient switches to operate the artificial lighting on each landing, corridor or passage and each switch should allow adequate lengths of corridors, passages and stairways to be illuminated at the same time.

D. Ventilation

1. All habitable rooms, kitchens, bathrooms and water closet compartments shall have a minimum floor to ceiling height of 2.3m, except in the case of attic rooms, which shall have a minimum height of 2.3m over an area of the floor equal to not less than half of the area of the room, measured on a plane 1.5m above the floor.
2. All habitable rooms shall be ventilated directly to the external air by a window, the openable area of which shall be equivalent-to at least 1/20th of the floor area of the room.
Neither an openable door giving access directly to the external air nor a louvred opening in such a door will be acceptable for the purpose of this requirement.
3. All kitchens, kitchen/diners, bathrooms, water closet compartments shall comply with 2 above, but where this is not practicable, mechanical ventilation providing a minimum of three air changes per hour shall be provided.
4. Mechanical ventilation provided for bathrooms and wc's shall be fitted with an overrun device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

E. Water Supply

1. A supply of cold running water suitable for drinking purposes shall be provided for the use of the occupants in the kitchen.

F. Personal Washing Facilities

1. Each unit of accommodation not occupied by the owner and his, her family, shall be provided with a wash hand basin together with its own continuous supplies of hot and cold running water, situated within the unit of accommodation, and of minimum dimension 560mm x 430mm.
2. Where this is not practicable, a suitably located shared bathroom comprising wc, fixed bath or shower, and wash hand basin with hot and cold water supplies shall be provided for up to 5 occupiers sharing, including the owner and his/her family. All shared bathrooms to comply with Schedule 3 of S.I. 2006 No.373.

G. Kitchen Facilities

1. Facilities must be available, either separately or by use of the main kitchen, for occupants to prepare light meals and hot drinks etc.

H. Space Heating

1. All habitable rooms shall be adequately heated by a central heating radiator or fixed space heating appliance of either gas or electricity that the occupying tenant can control. Solid fuel shall only be permitted on the ground floor where it can be shown that there is adequate fuel storage and no risk to safety from the removal of hot ashes. Portable or removable heating appliances will not be acceptable.
2. All heating systems shall be of a sufficient output so as to heat adequately the living rooms to a temperature of 18°C and other habitable rooms to 16°C with an outside temperature of -1°C.

I. Refuse, Storage and Disposal

1. Refuse storage containers shall be provided, sufficient for the needs of the house and of a type acceptable to the Council.
2. The licence holder to comply with any scheme which is provided by the local housing authority and which relates to the storage and disposal of household waste at the HMO pending collection.

CATEGORY D HMO STANDARDS (Hostel type)

A. Space Standards

1. Bedrooms

All bedrooms to be as follows:

1 person 8.5m²

2 persons 11m²

3 persons 15m²

For each additional person there should be an additional 4.5m² of floor area.

For the purpose of calculating these standards, a child under the age of one shall be disregarded, and a child more than one and less than 10 years of age shall count as 1/2 person.

2. Lounge:

A minimum provision of 3m² per person is required.

3. Dining:

A minimum of 2m² per person is required.

4. Combined Lounge/Dining Areas:

A provision of 4m² per person is required if the floor areas of lounge and dining rooms are combined.

B. Natural Lighting

1. All habitable rooms shall be provided with an area of clear glazing situated in either a window and/or a door, equivalent in total area to at least 1/10th of the floor area of the room.
2. All kitchens, bathrooms and water closet compartments shall comply with 1 above. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of part C, to the satisfaction of the Head of Environmental Health.

C. Artificial Lighting

1. All habitable rooms, kitchens, bathrooms, water closet compartments, staircases, landings and passages shall have adequate electric lighting and it shall be available at all times.
There shall be sufficient switches to operate the artificial lighting on each landing, corridor or passage and each switch should allow all corridors, passages and stairways to be illuminated at the same time.

D. Ventilation

1. All habitable rooms, kitchens, bathrooms and water closet compartments shall have a minimum floor to ceiling height of 2.3m, except in the case of attic rooms,

which shall have a minimum height of 2.3m over an area of the floor equal to not less than half of the area of the room, measured on a plane 1.5m above the floor.

2. All habitable rooms shall be ventilated directly to the external air by a window, the openable area of which shall be equivalent to at least 1/20th of the floor area of the room.

Neither an openable door giving access directly to the external air nor a louvred opening in such a door will be acceptable for the purpose of this requirement.

3. All kitchens, bathrooms, water closet compartments shall comply with 2 above, but where this is not practicable, mechanical ventilation providing a minimum of three air changes per hour shall be provided.
4. Mechanical ventilation provided for bathrooms and wc's shall be fitted with an overrun device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

E. Water Supply

1. Each bedroom shall be provided with a supply of cold running water suitable for drinking purposes, either directly off the rising main or by such other means as are acceptable to the relevant water authority. Where this is not practicable and subject to the agreement of the Head of Environmental Health, such supply shall be provided at cold water taps in self-catering kitchens or at a tap accessible on each floor, but not in a bathroom or water closet compartment. The tap shall be suitably marked "Drinking Water".

F. Sanitary Facilities

1. Separate male and female sanitary facilities may be required to the satisfaction of the Head of Environmental Health.
2. Additional water closet and urinal accommodation to the satisfaction of the Head of Environmental Health may also be required to be provided on floors, used for communal purposes.

G. Kitchen Facilities

1. Self-Catering Hostels:

- (a) Each occupancy shall have its own kitchen separate from the sleeping room, and of an area of 4m². Where this is not practicable, each occupancy shall have its own kitchen facilities within the unit of accommodation and 4m² shall be added to the floor areas in A. I.
- (b) Shared kitchens may be provided for single person occupancies, but on the same floor as the accommodation provided for those people sharing the kitchen.

2. Hostels Providing Meals

- (a) Kitchen facilities for the cooking and preparation of food for residents as part of the service provided by the establishment shall not be allowed to be used by residents.

- (d) Separate kitchen facilities must be available for occupants to prepare light meals and hot drinks etc. Such provision to comply with Schedule 3 S.I. 2006 373.
- (c) Kitchen facilities for the purpose of (b) above shall be available for use 24 hours a day and the cost of running the appliances will be included in the residential charge.
- (d) Separate provision as required by (b) above will not be required in circumstances where it can be shown to the satisfaction of the Head of Environmental Health, either by virtue of the scale of their provision of meals or because of the manner in which the premises are occupied, that such provision would not be reasonable. In these cases a lesser standard may be applied.

H Space Heating

1. A fixed heating system capable of heating living rooms to a temperature of 18°C and other habitable room to 16°C shall be provided and properly fitted to all rooms. The system shall be capable of attaining these temperatures when the outside temperature is -1°C. The cost of running the heating system is to be included in the residential charge, and shall be under the exclusive control of the manager. A full central heating system shall be deemed to be adequate for this purpose.

I. Refuse, Storage and Disposal

1. Refuse storage containers shall be provided, sufficient for the needs of the hostel.
2. The licence holder to comply with any scheme which is provided by the local housing authority and which relates to the storage and disposal of household waste at the HMO pending collection.