

Housing Act 2004 Standards For Houses In Multiple Occupation

A house in multiple occupation is a house which is occupied by persons who do not form a single household. There are various types of HMO including houses divided into rooms, bedsits or flatlets, shared houses, lodgings, hostels and properties converted into self contained flats.

In Barnet only the compulsory HMO Licensing scheme will be operated. This means that Licensable HMO's have shared facilities and are:

- three or more storeys high,
- occupied by two or more households, and
- have a total of 5 or more people living in the property.

A **summary** of the Council's main requirements is set out below with appropriate reference to the type of HMO to which it relates. All Licensable HMOs must comply with these standards. In non licensable HMOs they will be used as a guide but each property will be considered individually under the Housing Health and Safety Rating System. The Housing Health and Safety Rating System (HHSRS) is a new risk assessment tool introduced by the Housing Act 2004 used to assess potential risks to the health and safety of occupants in residential properties in England and Wales.

1. Space Standards

Room sizes must comply with the following minimum standards

1.1. One Person Households

- One room lettings shall provide a minimum floor area of:
 - 13m² including kitchen facilities, or
 - 10.2m² when provided with separate shared kitchen
- Two or more room lettings shall provide a minimum combined floor area of 13m² within which:
 - Any room used as a kitchen shall have a minimum floor area of 4.5m².
 - Any room used for sleeping shall have a minimum floor area of 6.5m².

1.2. Two Person Households

- One room lettings shall provide a minimum area of:
 - 17m² including kitchen facilities, or
 - 14m² when provided with a separate shared kitchen.

- Two or more room lettings shall provide a minimum combined floor area of 17m² within which:
 - Any room used as a kitchen shall have a minimum floor area of 4.5m².
 - Any room used for sleeping shall have a minimum floor area of 6.5m² for one person or 10.2m² where shared.

1.3. Hostel Accommodation Being Used for the Placement of Homeless Persons

1.3.1. Cooking Facilities in a Separate Room:

Floor Area of Room	Maximum Number of Persons
Less than 6.5m ²	0
6.5m ² -10.2 m ²	1
10.2m ² -14.9 m ²	2
14.9m ² -19.6 m ²	3
19.6 m ² -24.2 m ²	4
24.2 m ² or more	5

1.3.2. Cooking Facilities Within the Room:

Floor Area of Room	Maximum Number of Persons
Less than 10m ²	0
10.2m ² -13.9 m ²	1
13.9m ² -18.6 m ²	2
18.6 m ² -23.2 m ²	3
23.2 m ² to 27.9 m ²	4
27.9 m ² or more	5

1.4. Notes:

- Persons of the opposite sex, aged ten years and over and who are not co-habitant shall not be permitted to sleep in the same room.
- The standard is to be applied irrespective of the age of the occupants
- For the purpose of calculation in respect of these space standards, no account shall be taken of bathrooms or water closet compartments.
- All rooms shall have a minimum floor to ceiling height of at least 2.14 metres (7 feet) over not less than 75% of the room area. Any floor area where the ceiling height is less than 1.53metres (5 feet) shall be disregarded. Where bunk beds are used there shall be a minimum floor to ceiling height of 2.5metres (8 feet 2 inches)
- Irrespective of the floor area consideration shall be given to the shape and usable living space within the room to determine whether it is suitable for occupation and to what occupancy level.

2. Personal Washing Facilities

- 2.1. **Where there are five or more occupiers each separate household shall, where practicable, be provided with a wash hand basin** (unless a sink is provided) together with a satisfactory supply of hot and cold running water, situated within the unit of accommodation. A tiled splash back (minimum 300mm high) is to be provided to each wash hand basin.
- 2.2. Each separate occupancy shall, where practicable, be provided with its own readily accessible bath or shower room of adequate size with sufficient space for drying and changing. Where this is not practicable a readily accessible bathroom or shower room with sufficient space for drying and changing shall be provided in the ratio of one to every five persons regardless of age.
- 2.3. All bath/shower compartments shall be ventilated directly to the external air by an openable window. Where this is not practicable mechanical ventilation complying with current Building Regulation shall be provided.
- 2.4. The walls and floors to any shower/bathroom are to be non absorbent and readily cleansable. Showers shall be provided with a suitable water resistant screen or shower curtain.
- 2.5. The shower/bathroom shall not be more than one floor distant from any user.
- 2.6. Baths and showers shall not be provided in kitchens.
- 2.7. All washing facilities must be fit for purpose, of an adequate size and layout and suitably located in relation to the living accommodation.

3. Sanitary Conveniences

- 3.1. **Each separate occupancy shall where practicable be provided with its own water closet compartment.**
- 3.2. Where this is not practicable water closets shall be provided in readily accessible compartments or bathrooms, being not more than one floor distant from any user, in the ratio of one water closet to every five persons, regardless of age. Where this is being shared by more than four persons it must be situated in its own w.c. compartment
- 3.3. External water closets are not permitted.
- 3.4. All w.c's must be fit for purpose, of an adequate size and layout and suitably located in relation to the living accommodation.

- 3.5. A wash hand basin shall be provided in each separate water closet together with its own adequate supply of cold and constant supply of hot water. A tiled splash back (minimum 300mm high) is to be provided to each wash hand basin.
- 3.6. All water closet compartments shall be ventilated directly to the external air by an openable window. Where this is not practicable mechanical ventilation complying with current Building Regulations shall be provided.

4. Facilities For The Storage, Preparation And Cooking Of Food And For The Disposal Of Waste Water

4.1. Kitchen facilities for exclusive use by households

4.1.1 **Each household shall, where practicable, have its own kitchen** separate from and being not more than one floor distant from the sleeping room or within the unit of accommodation.

4.1.2 Each kitchen shall have the following facilities:

- Adequately sized food storage cupboards (of minimum capacity 0.4 cubic metres). This provision is in addition to any base unit cupboards provided below the sink/drainer.
- Conveniently sited electrical socket for the connection of a refrigerator.
- An adequately sized (0.14 cubic metres) working refrigerator with a freezer compartment. To minimise disturbance from noise an A rated energy efficient fridge is recommended.
- two double 13 amp electrical power sockets situated at work top height
- Adequately sized (1000 x 600 mm) fixed, impervious worktop for the preparation of food.
- A mains supplied cooking appliance with a minimum of two rings or hot plates together with a grill and oven.
- A sink and drainer of adequate size with its own adequate supply of cold and constant supply of hot water properly connected to the drainage system.
- A tiled splash back (minimum 300mm high) is to be provided to the sink.

4.2. Kitchens for communal use

4.2.1. Where it is not practicable to have exclusive use kitchens, shared kitchens may be provided for a maximum of three households (up to a maximum of five persons). Where provided the kitchen shall be not more than one floor distant from the units of accommodation. Shared kitchens are only permitted between one room lettings and shall have a minimum floor area of 6m².

4.2.2. In a shared house up to five people can share a kitchen

4.2.3. A shared house is defined as one:

- Which is occupied by a group of people over the age of sixteen
- Each occupier has the use of a communal dining room with adequate space for use by all occupiers, and
- There is evidence of communal living

4.2.4. Each shared kitchen shall have the following facilities:

- Adequately sized lockable food storage cupboards (minimum capacity 0.14 cubic metres per household) .This provision is in addition to any base unit cupboards provided below the sink/drainer.
- Adequately sized (1000x 600mm) fixed, impervious worktop for the preparation of food.
- Mains supplied cooking appliance with a minimum of four rings or hot plates together with a grill and an adequately sized oven.
- A sink and drainer of adequate size with its own adequate supply of cold water and a constant supply of hot water properly connected to the drainage system.
- A tiled splash back (minimum 300mm high) is to be provided to the sink.

4.2.5. In addition to the shared kitchen the following facilities shall be provided in a suitable location within each letting:

- An adequately sized (minimum 0.14 cubic metres) working refrigerator with a freezer compartment. To minimise disturbance from noise an A rated energy efficient fridge is recommended.
- A storage cupboard of minimum capacity 0.4cubic metres

4.3. General Requirements for all Kitchen Facilities

- Cooking facilities shall be reasonably located in relation to the room(s) occupied by the person(s) using them. This shall be not more than one floors distance.
- No more than two sets of facilities shall be provided in any one kitchen (of minimum area 12square metres).
- Where two sets of facilities are provided the two sets shall be reasonably separate from each other to allow their safe and simultaneous use by two or more households
- All wall, floor and ceiling finishes are to be non absorbent and readily cleansable. No furniture or curtains shall be within 600mm of the cooker.
- Kitchen facilities must be available for use 24 hours a day
- Cookers should not be located close to doorways and there should be enough floor space to safely retrieve items from the oven.
- A mechanical extractor must be provided, ducted to the open air, with the outlet away from adjacent windows.

- Adequate refuse disposal facilities should be provided and regularly maintained.
- All rooms containing kitchen facilities should be provided with a fire blanket, in accordance with British Standard 6575: 1985 mounted on a wall near, but not above, cooker.
- All rooms containing kitchen facilities should be provided with a carbon dioxide fire extinguisher complying with British Standard EN3: 1996 and 7863: 199
- All kitchens should be provided with 30 minute fire resistant door sets. The door shall be of solid wood construction not less than 44mm in finished thickness or a fire resisting door constructed to conform to BS 476 (half hour type). The door is to be self closing by means of an approved spring mechanism adjusted to positively close the door from any point on travel. The door is to be fitted with dual function cold smoke-intumescent seal strips to the head and both sides in accordance with manufacturers instructions.

5 Heating

- 5.1 All units of living accommodation and bath/shower rooms must be equipped with an adequate means of fixed space heating (meaning a fixed gas or electrical appliance, or an adequate system of central heating operable at all times available at all times.
- 5.2 The appliance must be capable of efficiently maintaining the room at a minimum temperature of 19°C (the provision of insulation can assist in meeting this standard).
- 5.3 The heating provision must be capable of being used at any time.
- 5.4 The use of portable paraffin or oil fired heaters and liquefied petroleum gas heaters shall not be acceptable under any circumstances.

6 Provision Of Means Of Escape In Case Of Fire In Hmos

- 6.1 Appropriate fire precautions and equipment must be provided as is considered necessary.
- 6.2 In order to detail specific requirements the Council will carry out a full inspection and in consultation with the London Fire and Emergency Planning Authority decide the level of fire precautionary works required.
- 6.3 In general terms, the following fire precaution facilities and equipment must be provided:
 - The installation of a suitable automatic fire detection system in accordance with BS 5839 Part 1, incorporating adequate numbers of, and suitably positioned, linked smoke/heat detectors, sounders and call points.
 - Appropriate and suitable fire fighting equipment including fire extinguisher and other equipment considered necessary.
 - An adequate number of Notices detailing procedures in the event of fire.

An appropriate means of escape in case of fire is also required. In all HMOs this will be considered by the case officer under the Housing Health and Safety Rating System not as part of the Licensing process. In general terms this will consist of:

- Doors and partitions constructed to provide the appropriate standard of fire resistance.
- Appropriate emergency lighting in accordance with BS 5266 Part 1 and fire signs.
- The provision of a 'protected route' leading to a place of safety (normally the street). 'Protected route' means a route having an adequate degree of protection from fire including walls (other than external walls), partitions and floors separating the route from the remainder of the building.

6.4 From 1st October 2006 your premises is required to comply with the Regulatory Reform (Fire Safety) Order 2005. The enforcing authority for this legislation is the Fire and Rescue Service. For further information on this you can refer to the internet site www.fire.gov.uk. In addition please note that the government has recently published a guidance document 'Fire safety risk assessment - Sleeping accommodation' which provides comprehensive guidance on the management of fire safety. It includes guidance on your duties regarding fire safety records and evacuation plans, which must be made available to residents and the Enforcing Authority. If you have any queries regarding your duties you should contact the London Fire and Emergency Planning Authority on 020 7587 2270 or in writing at Barnet Borough Team, 227 Long Lane, Finchley, London N3 2RP or by e mail at barnetgroup@london-fire.gov.uk.

6.5 Where more than 5 people are employed at the property, the Fire Precautions (Workplace) Regulations 1997 will apply. A risk assessment must be undertaken at the property by the owner to identify the fire hazards present and take action to eliminate or reduce the risk of such hazards.

7 Management Of Houses In Multiple Occupation

7.1 All houses in multiple occupation must comply with the requirements of The Management of Houses in Multiple Occupation (England) Regulations 2006. Additional information can be found at www.communities.gov.uk or can be obtained from Her Majesty's Stationary Office (HMSO).

For more information contact:

Environmental Health, Private Sector Housing Team

tel: 020 8359 7997

email: hmos@barnet.gov.uk

write to: Barnet Council, Building 4, North London Business Park,
Oakleigh Road South, London N11 1NP.