



Housing Standards

For advice on the standards of repair or amenities required in HMOs or the availability of HMO grants please contact:

Housing Standards
Environmental Health & Community Protection
Old Kelways
Somerton Road
Langport, Somerset TA10 9YE
☎ 01935 462462

Ask for the Housing Standards
(Environmental Health) Officers.

Other Contact Points

Your Local South Somerset Homes
Offices are at:

South Somerset House
Alvington, Yeovil
Somerset BA22 8WN
☎ 01935 404500

For independent housing advice contact:

Shelter
Castle Walk, Taunton
Somerset TA1 4PW
☎ Freephone: 0800 1690317 or
☎ 01823 259961

OR

Citizens Advice Bureau
Petters House, Petters Way
Yeovil, Somerset BA20 1SH
☎ 01935 421167

For advice on Housing Benefits contact:

Housing Benefit
Council Offices
Brympton Way, Yeovil
Somerset BA20 2HT
☎ 01935 462462

For advice on rent deposit schemes contact:

South Somerset Accommodation Scheme
Court Ash House
Court Ash, Yeovil
Somerset BA20 1HG
☎ 01935 410637

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Brympton Way, Yeovil, Somerset BA20 2HT

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www.southsomerset.gov.uk

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contact us on:

☎ 01935 462462

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Policy for Houses in Multiple Occupation



2008 – 2013

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Introduction

The term “House in Multiple Occupation” (HMO) is a legal definition that describes a type of dwelling that includes bedsits and other similar shared accommodation. It has long been recognised that this form of tenure, which tends to cater for lower income groups, presents particular housing problems that need to be addressed by the local council.

Disrepair, lack of amenities, inadequate fire escape provisions and difficult management problems including crime and drugs can often be associated with HMOs.

As part of South Somerset District Council’s Housing and Accommodation Strategy we are pursuing a pro-active programme to deal with substandard HMOs. This also links in with the council’s “Corporate Plan” and our “Strategy for Private Sector Housing”.

We have consulted with both the council’s Regeneration Panel and the Steering Group of the Landlords’ Forum about the issues concerned. Both bodies recognise the need to work together in partnership to ensure that the HMOs in the district are safe and pleasant places in which to live.

During the consultation process it has been stressed that the standards referred to in this document will be applied in a fair and considered manner, so as not to put unreasonable demands on landlords.

The purpose of this document is to describe the council’s policy for dealing with HMOs, outlining the key elements of the policy, the methods of implementing the policy and the minimum standards that the council will be seeking to enforce. It is intended as a brief reference document for both landlords and members of the public.



Policy Aims

South Somerset District Council will:

- **Work with landlords, tenants and other interested parties to ensure that all HMOs in South Somerset are up to standard.**
- **Seek to identify all HMOs in South Somerset and by the use of negotiation as well as statutory powers bring them up to the required standard.**
- **Continue with our phased programme of inspection of all HMOs, dealing with 50 a year. This will include the re-visiting of previously improved HMOs on a programmed basis.**
- **Bring 75% of unsatisfactory HMOs identified up to standard within 12 months of inspection and the remainder within 18 months.**
- **Make details of our policy available to landlords and tenants and provide guidance notes explaining their rights and obligations.**
- **Ensure that multiple household landlord and tenant issues form an integral part of the work of our Private Sector Landlords' Forum.**
- **Continue to identify and license all three storey HMOs with five or more tenants.**
- **Work with other organisations/individuals such as South Somerset's Accommodation Scheme, the Trading Standards Officer, the Health and Safety Executive etc to ensure that the interests of tenants are fully protected.**

HMOs in South Somerset

Results from housing surveys in the past have indicated that there could be 400 HMOs in South Somerset. It is very difficult to determine the precise number as properties can rapidly be converted into HMOs for immediate occupation and then be quickly converted back again.

In order to ensure the health and safety of the occupants of these properties, the council has an on-going programme to seek out and inspect them to ensure that legal standards are met. Currently we have allocated sufficient staff resources to deal with 50 HMOs a year.

The definition of an HMO includes bedsitters, but can also include hotels, shared houses and Bed and Breakfast accommodation used to house long-term housing benefit recipients. All of the above will be subject to inspection under the council's HMO Policy.

HMO Licensing

Licensing of larger HMOs (those of 3 or more storeys with 5 or more occupants) became a mandatory requirement in April 2006.

All owners/managers of these HMOs now have to apply to the council for an HMO Licence that lasts for five years and costs £300 for a basic five room HMO, with £30 extra per additional room, (eg £390 for an eight room HMO).

These HMO Licences have conditions attached to them that help to control the use of the premises.



Our Inspection Priorities

We hold an electronic database that is constantly being updated with details of known and suspected HMOs. Information about HMOs is collected from a variety of sources including existing housing records, other council departments, other housing agencies, area surveys and information from the public.

As information about HMOs is entered on the database, they are risk-assessed and prioritised using a points system. Those considered to be at highest risk are always dealt with first.

Also given priority are properties used by South Somerset District Council to temporarily house homeless people.

Initially we have concentrated on three-storey HMOs with high occupancy rates, as we consider them to have the highest risk. Once we have dealt with them all, we will progress onto inspecting smaller HMOs.

Re-inspections

As well as inspecting new HMOs it is necessary to have re-inspections to ensure that all HMOs are kept up to standard.

Our policy is that once an HMO is brought up to standard we shall not vary the standard without good reason. We will however, regularly inspect such HMOs to ensure that the agreed standards are maintained.

Enforcement of Standards in HMOs

We have a policy of always seeking to work with landlords to achieve a satisfactory standard of accommodation. It is hoped that most substandard HMOs can be improved via discussion and negotiation with the landlords without the need to resort to more formal action. The council is a signatory to the Code for Regulatory Compliance that formalises this form of approach.

Housing Health & Safety Rating System (HHSRS)

The Housing Act 2004 brought in a new system for inspecting and assessing housing conditions. Replacing the long-standing standard based on "fitness" is the new "Health & Safety" based system that assesses the impact of 29 different hazards on the occupiers (or potential occupiers) of the premises.

This national system covers all the hazards associated with HMOs (including fire, smoke, falls etc).

The result of this rating is a "score" for each hazard and a total hazard score for the HMO, which can trigger potential action by the council.



Enforcement Procedures

If, following an initial inspection, an HMO is found to be substandard, discussions will take place with the landlord about what needs to be done to bring it up to standard.

An Environmental Health Officer (EHO) will then follow up with an informal letter enclosing a list of works necessary to meet the standard required.

This informal approach will continue as long as reasonable progress was being made. However, if it becomes clear that progress is not being made, formal enforcement action will be started by the service of a legal notice under the Housing Act, to ensure that the work required is carried out.

Such notices can require:

1. Works to improve fire precautions and fire detection, and/or
2. Works to provide extra cooking or washing facilities, and/or
3. Works of repair.

The EHO uses their professional judgement and follows all agreed guidelines when deciding what works are necessary.

When specifying works to improve the means of escape in case of fire, the Avon and Somerset Fire Rescue Service is always consulted as per the "Protocol between Local Housing Authorities and Fire and Rescue Authorities to improve Fire Safety".

These kinds of Housing Act Notices give a time limit within which the works required are to be carried out. Failure to comply can lead to court action and/or the works being carried out by the council with the costs being recovered from the HMO manager/owner.

HMO Grants

Subject to budgetary constraints, grant aid may be available to assist in the carrying out of any works required.

However, the scheme of works should be agreed with the council before starting such works, otherwise this opportunity may be lost.

It should be noted that there are conditions attached to this type of grant requiring the applicant to remain the owner and let the property as an HMO for a period of five years.

For further advice on the current levels of grant available, contact an Environmental Health Officer on 01935 462462.

Standards Required in HMOs

The following is a general guide to the standards required by South Somerset District Council in HMOs. These guidelines are based on existing legislation and relevant codes of practice.

(They are for general guidance only. For specific requirements contact an EHO on 01935 462462)

Means of Escape in Case of Fire

All HMOs should be provided with adequate means of escape in case of fire. The works required will vary from property to property and an EHO will be happy to visit, advise and produce an appropriate schedule of works.

All such schedules of work are produced in consultation with the Devon & Somerset Fire Rescue Service.

The works required usually include protection of the escape route from the letting-rooms to the exterior of the building against smoke and fire for a half-hour period.

This is normally achieved by providing half-hour fire-resisting fire doors and a suitable fire detection and alarm system.

In three-storey premises this is usually a full Fire Alarm system with a control panel, break-glass points etc.

All fire alarms need to be regularly tested and serviced and fire doors kept shut when not in use.

Toilet Facilities

Satisfactory and readily accessible WC's should be provided at a ratio of one WC per every five (or less) people.

There should be at least one WC within the house in a separate compartment readily accessible to all persons living in the house.

Ideally there should be a WC available not more than one floor distant from any letting.

Personal Washing Facilities

Suitable and sufficient facilities for personal washing should be provided for the use of each letting either within or readily accessible to the letting.

As a minimum this should consist of a wash-hand basin with an adequate supply of hot and cold water connected to suitable drainage in each of at least half of the letting rooms, in addition to a wash-hand basin in each toilet compartment.

Bathroom Facilities

Each HMO requires bathrooms at a ratio of one bathroom per every five (or less) people. Bathrooms should be readily accessible and contain a bath or shower, properly plumbed with hot and cold water supplies and connected to suitable drainage.





Room Heating

Living rooms, bed-sitting rooms and bathrooms should be provided with suitable and safe room heating appliances such as fixed gas or electric heaters or radiators.

Food Preparation

The following should be provided in communal kitchen(s) for the use of each letting:

1. A kitchen sink and drainer with a supply of hot and cold water.
2. Adequate work-surfaces and food storage cupboards. (Lockable cupboards are recommended in communal kitchens).
3. Sufficient cooking facilities including an oven.
4. Suitable refrigerated storage space.

NOTE: Cooking facilities should not usually be provided in bedrooms or living-rooms.

Refuse

The landlord must make available the full complement of council wheelie-bins (one bin per two tenants) and ensure that they are properly used by the tenants, so that all refuse is removed at least fortnightly. Additional lidded bins should also be provided for use in the kitchens.

Tenants should be encouraged to place their recyclable waste (glass, tins etc) in the council's black recycling boxes and put the boxes out for collection on the appropriate days.

Lighting

(a) Natural

Every habitable room (that is a room suitable for use for living or sleeping) should be adequately lit by a glazed window or windows situated in an external wall or roof.

The size of the window(s) should be at least one-tenth of the floor area.

Where practicable, every kitchen, bathroom, WC compartment, landing and passageway should have one or more windows in the external walls or roof to provide sufficient light.

Alternatively, adequate artificial lighting should be provided in these types of rooms.

(b) Artificial

Every habitable room, kitchen, bathroom, WC compartment, and all areas of the house in common use (including staircases, passages and landings) should have adequate artificial lighting. The lighting system must be maintained in proper working order and good repair.

Emergency lighting systems may be required in three-storey and certain other premises as part of the means of escape in case of fire.

Ventilation

All rooms and hallways should have adequate ventilation. This can be natural ventilation from openable windows or by mechanical means.

Openable parts of windows should be equivalent to one-twentieth of the floor area and should normally be at least 1.75 metres above the floor level.

A mechanical ventilation system on its own may be acceptable in rooms used exclusively as kitchens, bathrooms and WC compartments.

Water Supply

There should be a piped supply of drinking water taken direct from the rising main and situated at each sink in the communal kitchen.

Overcrowding/Room Sizes

Advice regarding the number of people who may occupy an HMO may be obtained from the Environmental Health Officer.

The number allowed depends on the number and size of letting rooms in the premises.

As a general rule we regard 90 sq ft as being a reasonable minimum size for a single letting room and 110 sq ft for a double room.

Gas Supplies

All gas appliances, piping, fittings and fixtures should be regularly (at least annually) inspected by a CORGI Engineer and must be in good working order.

Details of all inspections should be recorded by the landlord and be available to the tenants.

All chimney flues should be regularly cleaned (annually, but more often if in heavy use) to avoid fires and carbon-monoxide poisoning. (Also see section on "Gas Safety" on page 6).

Electrical Supplies

All electrical supplies and electrical appliances provided by the landlord for use by the tenants should be regularly checked (at least annually) by a qualified electrician to ensure they are safe for use.

Furniture

All upholstered furniture provided for use of the tenants should comply with relevant fire safety regulations.

General Repair

All HMOs should be kept in reasonable repair. All doors, windows etc should operate properly and all corridor hallways should be kept clear, clean and tidy.

Door Locks

All bedsit rooms should be provided with secure locks to ensure the safety and security of the occupant and their possessions.





Legislation Controlling Management of HMOs

The Housing (Management of Houses in Multiple Occupation) Regulations 2006 place duties on the manager to properly manage the HMO.

The council can serve a Notice on the manager requiring an improvement in the management standards if they are found to be lacking in any of the following areas:

Management

Effective management is really the key to the running of a successful and safe House in Multiple Occupation.

The manager must ensure that the property is maintained in good condition to enable the tenants to live safely and in comfort.

Listed right are the HMO management regulations, which describe in detail the manager's legal responsibilities.

In addition to these regulations, the manager also has a general duty of care to the tenant and can face legal action from the tenant if he/she fails to protect the tenants' health and safety.

It is strongly recommended that the manager provides a set of 'House Rules' which sets down a list of the tenants' responsibilities and gives information about the actions to be taken in case of emergencies.

This information should be displayed prominently in a common area, and a copy handed to each tenant at the start of each tenancy.

Frequent visits (at least weekly) should be made to the property to inspect the condition of all fittings and fixtures and to make regular safety checks of all gas, electrical and fire safety systems.

The manager's contact address and telephone number should be displayed within the house at all times.

Energy Conservation

As part of the council's Energy Conservation Strategy, landlords of HMOs are actively encouraged to reduce energy use in their properties.

To achieve this, it will be necessary for landlords to ensure that all roof spaces, water tanks and associated pipes are suitably lagged.

It will also be necessary to ensure that all windows and doors are close-fitting and draught-free.

Landlords should examine the type of heating systems fitted in the HMO and ensure that they are efficient and consider the installation of gas condensing boilers, double glazing or cavity-wall fill as appropriate.

Tenants also need to be advised as to what they should be doing to minimise the use of energy.

1. Duty to Display Notices

The display of a notice containing manager's details including name and address and contact points.

2. Means of Escape from Fire

All fire prevention and escape systems being maintained in good working order and free from obstruction.

3. Water Supply and Drainage

Tanks for water, installation of water 'fittings' and need for uninterrupted supplies of water and adequate drainage for disposal of waste water.

4. Supply of Gas and Electricity

The need for uninterrupted and safe supplies of gas and/or electricity.

5. Installations in Common Use

This is very wide ranging, but relates to the repair and cleanliness of items such as WCs, baths, sinks, wash-hand basins, cookers, larders and refrigerators. It also relates to repair, condition and freedom from obstruction of common areas. It specifically highlights the necessity of good handrails and banisters for safety purposes.

6. Living Accommodation

The repair of the structure and fittings within the tenants' accommodation.

7. Disposal of Refuse

The provision of refuse sacks or bins and maintaining arrangements for proper disposal of all refuse.



Fire Safety Statistics

HMOs are high-risk premises.

Statistically, HMO tenants are **SIX** times more likely to die in a fire than people living in other forms of housing.

They are also **EIGHT** times more likely to be injured in a fire.

The most recently available statistics show that **142** people die every year in HMO fires, and nearly **4,000** people are injured.



Safety of Furniture

All upholstered furniture provided by the landlord in let accommodation (this includes HMOs) must comply with fire resistance requirements, as laid down in the 'Furniture and Furnishings (Fire and Safety) Regulations 1988'. This covers settees, chairs, bed bases, mattresses, headboards, stools, dining chairs, sofa-beds and items of children's furniture (including prams and push-chairs).

These Regulations are enforced by:
Somerset County Council, Consumer Protection
County Hall, Taunton TA1 4DY
☎ 01823 356177

Gas Safety

All gas appliances provided in let accommodation (this includes HMOs) must be properly installed, maintained and checked for safety at least every 12 months. Copies of the safety inspection report must be made available to all tenants.

These requirements are made by the 'Gas Safety (Installation and Use) Regulations 1994' (as amended) and are enforced by:

The Health and Safety Executive (HSE).

☎ **0800 300363 for the HSE Gas Safety Advice Line.**

Partnership Working with Private Landlords (Landlords' Forum)

The forum started in 1995 and is open to all private landlords with properties in the South Somerset area.

Successful meetings were held in September 2005 and January 2007 and a number of items of interest to landlords discussed including ways of reducing tax liabilities, dealing with difficult tenants, notices to quit, grants available to landlords and housing advice from Shelter.

Newsletter

A landlords newsletter called "Landlords First" is now available giving information and tips useful to landlords.

If you would like further information about the Forum or would like to go on the mailing list for the newsletter, then please contact:

☎ **01935 462462**

and ask for the Housing Standards (Environmental Health) Officers

or e-mail

💻 private.housing@southsomerset.gov.uk

