



South Somerset District Council
The Council Offices, Brympton Way, Yeovil, Somerset, BA20 2HT
Telephone: (01935) 462462
Website: www.southsomerset.gov.uk

Environmental Health

Guide to Houses in Multiple Occupation (HMOs)

HMO Standards

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1.0 What is a House in Multiple Occupation (HMO)

An HMO is a property occupied by three or more persons from two or more households; a household could be a single person or persons related to each other. An HMO can also include a building converted entirely into self-contained flats.

HMO Definition

In the Housing Act 2004, the definition of an HMO is technically complex.

An HMO is a building, or part of a building (e.g. a flat):

- *which* is occupied by more than one household (defined below) and in which more than one household shares a basic amenity (or the building lacks an amenity) such as a bathroom, toilet or cooking facilities;
- *or*, which is occupied by more than one household and which is a converted building which does not entirely comprise self-contained flats (whether or not there is also a sharing or lack of amenities);
- *or* which comprises entirely of converted self-contained flats and the standard of conversion does not meet, at a minimum, that required by the 1991 Building Regulation and less than two thirds of the flats are owner occupied.

Household

A single household can be a family, cohabiting couple or a separate individual.

For example, three friends sharing a house is three households even if they share a tenancy agreement; a couple with two children and one friend is 2 households.

1.1 Which HMOs need a licence?

Your property will require a licence if all of the following apply:

- it has any number of storeys
- it's rented to five or more people from two or more households
- it has shared facilities like a kitchen, bathroom or WC

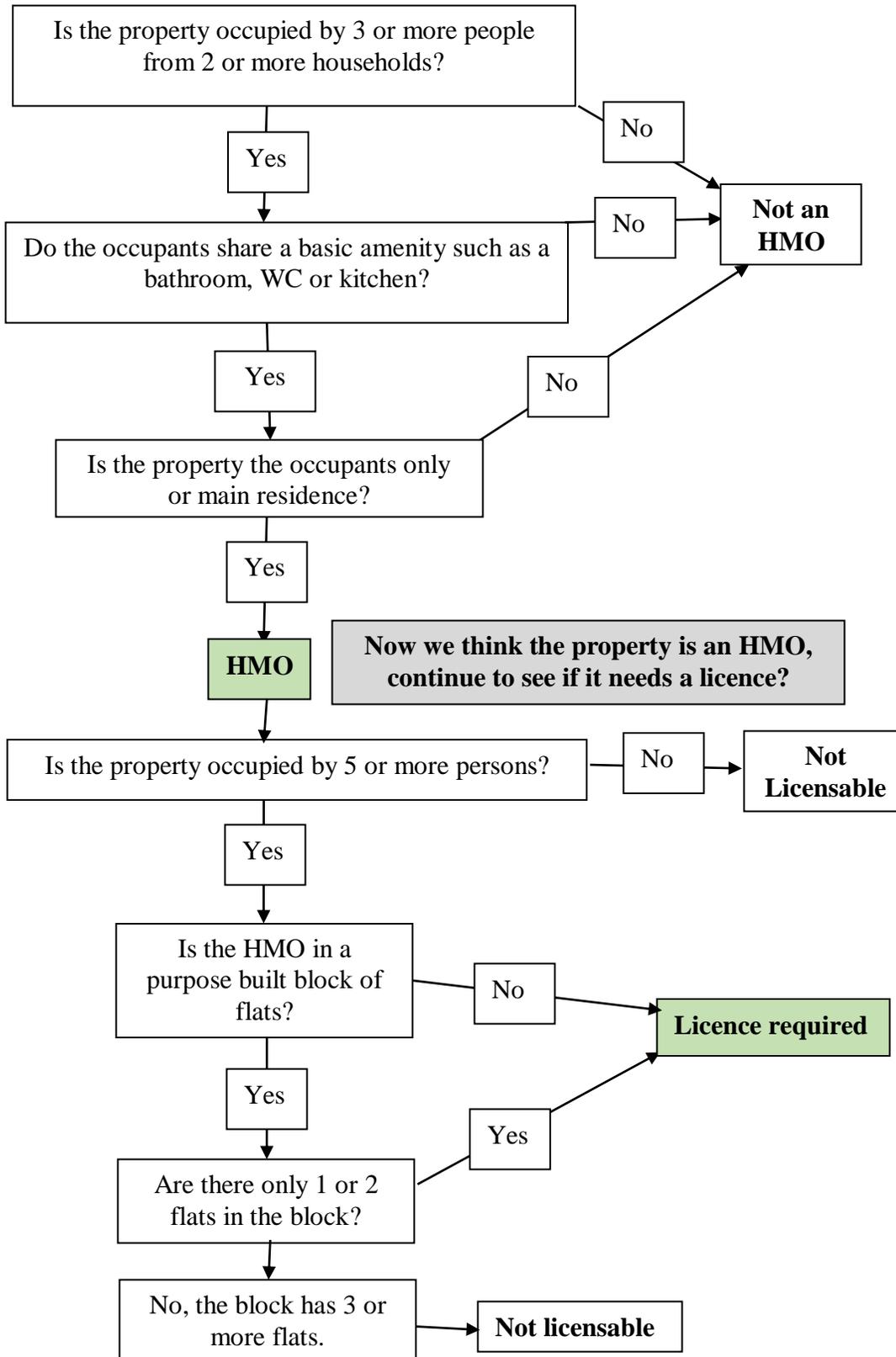
Licensing will also apply to blocks of purpose-built flats where there are up to two flats in the block and one or both are occupied as an HMO.

Please contact your District Council to make an application or to check if your HMO needs a licence.

1.2 HMO Summary and flow diagram

The following flow diagram can assist in identifying whether a property is an HMO and whether a licence is required. It should be used for illustrative purposes only and for a definitive answer please check the legislation or speak to your local District Council for advice:

HMO flow diagram



Flats:

For a building converted entirely into self-contained flats:

The building will only be an HMO if both of the following apply:

The conversion does not meets the 1991 building regulations?

and

less than two-thirds of the flats are owner occupied?

For purpose built blocks.

The building will not be an HMO.

The individual self-contained flats within the building (whether it is converted or purpose built) may in themselves be HMOs. Refer to the flow diagram above.

1.3 HMOs - things to consider

HMOs often require more work and consideration than letting a home to a single household. A summary of things to consider is below and these are in addition to the usual requirements before letting a home.

Government guidance on letting property - [How to let](#).

Private Sector Housing (PSH)

A licence may be required before the property is let.

The property must also be free from significant hazards, meet the requirements of management regulations and comply with licensing conditions where applicable. All HMOs must have the electrical installation checked every 5 years in addition to the 12 monthly gas safety check. The manager must take responsibility for the property including the safety measures that are in place, the common parts including fixtures and fittings, the living accommodation and the gardens and yards.

Planning

Planning permission may be required for change of use from a single household property to an HMO. There is an article 4 area in Yeovil, this means you need planning permission for any HMO in this area, please contact us for more information.

Listed buildings consent may be required for any alterations.

Where needed, planning permission must be obtained before

	any work is started.
Building Control	Building Regulation approval may be required for works to bring the property up to HMO standard, and building regulations may differ from housing legislation. Where needed, building regulations approval must be obtained before any work is started.
Devon and Somerset Fire and Rescue Service	Fire safety is enforced by both the District Council's and the Fire Authority and they will work closely together to align the requirements.

1.4 HMO Inspections and enforcement

When an inspection is undertaken, the HMO will be assessed to ensure that it complies with management regulations, is free from category 1 hazards, has appropriate fire precautions and meets the licensing requirements and conditions (where applicable)

In most cases we will work with landlords to achieve compliance informally without serving a notice. Where there is a lack of cooperation or a history of non-compliance, then the Council may go straight to formal action and serve a notice or issue a penalty.

There may be low cost loans and/or grants available for improvement works, please contact us for more information.

1.5 HMO Management regulations

HMOs require a higher level of management than single household properties and specific regulations are in place to ensure this.

Landlord and managers of HMOs must comply with management regulations.

- [Management Regulations for HMOs \(with shared facilities\)](#)
- [Management Regulations for HMOs converted into self-contained flats](#)

Summary of HMO management duties

Managers of HMOs are required to:

- Provide management information to occupants and display the name, address and telephone number for the manager clearly in the HMO.
- Take safety measures including fire safety – keep escape routes free from obstruction and maintain fire alarms and equipment in good working order.
- Protect occupiers from injury – appropriate safeguards must be maintained for roofs, balconies and low windowsills.
- Maintain water supply and drainage in good, clean working order and protected from frost damage.

- Supply and maintain gas and electricity; ensure the electrical installation is inspected and tested every 5 years and supply gas safety certificates and electrical reports to the council within seven days of a request.
- Maintain common parts, fixtures, fittings and appliances in good order and repair.
- Maintain living accommodation in a clean condition at the beginning of the tenant's occupation and in good repair.
- Provide waste disposal facilities suitable for the size of each household.

Occupants are required to:

- Not hinder the manager in his duties and cooperate with reasonable requests.

Penalties

Failing to comply with the HMO management regulations is a direct offence, subject to a financial penalty of up to £30,000 or an unlimited fine on summary conviction.

1.6 Housing Health and Safety Rating System (HHSRS)

The Housing Health and Safety Rating System (HHSRS) is the system local authorities use to assess housing conditions in all properties. The system is concerned with identifying risks to health and safety rather than just property defects.

The HHSRS has 29 hazards (shown below) covering all potential hazards in a property. An officer will assess the whole property to determine whether any hazards exist which could pose a significant risk of injury or ill health to occupants or visitors to the dwelling.

HHSRS hazards	
Damp and Mould	Food Safety
Excess Cold	Personal Hygiene, sanitation
Excess Heat	Water Supply
Asbestos	Falls Associated with Baths
Biocides	Falls on Level Surfaces
Carbon Monoxide	Falls on Stairs
Lead	Falls on the level
Radiation	Electrical Hazards
Uncombusted Fuel Gas	Fire
Volatile Organic Compounds	Flames, Hot Surfaces
Crowding and Space	Collision and Entrapment
Entry by Intruders	Explosions
Lighting	Position and Operability of Amenities
Noise	Structural Collapse & Falling Elements
Domestic Hygiene, Pests & Refuse	

The assessment will look at the likelihood of harm over the next 12 months from each of the above hazards and how serious it could potentially be.

Some people are more at risk to certain hazards than others, for example elderly people or children. Hazards are assessed based on the most vulnerable group and not the current occupiers.

Following the assessment a hazard will be categorised as either a Category 1 hazard or a Category 2 hazard. Category 1 hazards are the most serious and present a significant risk of harm. The Council has a duty to take action on these and will usually issue a schedule of works or a notice. Category 2 hazards are less serious. Depending on the circumstances the Council may still decide to take action on these hazard.

1.7 Fire Safety

HMOs have a higher risk of fire than single household properties and will generally require a higher level of fire precautions and management. It is the landlord's responsibility to ensure these are in place.

Enforcing authorities for fire safety

There are two separate bodies regulating fire protection.

- The District Council is the Local Housing Authority and will enforce the Housing Act 2004 which applies to all residential dwellings.
- Devon and Somerset Fire and Rescue Service enforce the Regulatory Reform (Fire Safety) Order 2005 which applies to the common parts of HMOs.

The district council will assess the HMO in relation to the Housing Act 2004, this will include looking at any potential fire hazard using the HHSRS as well as management requirements.

The Fire Service also have joint powers covering the common areas in HMOs and will require landlords to carry out a fire risk assessment and implement the significant findings.

Joint working arrangements have been agreed in Somerset between the two regulatory bodies and advice on fire precautions will be provided jointly where applicable.

Standards of fire detection in HMOs

See below table, we use and recommend that all landlords use LACORS Fire Safety as a guide

<https://www.dashservices.org.uk/Resources/Fire-Safety/document-2>

figure D7: bedsit-type HMO, two storeys



figure D8: bedsit-type HMO, three or four storeys



General advice to give to tenants

In addition to providing adequate fire precautions, the landlord should:

- Ensure that tenants know the escape route from the premises and any secondary escape (if required)
- Keep the halls and stairways (the means of escape) clear from obstruction and advise occupants not to store possessions in that area.
- Not allow smoking in doors or use of chip pans;
- Ensure that fire doors are not damaged and fully self-close.

- e) Advise the occupants on basic fire safety including:
- Testing fire alarms every week and reporting any issues;
 - Not to wedge fire doors open;
 - Not to store anything in the means of escape;
 - Not to overload sockets

2.0 HMO Licensing Minimum Standards

2.1 Heating

A fixed and efficient heating appliance(s) capable of maintaining a temperature of 21°C with an outside temp of -1 °C in each unit of living accommodation (electrical appliances must have a dedicated socket). Heating should be available at all times and be under the control of the occupier.

A fixed heating appliance in each bath or shower room sufficient to minimise condensation and provide thermal comfort.

Where an Excess Cold hazard is identified, additional heating may be required.

2.4 Washing and toilet facilities

Toilets

One toilet with wash hand basin in the same compartment – for every 5 occupants (or part of). For example, the following minimum requirements will apply:

Number of occupants	Minimum number of toilets
1 – 5 persons	1
6-10 persons	2
11-15 persons	3

Bathrooms/showers

One bathroom containing either a bath and/or shower for every 5 occupants (or part of). For example, the following minimum requirements will apply:

Number of occupants	Minimum number of bathrooms/shower rooms
1 – 5 persons	1
6-10 persons	2
11-15 persons	3

General

- All baths, showers and wash hand basins must be equipped with a fixed hot and cold water supply.
- All bathrooms must have adequate heating and ventilation.
- All bathrooms and toilets must be of an adequate size and layout.
- All baths, toilets and wash hand basins must be fit for purpose and must have appropriate splash backs, wall and floor coverings.
- All bathrooms and toilets must be suitably located in or in relation to the living accommodation.
- All toilets must have appropriate ventilation.
- All toilets must have a wash hand basin in the same compartment. Alternatively there should be a wash hand basin within each unit of living accommodation.

<p>2.5 Kitchens facilities</p> <p>There must be a kitchen(s), suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities so as to adequately safely enable those sharing the facilities to store, prepare and cook food.</p> <p>The kitchen must be equipped with the following equipment, which must be fit for purpose and supplied in a sufficient quantity for the number of those sharing the facilities.</p>
<p>Sinks</p> <p>One sink with draining board and appropriate splash back to be provided per 5 occupants (or part of). A dishwasher will be acceptable as a second sink. This provision can be met in the shared kitchen or in individual lets.</p> <p>For example, 5 occupants will require a minimum of one sink, 6 occupants will need two and 11 occupants will need three.</p> <p>All sinks to be provided with an adequate supply of constant hot and cold water.</p>
<p>Cookers</p> <p>A cooker with a 4 ring hob, oven and a grill to be provided for every 5 occupants (or part of). For occupancies of between 6-9 persons, a microwave with oven and grill will be acceptable as a second cooker.</p> <p>These provisions could be provided within an individual unit of accommodation or in a shared kitchen.</p> <p>For example, 5 occupants will require at least one cooker (as specified above), 6 occupants will need a minimum of one cooker and one large microwave (as specified above), 10 occupants will require a minimum of two cookers.</p> <p>For exclusive use, such as in a bedsit occupied by one household, a 2 ring hob, oven and grill (positioned so that hobs are at worktop level) is acceptable.</p>
<p>Electrical sockets</p> <p>Four suitably positioned (e.g. work top height) electric sockets (2 doubles) are required plus one per major appliance (i.e. a cooker microwave, refrigerator/freezer, washing machine etc.) as a minimum.</p>
<p>Work tops for food preparation</p> <p>Fixed worktop(s) with a smooth impervious surface for food preparation, minimum size 600mm x 1000mm for up to 5 occupants (or part of) or within an individual unit of accommodation.</p>
<p>Storage cupboards</p> <p>One standard sized kitchen cupboard (wall or base unit) per person (not including a sink base unit).</p>
<p>Refrigerators and freezers</p> <p>One work top height refrigerator and one work top height freezer or, two refrigerators with freezer compartments per 5 occupants or part of.</p> <p>For exclusive use of an individual household e.g. in a bedsit, one refrigerator with freezer compartment.</p>
<p>Refuse Disposal</p>

A sufficient number of refuse and recycling containers to be provided and maintained both inside and outside the building awaiting collection.

Refuse and containers should not cause problems of hygiene or attract pests and should not obstruct the means of escape.

Ventilation

Sufficient ventilation must be provided to all kitchen areas. This can be either through an openable window of sufficient size and/or electrical extraction.

Lighting

Sufficient artificial lighting must be provided to all kitchen areas.

Appropriate surface finishes

- Kitchen floors must be water resistant, smooth, continuous and free from any cracks or crevices as to facilitate easy cleaning (e.g. ceramic or vinyl floor tiles or linoleum flooring).
- Kitchen walls adjacent to cookers, sinks and food preparation areas shall be provided with impervious splash backs.
- Kitchen ceilings shall be in good repair.

2.6 Minimum room sizes

Room sizes shown in bold are statutory minimum sizes and there is no flexibility on these. Other space requirements are a guide, and each property will be assessed on its merits in relation to the total space provided for the letting including common areas.

All rooms

Minimum ceiling height (all rooms)

1.5m

Parts of a room where the ceiling height is below the minimum will not be counted towards the room size.

Accommodation with Facilities Shared by the Occupiers

These standards apply where there is sharing of some or all facilities i.e. HMOs where:

- occupiers live independently of others e.g. single room lettings or bedsit accommodation (kitchen facilities within own room);
- occupiers forming a group e.g. students, professional persons and others who interact socially.

Where the room is for the sole use of occupier(s)	Number of persons	
	1	2
Kitchen	4m ²	5m ²
Bedroom	6.51m²	10.22m²
Combined kitchen and living room*	11m ²	15m ²
Combined bedroom and living room*	9m ²	14m ²

Combined bedroom, living room and kitchen*	13m ²	19m ²
*independent living only		

Where the room is shared by occupiers	Number of persons				
	1-3	4	5	6	7-10
Kitchen	5m ²	6m ²	7m ²	9m ²	11m ²
Total communal living space** (includes kitchen space)	13.5m ²	17m ²	18m ²	20m ²	27.5m ²
** Occupiers forming a group (includes kitchens, dining rooms and living rooms - the kitchen must be at least the minimum size specified above)					

Accommodation with Facilities for the Exclusive Use of the Occupiers

These standards apply where all facilities are for the exclusive use of occupiers forming a single household (see definitions below). i.e.

- self-contained flats within HMOs.

	Number of persons				
	1	2	3	4	5
Bedroom	6.51m ²	10.22m ²			
Combined bedroom and living room	9m ²	14m ²			
Combined bedroom, living room and kitchen	13m ²	19m ²			
Kitchen	4m ²	5m ²	5m ²	6m ²	7m ²
Living room	8m ²	11m ²	11m ²	11m ²	11m ²

Hostels

These standards apply to HMOs where board is provided as part of the occupancy.

For exclusive use of occupants	Number of persons				
	1	2			
Bedroom	6.51m ²	10.22m ²			
Combined bedroom and living room where no separate living room is provided.	9m ²	14m ²			
Family bedroom (2 adults and 1 child under 10 years old)	14.5m ² or 18.5m ² where no separate living room is provided.				
For shared use of occupants	Number of persons				
	1-3	4	5	6	7-10
Kitchen (all main meals* not provided)	5m ²	6m ²	7m ²	9m ²	11m ²
Kitchen (all main meals provided*)	5m ²	5m ²	5m ²	5m ²	7m ²
Communal living room (not required if individual bedroom and living room meet the standard above)	8.5m ²	11m ²	11m ²	11m ²	16.5m ²
	11-15	16 or more			
	21.5m ²	At discretion of Local Authority			
*three meals a day (to be provided each day of the week)					

2.7 Access to facilities

All facilities are to be available at all times and should be internally accessed from all bedrooms and bedsitting rooms.

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2.8 Definitions	
Shared use	Where one or more basic amenities (personal washing, toilet or kitchen) are shared by two or more households.
Exclusive use	Where a basic amenity is provided for the use of a single household.
Bedsit accommodation	Accommodation occupied by person(s) living independently of others in the HMO, cooking facilities may be in the room or shared.
Single household	Person(s) of the same family group, this includes an individual living on their own. An individual living in a group (e.g. in a shared house) is also regarded as a single household.
Family/household	Includes husband, wife, partner, child, stepchild, step parent, grandchild, grandparent, brother, sister, half-brother, half-sister, aunt, uncle, niece, cousin, foster child.
Unit of living accommodation	Part of the HMO occupied by a single household, this includes bedrooms in shared houses or flats, bedsitting rooms, self-contained flats (all basic amenities provided for exclusive use of that household).
Hostel	Where board is provided as part of the occupation and it constitutes a person's only or main place of residence. Hostel includes bed and breakfast and hotel accommodation used by persons as their only and main residence which is a house in multiple occupation.