

15 Appendix A: HMO Standards

15.1 Standards applicable to licensable HMOs

1. These standards provide a list of requirements that must be attained, applicable to those HMOs that are required to be licensed. They are also made available to managers and owners of non-licensed HMOs as good practice. They are based on the national minimum standards contained in the Licensing of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006⁸⁷ as amended, but provide more specific guidance as to what the council will deem to be suitable/adequate/appropriate where such terminology is used.
2. The council will be able to advise about standards, which may be appropriate where a particular HMO has a layout or amenity provision that varies from the specified standard but where the facilities provided have an equivalent benefit.

15.2 Crowding and Space Standards

15.2.1 Introduction

3. Lack of space and overcrowded conditions have been linked to a number of health outcomes, including psychological distress and mental disorders, especially those associated with a lack of privacy and childhood development. Crowding can result in an increased heart rate, increased perspiration, reduction of tolerance, and a reduction of the ability to concentrate. Crowded conditions are also linked with increased hygiene risks, an increased risk of accidents, and spread of contagious disease.
4. Within a dwelling there should be sufficient space for the separation of different household activities, either by physical separation or by a clearly defined space within a larger space. The degree of separation is partly dependent on the number of people who can be expected to share the space, and whether or not they are expected to be part of the same household.

15.2.2 Crowding and the HHSRS

5. Guidance has been provided by the Government to assist officers in assessing the hazard posed by overcrowding in HMO properties⁸⁸. Where an officer believes that conditions are overcrowded, a risk assessment will be undertaken using the HHSRS and the score generated will guide any action taken. Sufficient space must be provided for the separation of household activities and adequate space provided to allow households tasks to be undertaken in a safe manner without the risk of collision (e.g. cooking). Within each unit there must be sufficient space for the separation of domestic activities e.g. cooking and sleeping in bedsit type accommodation. Privacy must also be considered to allow occupants to spend time alone, for example bathrooms and toilets must have locks to allow occupants to feel they have the right to privacy.

⁸⁷ The Licensing of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (SI 2006373) Available [here](#) (accessed 30 January 2024)

⁸⁸ MHCLG, 2018. Houses in Multiple Occupation and residential property licensing reform. Available [here](#) (accessed 26 February 2024)

6. The tables provided in this section are to provide landlords with guidance as to what room sizes are acceptable for a variety of HMO type accommodation.

15.2.3 Minimum bedroom sizes

7. The floor area of any room in a HMO used as sleeping accommodation by one person aged over 10 years must not be less than 6.51 m².
8. The floor area of any room in a HMO used as sleeping accommodation by two persons aged over 10 years must not be less than 10.22 m².
9. A separate living/communal space will also be required in addition to the above. See section 15.2.5 below for details.

15.2.4 Room sizes for self-contained HMO's

10. These are buildings that have been converted into and consist of self-contained flats where the building work undertaken in connection with the conversion did not comply with the appropriate building standards and still does not comply with them.

Table 1: Room sizes (in m²) for self-contained HMOs dependant on occupancy

| | Kitchen | Bedroom | Living room | Living/ Bedroom | Living/ Kitchen | Living/ Kitchen/ Bedroom |
|------------------|---------|---------|-------------|--------------------|--------------------|--------------------------------|
| 1 person | 4.65 | 6.51 | 9.0 | 10.22 | 11.0 | 13 |
| 2 persons | 4.65 | 10.22 | 12.0 | 14.0 | 15.0 | 20 |

11. The above table can be used to calculate the minimum room sizes for self-contained units that are classified as HMOs.
12. Single room units are only suitable for individuals, unless they are married or co-habiting couples. In the case of a couple living in one room accommodation, it must not be less than 15 m². Persons of the opposite sex over the age of ten, who are not living as partners, are not permitted to share sleeping rooms.

15.2.5 Room sizes when sharing amenities (includes shared houses and bedsits)

13. Minimum bedroom sizes:
- 1 person without separate communal space: 10.22 m²
 - 1 person with separate communal space: 6.51 m²
 - 2 persons without separate communal space: 15 m²
 - 2 persons with separate communal room: 11 m²

Table 2: Room sizes (in m²) when sharing amenities dependant on occupancy

| | Kitchen | Kitchen/Dining | Dining/Living |
|------------------------|---------|----------------|---------------|
| 1 – 3 persons | 5 | 10 | 8.5 |
| 4 - 6 persons | 8 | 11.5 | 11 |
| 7 – 9 persons | 9 | 15 | 21.5 |
| 10 – 12 persons | 13.5 | 19.5 | 21.5 |

14. Guide to the above table

- If any bedroom size falls below the minimum sizes above i.e. 10.22 m² for 1 person or 15 m² for 2 people, then a communal space must be provided.
- A communal space is separate from the kitchen and would include a living room, dining room or a combined kitchen/dining room
- The minimum sizes for these rooms are shown above dependent on the number of occupiers
- A room smaller than 6.51 m² will not be considered suitable to be used as a bedroom

15. Example – a five person HMO, with all or some bedrooms below 10.22 m², will require as a minimum either:

- an 8 m² kitchen and a separate 11 m² living or dining room OR an 11.5 m² combined kitchen/dining room

15.3 Amenity Standards

15.3.1 Facilities for Storage, Preparation and Cooking of Food

16. There must be adequate and sufficient facilities for the storage, preparation and cooking of food, and the disposal of waste water for the number of persons in occupation. In addition:

- Adequate means of ventilation and artificial lighting must be provided
- Mechanical ventilation to outside must be provided for shared kitchens
- Kitchen should not be more than one floor distance from any user, unless additional living/dining space is provided
- Adequate work surfaces to allow the safe preparation of food
- Adequate refrigerated, frozen and dry storage to allow food to be stored safely. Recommended provision is for; one cupboard and one shelf in the refrigerated and frozen appliance, per occupant.
- Kitchen to have at least 6 suitably located electrical sockets. Additional sockets will be required dependent on the number of appliances and people sharing.

Table 3: Requirements when facilities are shared

| Appliance/Equipment | Minimum Requirements |
|---------------------|---|
| Sinks | <ul style="list-style-type: none"> — 1 per 5 occupiers — Appropriate splash back — Provide constant hot and cold water — Suitable draining area |
| Cookers | <ul style="list-style-type: none"> — 1 Oven and a grill per 5 occupiers — 4 ring hob per 5 occupiers — 1 Microwave per 5 occupiers |

17. When over five occupants, variations will be considered including the use of dishwashers and microwaves.

Table 4: Requirements when facilities are for exclusive use

| Appliance/Equipment | Minimum Requirements |
|-------------------------|--|
| Sinks | <ul style="list-style-type: none"> — Provide constant hot and cold water — Suitable draining area — Tiled splash back |
| Cookers option 1 | <ul style="list-style-type: none"> — 4 ring hob — Oven and separate grill |
| Cookers option 2 | <ul style="list-style-type: none"> — 2 ring hob — Oven and grill combined — Microwave |
| Ventilation | <ul style="list-style-type: none"> — Mechanical ventilation to the outside air or openable window |

15.3.2 Personal Washing

18. General requirements:

- All toilets and bathrooms must be suitably located in relation to the living accommodation in the HMO i.e. amenities shared by two or more households must be accessible from a common area, toilets should not open into kitchens and should not be more than one floor distance away from any user.
- Mechanical extract ventilation is essential for shared facilities.
- Adequate heating in the bathroom must be provided.
- Every WC must be provided with a wash-hand basin with constant supplies of hot and cold water and trapped waste outlet. The WHB should be sited within the WC compartment.

19. Self contained flats:

- 1 water closet, wash hand basin and bath or shower per flat

Table 5: Bedsits, Shared Houses, Hostels and Halls of Residence

| Number of occupants | Required washing facilities |
|---------------------|---|
| 1–4 persons | 1 full bathroom (comprising bath/shower, WC and WHB) |
| 5 persons | 1 full bathroom AND 1 separate WC with WHB (WC can be contained within a second bathroom) |
| 6–10 persons | 2 full bathrooms AND 1 separate WCs with WHBs |
| 11–15 persons | 3 full bathrooms AND 1 separate WCs with WHBs |
| 16–19 persons | 4 full bathrooms AND 2 separate WCs with WHBs |

15.4 Certification

15.4.1 Gas Safety

20. As a landlord, you are responsible for the safety of your tenants. The Gas Safety (Installation and Use) Regulations 1998⁸⁹ specifically deal with the duties of landlords to ensure that gas appliances, fittings and flues provided for tenants' use are safe.
21. As a landlord, you have a duty to ensure:
- Gas fittings (appliances, pipework) and flues are maintained in a safe condition;
 - All installation, maintenance and safety checks are carried out by a Gas Safe registered Installer;
 - An annual safety check is carried out on each gas appliance/flue by a Gas Safe registered Installer. Checks need to have taken place within one year of the start of the tenancy/lease date, unless the appliances have been installed for less than 12 months, in which case they should be checked within 12 months of their installation date;
 - A record of each safety check is kept for two years;
 - A copy of the current safety check record is issued to each existing tenant within 28 days of the check being completed, or to any new tenant before they move in (in certain cases the record can be displayed).

15.4.2 Electrical Safety

22. The electrical installation to the property should be installed and maintained in accordance with a recognised standard, such as the current edition of the IEE (Institute of Electrical Engineers) Wiring Regulations and a satisfactory Electrical Installation Condition Report (EICR) report must be obtained. The installation should be retested and certified, as described every five years, or following any alterations or extensions to the system.
23. All work to the electrical installation should be carried out and certified by a NICEIC (National Inspection Council for Electrical Installation Contracting) member or approved body or competent person.
24. All electrical appliances provided by the landlord will require a Portable Appliance Test (PAT) certificate.

15.4.3 Location of meters

25. All gas and electrical meters (and boilers) must in a communal area or a room that is accessible at all times. In properties above or below commercial premises, the HMO must have a separate supply for gas and electric. A shared supply and meters are not acceptable.

⁸⁹ The Gas Safety (Installation and Use) Regulations 1998 (SI 1998/2451) Available [here](#) (accessed 26 February 2024)

15.4.4 Furniture Safety

26. All furniture provided with the accommodation must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988⁹⁰ (as amended). You are required to sign a declaration on the application form to the effect that the above condition is met.

15.4.5 Fire Safety

27. A certificate confirming the correct installation and operation of the fire alarm system must be submitted with the application. Certificates should conform to the relevant British Standard (BS5839).
28. Where emergency lighting is fitted, a certificate will be required to show this has been installed and tested in accordance with current British Standards.
29. It is also a requirement to have a detailed fire risk assessment completed by a suitably competent person. This must also be submitted with the application.

15.4.6 Fire Safety Guidance

30. For detailed guidance about the required safety measures in HMOs please refer to the LACORS national fire safety guidance "Housing - Fire Safety Guidance on Fire Safety Provisions for Certain Types of existing housing"⁹¹. This can be downloaded free of charge.

15.5 Further information

31. For any further information regarding HMOs or related guidance, please refer to our website: [Housing | Westmorland and Furness Council](#)

⁹⁰ The Furniture and Furnishings (Fire) (Safety) Regulations 1988 (SI 1998/1324) Available [here](#) (accessed 26 February 2024)

⁹¹ LACORS, 2008. Housing Fire Safety - Guidance on fire safety provisions for certain types of existing housing Available [here](#) (accessed February 2024)