

# Houses in Multiple Occupation (HMOs) in Middlesbrough

Guidance on accommodation standards



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This Guide includes the National Minimum prescribed standards under The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006.

<https://www.legislation.gov.uk/uksi/2006/373/contents>

<https://www.legislation.gov.uk/uksi/2007/1903/contents/made>

Where no national standard has been prescribed in the Regulations the council have applied its own locally adopted standards.

For licensed HMOs these standards are a minimum, but landlords should have regard to this guidance for non-licensable HMOs.

The guide provides basic information on the standards required within the types of HMOs most commonly found in the Middlesbrough area and defines what a house in multiple occupation is.

Whilst general standards are detailed in this guidance fire safety precautions are not included and are contained within the National Guidance document published by LACORS entitled Guidance on Fire Safety Provisions for Certain Types of 5 Existing Housing.

[https://www.cieh.org/library/Knowledge/Housing/National\\_fire\\_safety\\_guidance\\_08.pdf](https://www.cieh.org/library/Knowledge/Housing/National_fire_safety_guidance_08.pdf).

It includes guidance on fire safety measures for various types of property, including different types of HMO's and provides worked examples.

Please also see the link on the website for Middlesbrough councils fire safety guide for HMOs

## **Section 1: HMO Categories**

**Category A:** Houses occupied as individual rooms where there is some exclusive occupation (usually bedroom/living room) and some sharing of amenities (bathroom and/or toilet and/or kitchen). Each occupant lives otherwise independently of all others.

**Category B:** Houses occupied on a shared basis. These would normally be occupied by members of a defined social group e.g. students or a group of young single adults. The occupiers each enjoy exclusive use of a bedroom but would share other facilities including a communal living space.

**Category C:** Category C (Lodgings) These are properties with a resident live-in landlord who will often provide a service such as cleaning, laundry and will provide meals.

**Category D:** Hostels, guesthouses and bed-and-breakfast hotels, or the like. These will provide accommodation for people with no other permanent place of residence as distinct from hotels, which provide accommodation for temporary visitors to an area. This category would include establishments used by local authorities to house homeless families pending permanent placement and similar establishments, which provide accommodation for people who would otherwise be homeless. It would also include bona fide hotels used for such purposes, even on a casual basis, and hotels housing a mixture of homeless households and visitors.

**Category F (Self-contained flats)** Houses converted completely into self-contained flats with living, cooking, bathroom and sleeping facilities within the flat.

## **Section 2: Prescribed Standards in HMOs**

### **General requirements**

## Heating

Each unit of living accommodation in a HMO must be equipped with adequate means of space heating.

Heating should be provided in every habitable room and bathroom. The heating shall be capable of maintaining a 21 degrees Celsius (°C) temperature difference with the external air when the outside temperature is 1°C.

Such heating provision must be capable of being used at any time. The heating system should be provided with thermostatic controls to allow the occupant(s) to regulate the temperature within their dwelling.

Heating may be by means of gas central heating, gas heaters connected to a suitable flue or terminal outlet, oil heaters connected to a suitable flue and terminal outlet, or any electrical heater, which should be a fixed installation and connected via a fused spur for the sole use of the appliance.

The use of portable paraffin or oil-fired heaters and liquefied petroleum gas heaters (LPG) (Bottled Gas heaters) shall not be acceptable under any circumstances. Portable or removable heating appliances will not be acceptable.

## Fire Safety

Appropriate fire precautions, facilities and equipment must be provided of such type, number and location as is considered necessary.

As individual properties vary in size, layout, tenant numbers and type of tenant, specific guidance is not offered relating to fire precautions. Consideration must however be given to the provision of

- A protected means of escape route,
- Smoke detection system
- Fire alarm system
- Emergency lighting
- Fire blankets
- Fire signage
- Fire awareness training for tenants
- Register of alarm system checks
- Maintenance of alarms and fire-fighting equipment

## Natural Lighting

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

All kitchens, bathrooms and water closet compartments shall comply with 6.1 above. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of Paragraph 7. All glazing to windows in bathrooms and water closet compartments shall be obscure.

Underground rooms used as habitable rooms shall comply with 6.1 above. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of Paragraph 7.

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 below.

## **Artificial Lighting**

All habitable rooms, kitchens, bathrooms, water closet compartments, staircases, landings and passages shall be adequately lighted by electricity.

Time switches should only be allowed to common landings, passages and staircases and should stay on for an adequate time to allow a person to climb stairs and enter a room.

There should 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.

## **Ventilation**

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  $\frac{1}{20}$ th of the floor area of the room. Neither an openable door giving access directly to the external air nor a louvered opening in such a door will be acceptable for the purpose of this requirement.

All kitchens, bathrooms and water closet compartments shall comply with 8.1 above, but where this is not practicable, mechanical ventilation providing a minimum of three air changes per hour shall be provided. Such an installation shall be fitted with an overrun device for a minimum of 15 minutes and be connected to the lighting circuit of the room.

## **Water Supply**

Each separate occupancy 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.

The water pressure to all fittings shall comply with the minimum requirements laid down by the relevant water authority at all times.

All water supplies shall where necessary be protected from frost damage.

## **Refuse Storage and Disposal**

There shall be provided and maintained in a convenient and accessible position an adequate number of suitable refuse containers, so sited as to be readily accessible to the refuse collection service.

## **Units of living accommodation with shared basic amenities**

### **Shared washing facilities**

Where all or some of the units of living accommodation in a HMO do not contain bathing and toilet facilities for the exclusive use of each individual household-

- a) there must be an adequate number of bathrooms, toilets and wash-hand basins suitable for personal washing for the number of persons sharing those facilities (see table below); and,
- b) where reasonably practicable there must be a wash-hand basin with appropriate splash back in each unit other than a unit in which a sink has been provided having regard to the

age and character of the HMO, the size and layout of each flat and its existing provision for wash hand basins, toilets and bathrooms.

All baths, showers and wash hand basins in a HMO must be equipped with taps providing an adequate supply of cold and constant hot water.

Hot water may be provided by any of the following methods:

- Piped from boiler and storage
- Immersion heater
- Fixed gas appliance e.g. multipoint
- Instantaneous electric heaters (only to wash hand basins and electric showers) having a minimum rating of 6KW.

All bathrooms in a HMO must be suitably and adequately heated and ventilated.

All bathrooms and toilets in a HMO must be of an adequate size and layout.

All baths, toilets and wash hand basins in a HMO must be of an adequate size and fit for the purpose.

All bathrooms and toilets in a HMO must be suitably located in relation to the living accommodation in the HMO, there shall be bathroom and toilet facilities not more than one floor distance or 30 Metres from the unit of accommodation it serves.

A wash hand basin shall be provided in each separate toilet compartment

The walls and floor of any toilet compartment and bathroom shall be reasonably smooth, non-absorbent and capable of being easily cleaned.

<b>Guidance for amenity provisions in relation to number of persons where all or some of the units of living accommodation in an HMO do not contain bathing and toilet facilities for the exclusive use of each individual household</b>	
1-4 persons	where there are four or fewer occupiers sharing those facilities there must be at least one bathroom with a fixed bath or shower and a toilet (which may be situated in the bathroom)
5 + persons	where there are five or more occupiers sharing those facilities there must be  (i)one separate toilet with wash hand basin with appropriate splash back for every five sharing occupiers; and  (ii)at least one bathroom (which may contain a toilet) with a fixed bath or shower for every five sharing occupiers  Where there are five or more occupiers of an HMO, every unit of living accommodation must contain a wash hand basin with appropriate splash back. (except any unit in which a sink has been supplied)

For a Category B HMO (shared house) wash hand basins will not be required in each sleeping room, where an adequate number of toilets and bathrooms with wash hand basins have been provided.

Shower rooms may be substituted for bathrooms where appropriate.

## Shared kitchen Facilities

Where all or some of the units of accommodation within the HMO do not contain any facilities for the cooking of food:

There must be a kitchen, suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities so as to enable those sharing the facilities to store, prepare and cook food;

The kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in a sufficient quantity for the number of those sharing the facilities-

- a) Sinks with draining boards;  
Sinks shall be at a ratio of one sink for 5 persons.

Where 6 persons occupy a house, the provision of a double-bowled sink, or a dishwasher (in addition to a sink) may be treated as meeting this standard where the Council considers that such provision adequately meets the occupiers' needs.

- b) An adequate supply of cold and constant hot water to each sink supplied;

Hot water may be provided by Piped from boiler and storage, Immersion heater or Fixed gas appliance e.g. multipoint

- c) Installations or equipment for the cooking of food;

Kitchens shall be equipped with cookers with a minimum of 4 rings, a standard sized oven and grill. They shall usually be provided at a ratio of one per 5 persons sharing the kitchen.

Where an HMO is occupied by 6 persons the provision of a cooker with more than 4 rings and more than one oven, or an alternative means of cooking appliance (in addition to a cooker with 4 rings, an oven and a grill) may be treated as meeting this standard where the Council considers such provision adequately meets the occupiers needs.

- d) Electrical sockets;

In addition to sockets provided for appliances required by these standards, a minimum of 2 double sockets should be provided and located in a safe and accessible position above worktop height. Sockets should be provided at a ratio of one double socket for every two persons using the kitchen to a maximum of four double sockets

- e) Worktops for the preparation of food;

Worktops shall be a minimum of 500mm depth and a length of 2m per 5 persons using the kitchen, in addition to any work surface taken by an appliance, sink unit or cooker required to satisfy the standards set out above.

A suitable splash back should be provided to any work surface that abuts a wall.

All worktops should be capable of being readily cleaned and should be securely fixed.

- f) Cupboards for the storage of food or kitchen and cooking utensils;

Each household shall be provided with an adequately sized cupboard for the storage of food and kitchen utensils, having a capacity of not less than 0.3m<sup>3</sup> (4ft). This may be located either in the kitchen or unit of accommodation. Cupboards sited in the kitchen should be lockable. The space located below the sink should not be treated as a food

cupboard for the purpose of this standard.

- g) Refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, separate freezers), and of sufficient capacity to meet the reasonable needs of the users should be provided.
- h) Appropriate refuse disposal facilities: and
- i) Appropriate extractor fans, fire blankets and fire doors.

Where the landlord provides all meals, some self-catering facilities will need to be provided. The Council will consider the circumstances of the case and decide the self-catering services that are required to adequately meet the occupier's needs.

### **Units of living accommodation without shared basic amenities**

#### **Individual washing facilities**

Where there are no adequate shared washing facilities provided for a unit of living accommodation, an enclosed and adequately laid out and ventilated room with a toilet and bath or fixed shower supplying adequate cold and constant hot water must be provided for the exclusive use of the occupiers of that unit either—

- (a) within the living accommodation; or
- (b) within reasonable proximity to the living accommodation

#### **Individual kitchen facilities**

Where a unit of living accommodation contains kitchen facilities for the exclusive use of the individual household, and there are no other kitchen facilities available for that household, that unit must be provided with:

- a) Adequate appliances and equipment for the cooking of food;  
The minimum requirement is two rings/hot plates together with a minimum of 28 litre oven and grill. For occupancies of two persons the requirement is three rings/hot plates together with a minimum of 28 litre oven and grill. For occupancies of three or more persons a full size cooker is required.
- b) A sink with an adequate supply of cold and constant hot water;  
Hot water may be provided by being piped from boiler and storage, immersion heater, or fixed gas appliance e.g. multipoint
- c) A work top for the preparation of food;  
A suitable work surface a minimum of 0.5m deep and a length of 0.5m plus 0.5m per person using the facility shall be provided.
- d) Sufficient electrical sockets;  
In addition to sockets provided for appliances required by these standards, a minimum of one double socket should be provided and located in a safe and accessible position above worktop height. Sockets should be provided at a ratio of one double socket for every two persons using the kitchen to a maximum of four double sockets.
- e) A cupboard for the storage of kitchen utensils and crockery; and  
An adequately sized cupboard for the storage of food and kitchen utensils should be provided. The space located below the sink should not be treated as a food cupboard for the purpose of this standard.



- f) A refrigerator;  
An adequately sized refrigerator with freezer compartment should be provided.

The standards referred to in paragraphs (a) and (f) above shall not apply in relation to a unit of accommodation where—

- (a) the landlord is not contractually bound to provide such appliances or equipment;  
(b) the occupier of the unit of accommodation is entitled to remove such appliances or equipment from the HMO; or  
(c) the appliances or equipment are otherwise outside the control of the landlord.

### **Section 3: Space standards**

#### **Minimum standard for bedrooms in all HMOs is as follows:**

The floor area of any room used for sleeping accommodation for;

1 person (aged over 10) must not be less than 6.51M<sup>2</sup>

2 people (aged over 10) not less than 10.22 M<sup>2</sup>

1 person (ages less than 10) not less than 4.64 M<sup>2</sup>

#### **Category A:**

Houses occupied as individual rooms where there is some exclusive occupation (usually bedroom/living room) and some sharing of amenities (bathroom and/or toilet and/or kitchen). Each occupant lives otherwise independently of all others. **No shared living area.**

The maximum number of persons who may occupy any room or rooms, as a separate family shall not exceed the numbers indicated.

#### **One-person units of accommodation**

##### One-room units:

13 M<sup>2</sup> including kitchen facilities.

10 M<sup>2</sup> where provided with separate shared kitchen

Shared kitchens shall provide 3 M<sup>2</sup> per person using the facility.

##### Two or more roomed units

Kitchen 4.2 M<sup>2</sup>

Living /Kitchen 11 M<sup>2</sup>

Living room 9 M<sup>2</sup>

Bedroom 6.51 M<sup>2</sup>

#### **Two or more person units of accommodation**

##### One-room units:

20 M<sup>2</sup> (not normally suitable for two or more persons).

##### Two or more roomed units

Kitchen 7 M<sup>2</sup>

Living/kitchen 15 M<sup>2</sup>

Living room 12 M<sup>2</sup>

Living/bedroom 14 M<sup>2</sup>

Bedroom 10 M<sup>2</sup>

## **Common rooms**

### Kitchens

used by 1-5 persons	7 M <sup>2</sup>
used by 6-10 persons	10 M <sup>2</sup>
used by 11-15 persons	13.5 M <sup>2</sup>
used by 16+ persons	16.5 M <sup>2</sup>

### **Category B:**

Houses occupied on a shared basis. These would normally be occupied by members of a defined social group e.g. students or a group of young single adults. The occupiers each enjoy exclusive use of a bedroom but would share other facilities including a communal living space. **Shared living area.**

## **One-person units of accommodation**

### Bedroom

10 M<sup>2</sup> where the communal living area is a kitchen/living room.  
6.51 M<sup>2</sup> where there is a separate living room.

## **Two person units of accommodation**

### Bedroom

15 M<sup>2</sup> where the communal living area is a kitchen/living room.  
10.22 M<sup>2</sup> where there is a separate living room.

## **Common rooms**

### Kitchens

used by 1-5 persons	7 M <sup>2</sup>
used by 6-10 persons	10 M <sup>2</sup>
used by 11-15 persons	13.5 M <sup>2</sup>
used by 16+ persons	16.5 M <sup>2</sup>

### Kitchens/ Dining room

used by 1-5 persons	11.5 M <sup>2</sup>
used by 6-10 persons	19.5 M <sup>2</sup>
used by 11-15 persons	24 M <sup>2</sup>
used by 16+ persons	29 M <sup>2</sup>

### Living Room/ Dining Room:

used by 1-5 persons	11 M <sup>2</sup>
used by 6-10 persons	16.5 M <sup>2</sup>
used by 11-15 persons	21.5 M <sup>2</sup>
used by 16+ persons	25 M <sup>2</sup>

### **Category D:**

Hostels, guesthouses and bed-and-breakfast hotels, or the like. These will provide accommodation for people with no other permanent place of residence as distinct from hotels, which provide accommodation for temporary visitors to an area. This category would include establishments used by local authorities to house homeless families pending permanent

placement and similar establishments, which provide accommodation for people who would otherwise be homeless. It would also include bona fide hotels used for such purposes, even on a casual basis, and hotels housing a mixture of homeless households and visitors.

## **Bedrooms**

Persons should not be expected to share a sleeping room unless there is a bona fide relationship. eg. Family relation.

All bedrooms to be as follows:	used by 1 person	8.5 M <sup>2</sup>
	used by 2 persons	11 M <sup>2</sup>
	used by 3 persons	15 M <sup>2</sup>

For each additional person above 3 persons there should be an additional 4.5 M<sup>2</sup> of floor area.

## **Lounge**

A minimum provision of 3 M<sup>2</sup> per person will be required.

## **Dining**

A minimum provision of 2 M<sup>2</sup> per person will be required.

## **Combined Lounge/Dining areas**

A provision of 4 M<sup>2</sup> per person will be deemed to be adequate if the floor areas of lounge and dining rooms are combined.

## **Kitchen**

Where food is provided, such as breakfast, snacks or other meals, the HMO must be registered as a food business with Middlesbrough Council and comply with relevant food hygiene laws. The kitchen facilities and food provision would be subject to a food hygiene inspection, which is separate from the HMO licensing process. Contact the Public Protection Service by email [EHTS@middlesbrough.gov.uk](mailto:EHTS@middlesbrough.gov.uk) or visit [www.middlesbrough.gov.uk](http://www.middlesbrough.gov.uk) for further information.