

HMO Standards

for bedsit type accommodation and shared houses

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Introduction

Definition of HMO

A house in multiple occupation is a property occupied by 3 or more unrelated people in 2 or more households. A full definition of house in multiple occupation can be found in section 254 of the Housing Act 2004. Details of what relationships constitute single family can be found in section 258 of the Housing Act 2004. The Act also gives the Council powers to deal with poor living conditions in houses in multiple occupation, (HMO's).

The Standards and their application

These standards were adopted formally by the council in July 2015 and cover the most common types of HMO's found in the borough, which are usually described as shared houses and bedsits. If the property you are letting is a different type of HMO, for example a hostel or temporary accommodation, a different standard would need to be applied and you will need to contact us for further information. Contact details are given at the bottom of this page.

This document sets out a standard for management, overcrowding, room sizes, bathroom & WC facilities, kitchen facilities and references standards for means of escape from fire. The Council are also required to assess properties under the Housing Health & Safety Rating System.

An HMO is required to be licensed with the Local Authority if it is three or more storeys in height and is occupied by 5 or more tenants, of which at least 2 households share one or more basic amenities including kitchen, bathroom or WC. It is the landlord/manager's responsibility to apply to the Council to license a property.

The standards set out in this document are the minimum standards adopted by the Council and should not be seen as the ideal. However, in some circumstances minor alterations, in some areas of these standards, may be applied, by the manager of the Private Sector Housing Enforcement Team, via a case officer, and will be agreed in writing. The alterations in the applied standard may be made for an individual property only in exceptional circumstances and will depend on the condition, occupation, facilities and layout of the property as a whole. The decision will be based on evidence of a reduced risk that negates the need to adhere rigidly to the standard and will not form the basis of a future standard to be applied to any other property in the borough. Each property will be assessed on its own merit.

Private Rental Standard

All properties within the private rented sector in this borough are expected to meet Southwark's Private Rental Standard. This standard can be found in the attached documentation or on Southwark's website here: http://www.southwark.gov.uk/downloads/download/3701/southwark_private_rental_standard

Where a property is let as a House in Multiple Occupation, this HMO Standard takes precedence over the Private Rental Standard. Reference to the Private Rental Standard should be made for any areas not covered by this HMO Standard.

Planning Provision

It is not intended that occupiers be provided with all amenities on an exclusive basis (notwithstanding the provision for children in HMO's). This would in effect constitute self-containment in Planning terms and would be contrary to the council's policy under the current Unitary Development Plan which seeks to retain more affordable accommodation. Any creation of a letting in which all basic amenities are available for the exclusive use of its occupants would require Planning Permission. Permission cannot be guaranteed by the Private Sector Housing Enforcement team, or by compliance with these standards. HMO's with more than 6 occupiers are also required to have planning permission.

Enquiries can be made at

www.southwark.gov.uk/info/485/planning_applications/686/do_i_need_planning_permission or by calling 020 7525 5403.

If you require any additional advice on the standards required you can contact your case officer if you have one, or register a general query by emailing us at: resi@southwark.gov.uk or call us on 0207 525 3114.

Space Standards

In calculating floor areas the Council will discount space occupied by:

- kitchens
- bathrooms/shower rooms
- toilet compartments
- corridors
- chimney breasts etc.
- ceiling height - Rooms should have a minimum height of 2.3 metres over at least half of the habitable floor area. Any floor area where the ceiling height is less than 1.5 metres will not count towards the habitable floor space.¹

Rooms where there are kitchen facilities in a separate room, whether this is shared or a kitchen for exclusive use.

Space standard – Room with separate kitchen		Minimum area
Single room	1 person	10 square metres
Double room	2 people cohabiting as a couple	14 square metres
Twin room	2 individuals	If you intend to let a room to 2 individuals who are not living together as cohabiting as a couple you should contact the team for further advice. (see page 1 for contact details)
Kitchen		5.5 square metres plus 1 square metre for each additional person sharing the kitchen.
	3 people	7.5 square metres
	4 people	8.5 square metres
	5 people	9.5 square metres

Rooms containing their own kitchen facilities within the letting room

Space standard – Room with kitchen facilities in the room		Minimum area
Single room	1 person	14 square metres
Double room	2 people cohabiting as a couple	18.5 square metres

¹ 'Relevant matters affecting likelihood and harm outcome: low beams and ceilings – well under 1.9 metres'. Page 164, HHSRS Operating Guidance Collision & Entrapment
Southwark Council Residential design Standards 2011
http://www.southwark.gov.uk/info/200151/supplementary_planning_documents_and_guidance/1253/residential_design_standards_spd

Rooms where there are separate kitchen facilities and lounge/living room

These standards will only be applied in properties where there is evidence that the occupiers are living more like a single household and are comfortable using shared communal space, rather than individuals

who have very little interaction with each other. Examples of this type of occupation are shared houses where the occupiers came together as a group or have a common shared interest i.e. students or employees from the same college or employer. Typically they would cook and eat meals together and would choose to spend time together in a dining area or lounge.

Space standard, separate shared kitchen and lounge		Minimum area
Single room	1 person	8 square metres
Double room	2 people cohabiting as a couple	12 square metres
Twin room	2 individuals	If you intend to let a room to 2 individuals who are cohabiting as a couple you should contact the team for further advice. (see page 1 for contact details)
Kitchen		5.5 square metres plus 1 square metre for each additional person sharing the kitchen.
	3 people	7.5 square metres
	4 people	8.5 square metres
	5 people	9.5 square metres
Lounge/living room	1-3 people	8.5 square metres
	4-6 people	11 square metres (or plus 1 square metre for each additional person sharing the lounge)

Living rooms must be fully furnished as such and would need to have adequate comfortable seating, such as sofas and armchairs to accommodate all of the occupiers at any one time (to avoid incidences where some occupiers are unable to make use of the communal living room at certain times) and would usually have a television and coffee table.

Both kitchens and bathrooms can be shared by a maximum of 5 people.

Facilities for the storage, preparation and cooking of food

Where exclusive kitchen facilities cannot be provided, one set of kitchen facilities shall be provided for every 5 occupants.

A set of kitchen facilities for up to 5 people shall include: ²

Kitchen facility	Standard	Minimum size
Cooker	1 cooker for every 5 people	Minimum of 4 burners, oven and grill. A microwave is not a suitable alternative to an oven. A minimum area of 500mm x 600mm worktop must be provided adjacent to the cooker.
Sink and drainer on a base unit	Provided with a constant supply of hot and cold water and properly connected to the drainage system. The cold water supply shall be direct from the mains supply	1000mm x 600mm
Fixed worktop	Made of an impervious material	2000mm x 600mm (shared kitchen) 1000mm x 600mm (single use kitchen)
Storage cupboard	One cupboard for each tenant, the cupboard below the sink cannot be used for food storage. The cupboard can be located in the bedsit where there is sufficient space	One standard 500mm wide wall cupboard per person
	Separate storage space shall be provided for shared cooking equipment such as pans	One standard 1000mm wide base unit (The cupboard space below the sink is not suitable for storing cooking equipment)
A refrigerator	1 refrigerator for every 5 people	245 litres for 5 people. This can be smaller if individual fridges are provided in the rooms, this should be discussed with the case officer
A freezer	1 freezer for every 5 people	85 litres for up to 5 people
A washing machine	A washing machine with an adequate exclusive power source, water supply and drainage properly plumbed in.	Where there are more than 10 people occupying an HMO there must be at least 2 washing machines
Electrical power sockets	4 double 13 amp sockets provided within the food preparation area, at least 2 shall be above worktop level. 1 extra socket shall be provided for each major appliance (fridge, freezer, washing machine). The cooker shall be connected to a separate cooker spur	The sockets should be spaced as evenly as possible around the kitchen and suitable for use with electrical appliances on the kitchen worktop.

It is preferable for a kitchen to contain only one set of facilities, however, if a kitchen is large enough, 2 sets of facilities may be installed in the same kitchen for up to a maximum of 10 users. A kitchen for 10 users shall be a minimum of 14.5 square metres in area.

The kitchen should preferably be not more than one floor from any letting room that it serves but cannot be more than 2 floors from any letting room.

The kitchen size and layout must enable the practical, safe & hygienic use of the kitchen for storage, preparation and cooking of food.

The wall, floor and ceiling surfaces shall be smooth, impervious and capable of being easily cleaned.

The lighting shall be suitable to enable the practical, safe & hygienic use of the kitchen facilities.

² Schedule 3 – the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions)(England) Regulations 2006

Suitable and sufficient provision shall be made for refuse storage and disposal both within the unit of accommodation and outside.

Consideration should be given to clothes drying facilities preferably both inside and outside the property.³

³ There should also be clothes drying facilities, preferably both outside and internally'. Page 119, HHSRS Operating Guidance Personal Hygiene, Sanitation & Drainage

Personal Hygiene ^{4 5}

Bathroom/shower room fittings	Minimum size
Baths	1700mm x 700mm
Shower cubicles	800mm x 800mm
Wash hand basins	500mm x 400mm
Splashbacks	300 mm high

Where exclusive bathroom/shower room & toilet facilities cannot be provided, one bathroom or shower room, one toilet and one wash hand basin shall be provided for every 5 occupants.

Baths, showers, toilets and wash hand basins shall be provided in a separate room of adequate size. There should be adequate space for drying & dressing and somewhere to hang clothes and towels.

The room shall be accessible directly from the common areas and within one floor of each letting.

A wash hand basin shall be provided within each toilet compartment and within each bathroom/shower room.

Each bath, shower and wash hand basin shall be provided with a constant supply of hot and cold water.

The doors to bathrooms, shower rooms and WCs shall be capable of giving privacy and should be lockable from the inside.

Where light switches are located within the bathroom, shower room or WC compartment they must be pull cord switches.

The wall, floor and ceiling surfaces shall be smooth, impervious and capable of being easily cleaned.

The lighting shall be suitable to enable the practical, safe & hygienic use of the facilities.

⁴ Schedule 3 – The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions)(England) Regulations 2006

⁵ Pages 118-121, HHSRS Operating Guidance Personal Hygiene, Sanitation & Drainage

Means of escape from fire and fire fighting equipment^{6 7}

All HMO's are subject to an assessment under the Housing Health & Safety Rating System⁷, and must comply with the Regulatory Reform Order and Lacors Fire Guidance⁶.

The Regulatory Reform (Fire Safety) Order 2005 is enforced by the fire brigade and requires that the 'responsible person' carry out and regularly review a fire risk assessment of the premises. This will identify what you need to do to prevent fire and keep people safe. If you don't have the expertise or time to do the fire risk assessment yourself you'll need to appoint a 'competent person' to help, eg a professional risk assessor. If you're not sure if your risk assessment has been carried out properly your local fire and rescue authority might be able to give you advice although they can't carry out risk assessments for you. Further information can be obtained from <https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-risk-assessments>

You are advised to seek our advice prior to installation.

Any variations in these standards must be agreed by the case officer.

⁶ LACORS Housing – Fire Safety, Guidance on fire safety provisions for certain types of existing housing

⁷ Pages 150-155, HHSRS Operating Guidance Fire

HMOs occupied by children ⁸

NOTE: Planning permission must be sought before any of the following standards are complied with. If planning permission is refused the premises is deemed unsuitable for occupation by children.

When calculating room sizes a child is counted as one person irrespective of age⁹.

Where there are children living in a HMO the letting they occupy must consist of at least 2 rooms. The rooms must be self contained and interconnecting.

A bed shall be provided for exclusive use by the child.

Any child over the age of 8 years shall not have to share a bedroom with their parents or a child of the opposite sex.¹⁰

The letting must have its own kitchen and bathroom for exclusive use of that letting. The kitchen and bathroom must be directly accessible from the letting.¹¹

The bathroom must have a bath rather than just a shower.

Ideally, a play space and a desk shall be provided. Where there is a garden or other outside space associated with the dwelling, it shall be child friendly, safely & easily accessible to the children.¹² Balconies must have guarding to a height of at least 1100mm. Guarding should be designed to discourage children from climbing on it and should be strong enough to support the weight of people leaning against it. There shall be no gaps greater than 100mm in width.¹³

Window sills (to windows on the first floor upwards) less than 1100mm shall be fitted with window restrictors. It shall be possible to override the window restrictors for escape purposes.¹⁴

Landlords are advised to seek advice from this department wherever there are children living in a HMO.

⁸ 'Do my kids have to live like this forever?' The lives of homeless children and families in London 2005, Barnardos Crowded House, Cramped Living in England's Housing 2004, Shelter Against the Odds 2006, Shelter

Full House? How overcrowded Housing Affects Families 2005, Shelter

⁹ 'Small children need at least as much space as an adult. The need for privacy begins to develop from the age of eight and will be fully formed during puberty'. Page 92, HHSRS Operating Guidance Crowding & Space

¹⁰ 'Small children need at least as much space as an adult. The need for privacy begins to develop from the age of eight and will be fully formed during puberty'. Page 92, HHSRS Operating Guidance Crowding & Space

¹¹ LB Islington, Standards for Houses in Multiple Occupation

¹² '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'. Indoor and outdoor play and recreation space is necessary in accommodation housing children'. Page 92, HHSRS Operating Guidance Crowding & Space

¹³ 'Guarding (e.g. balustrading) should be provided to balconies and landings to prevent falls. It should be at least 1100mm high and designed and constructed so as to discourage children climbing and strong enough to support the weight of people leaning against it. There should be no openings to the guarding which would allow a 100mm sphere to pass through'. Page 144, HHSRS Operating Guidance Falls Between Levels

¹⁴ In multi-storey buildings there is a need for increased safety precautions to upper storey windows, because the increased risk posed by the more severe harms resulting from distance of fall. In such buildings, and preferably from the second floor upwards, glazing below 1100mm from the floor level should be guarded with a safety rail'. Page 144, HHSRS Operating Guidance Falls Between Levels

Electrical Appliances and Installations

All works to the electrical installation shall be carried out by a properly qualified engineer and must comply with the following:

The Electrical Equipment (Safety) Regulations 1994

These regulations apply to the supply of electrical equipment with a working voltage of between 50 and 1000 volts A.C. or between 75 and 1500 volts D.C. This imposes a duty on you as the supplier that they are 'safe' as defined by section 19 of the Act, so that there is no risk of injury or death to humans or pets or risk of damage to the property.

These regulations cover all mains voltage household electric goods including cookers, kettles, toasters, electric blankets, washing machines, immersion heaters etc. The Act also requires that if any equipment is supplied with any particular characteristic, suitable information or instruction booklets should be provided.

Plugs & Sockets (Safety) Regulations 1994

These regulations require that where any plug, socket or adaptor supplied for intended domestic use, that it complies with the appropriate current standard and specifically that:

- The live and neutral pins on the plugs are part insulated so as to prevent shocks when removing plugs from sockets; and
- All plugs are pre-wired.

Electricity at Work Regulations 1989

These regulations require the testing of portable appliances (PAT testing) provided within the common areas of the property, e.g. kettles, toasters etc.

Gas Supply and Appliances

All works to the gas installation and gas appliances shall be carried out by an engineer registered on the Gas Safe Register.

All gas pipe work, appliances and flues must be tested by a registered Gas Safe Engineer every 12 months. You must keep a copy of the Gas Safety Certificate for 2 years and issue a copy to each existing tenant within 28 days of the check being completed and issue a copy to any new tenants before they move in. A copy of the Gas Safety Certificate can be provided within the common areas.¹⁵ Audible, mains fed, carbon monoxide detectors, complying with BS EN 50297-1:2010, must be fitted into all rooms with gas appliances.

Loft Rooms/Spaces

Loft spaces and cellars are unsuitable for use as living accommodation unless proper Building Control & Planning Permission have been obtained. These spaces may require extra works in order to comply with these standards and the Housing Act 2004.

Attic rooms and loft rooms should have a minimum room height of 2.3 metres over at least half of the habitable floor area. Any floor area where the ceiling height is less than 1.5 metres will not count towards the habitable floor space.¹⁶

¹⁵ Gas Safety (Installation and Use) Regulations 1998

¹⁶ 'Relevant matters affecting likelihood and harm outcome: low beams and ceilings – well under 1.9 metres'. Page 164, HHSRS Operating Guidance Collision & Entrapment

Southwark Council Residential design Standards 2011

http://www.southwark.gov.uk/info/200151/supplementary_planning_documents_and_guidance/1253/residential_design_standards_spd

Furnished Lettings

All furniture provided in connection with the letting shall comply with The Furniture & Furnishings (Fire) (Safety) Regulations 1988.

Management

The Management of Houses in Multiple Occupation (England) Regulations 2006 places the following duties on the manager of the HMO.

Regulation 3 - Duty to inform the occupier of contact details including name, address and telephone number and to display this information in a prominent place in the HMO. If a landlord is regularly out of the country or away for long periods of time, a local manager should be appointed who can act on behalf of the landlord, contact details for this person should also be displayed.

Regulation 4 - Duty of the manager to take safety measures in relation to providing and maintaining the means of escape from fire & fire fighting equipment and to reasonably protect the occupiers of the HMO from injury.

Regulation 5 - Duty of the manager to maintain water supply & drainage. Water rates should be registered in the name of the landlord/manager who is responsible for paying the bills.

Regulation 6 - Duty of the manager to supply & maintain gas & electricity, including the provision of the latest gas safety certificate to the local authority when requested and the uninterrupted supply of gas and electricity. Utility bills should be registered in the name of the landlord/manager who is responsible for paying the bills. Key meters are not acceptable.

Regulation 7 - Duty of the manager to maintain common parts, fixtures, fittings and appliances including stairs, banisters, floor coverings, windows, lighting, shared appliances, yards, gardens and boundaries. Common parts must be kept free from obstruction, clean and in good order & repair.

Regulation 8 - Duty of the manager to maintain living accommodation and any furniture, fittings and appliances provided by the landlord.

Regulation 9 - Duty to provide waste disposal facilities suitable for the number of people occupying the HMO.

Regulation 10 - Duties of occupiers to reasonably cooperate with, not to hinder or frustrate the manager in performance of his duties; to provide information reasonably requested by the manager for the purpose of carrying out his duties; take reasonable care to avoid causing damage; properly dispose of rubbish; and comply with reasonable instructions regarding the means of escape from fire, prevention of fire and the use of fire equipment.