Standards for Houses in Multiple Occupation (HMO) – A guide to understanding standards, conditions and management of HMOs

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1. Introduction

1.1 This guidance has been produced by Malvern Hills and Wychavon District Councils for Houses in Multiple Occupation (HMO) to assist owners, agents and occupiers of the standards required in this type of accommodation. It details legal responsibilities and obligations and acts as the basis for mandatory HMO licence conditions.

1.2 Under the Housing Act 2004, local authorities can introduce additional licensing schemes. However, Malvern Hills and Wychavon District Councils only operate

mandatory HMO licensing. For further information on licensing requirements please email: privatesectorhousing@wychavon.gov.uk.

1.3 What is a HMO?

The Housing Act 2004 Section 254 and Section 257 provides the legal definition of a HMO. HMOs can be classed into three main types, as explained below.

HMOs with shared facilities

A HMO is defined in law as a house or flat in which three or more persons forming two or more households share one of more basic amenities such as a bathroom, toilet and/or kitchen facilities. There must also be an obligation to pay rent (or other consideration), and it is their main or only residence.

This includes shared houses (let on joint or separate agreements) and bedsits, where occupants share kitchen(s) or bathroom(s). A 'house' also includes a flat that is in multiple occupation.

HMOs with non-self-contained units

This is a converted building which has one or more, non-self-contained units. A non-self-contained units is where a toilet, washing or cooking facilities are not within the occupant's room: this applies even if the facility is for the exclusive use of the occupant. This means where the kitchen or bathroom or toilet is not within the occupant's room.

HMOs that are converted blocks of flats

Certain buildings that have been converted into flats are also HMOs (these are called Section 257 HMOs) – a building converted prior to 1991 where the standard of conversion does not comply with the Building Regulations 1991, that consists entirely of self-contained flats and less than two-thirds of the flats are owner-occupied. Simply put, these are 'poorly converted blocks of flats' because they do not comply with Building Regulations.

Malvern Hills and Wychavon District Councils do not have an 'Additional' HMO licensing scheme for Section 257 HMOs.

1.4 Definition of a household

Under the Housing Act 2004, a 'household' is defined as either a single person or members of the same family who are living together. A 'family' is defined as:

- Married or living together as husband or wife (or equivalent including same-sex couples)
- Parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin. Half-blood and stepchild(ren) are classed as the same family.

1.5 Mandatory HMO licensing

A mandatory HMO licence must be obtained for HMOs occupied by 5 or more unrelated occupiers who share an amenity (e.g. bathroom, toilet or cooking facilities). Mandatory HMO licensing is the only form of HMO licensing operated by Malvern Hills and Wychavon District Councils.

The Housing Act 2004 and associated legislation[1] states the minimum standards for HMOs. All HMOs are subject to this legislation along with the HMO management regulations[2].

To apply for a mandatory HMO licence and details of the current fees, please visit the relevant council website depending on which local authority area your HMO is located in **www.wychavon.gov.uk/hmolicensing** or **www.malvernhills.gov.uk/hmo**

1.6 Properties which may not require a HMO licence

Certain types of properties which may not require a mandatory HMO licence as follows:

- Properties under the management or control of a local housing authority, a registered social landlord or certain other public bodies
- Properties regulated under other enactment such as children's homes, care/nursing homes and Approved Premises
- Purpose built student accommodation
- Houses occupied by single households
- Houses where there are up to two lodgers in addition to the owner occupier
- Households that act as host families for foreign students studying for short periods in these areas
- Tenants of Housing Associations or Registered Providers
- Student accommodation operated or owned by an approved educational establishment
- The majority of Airbandb

1.7 Planning Requirements

Planning permission is required to convert a property into a HMO with seven or more occupants. It should be noted that the granting of a mandatory HMO licence does not confer planning permission onto a property as the Planning and Housing legal requirements are separate. Please contact the Planning Services for more information at Planning - Wychavon District Council - Wychavon District Council or Planning - Malvern Hills District Council

2. Space Standards

2.1. It is important to ensure that all HMOs in our districts offer a good standard of accommodation and provide a safe living environment. All rooms shall be of a convenient, accessible and a usable shape for their intended purpose.

2.2. The HMO regulations set out minimum standards for HMOs and provide legal requirements that the councils have interpreted. This guide sets different room size requirements depending on whether the property has additional communal space. Where there is no additional communal space, larger bedroom sizes are required.

2.3. Measuring room sizes

When measuring the size of any room, the officer must take into account:

- Where the ceiling height is less than 1.5m the floor area underneath it shall be disregarded and not counted as 'useable space'. It cannot be counted towards the minimum room size.
- The 'usability' of the space, along with the height and shape of the room. Rooms must be able to allow the effective use of the required amount of furniture and allow sufficient movement around the room. Where this is not possible (e.g. narrow layout), a higher minimum floor space may be required.
- Measurements will include all floor space including floor to ceiling fitted wardrobes/walk in cupboards but not chimney breasts, bulkhead or en-suite facilities. Skirting boards will also be ignored. Unusable space, for example in rooms located in the loft area, also includes chimney breasts, circulation space behind doorways and around staircases.
- All rooms should have a minimum floor to ceiling height of 2.3m over 75% of the room. Where the ceiling has beams, the height from the floor to the beam must be a minimum of 2m.
- Communal space in other parts of the HMO cannot be used to compensate for bedrooms that are smaller than the legal minimum.
- Infants under the age of one will be disregarded when calculating permitted number of occupants in each room. Proof of age may be required.

2.4. Minimum sleeping room sizes

There are legal minimum sleeping room floor area sizes as follows and there can be no flexibility allowed:

- 6.51m^2 for one person over 10 years of age
- 10.22m2 for two persons over 10 years of age
- 4.64m^2 for one child under the age of 10 years when let together with a sleeping room of at least 6.51m^2 used by their parent or legal guardian

There is a mandatory condition that any room of less than 4.64m^2 may not be used as sleeping accommodation and the licence holder will need to notify us of any room in the HMO with a floor area of less than 4.64m^2.

The tables below outline the required space standards for HMOs.

Space – Minimum requirements for a bedsit (where individual sleeping, cooking and living amenities are in 1 room)		
Number of occupants	Bedroom (m^2)	Shower/Bathroom (m^2)
1	14	2.74/3.74
2	18	

Room	Number of occupants (NB maximum of 2 occupants sharing a bedroom)	Minimum size (m^2)
Bedroom (with separate communal living space)	1	6.51
Bedroom (with separate communal living space)	2	10.22
Bedroom (with no separate communal living space)	1	10.22
Bedroom (with no separate communal living space)	2	14
Kitchen	1-3	5.5
Kitchen	4-5	7
Kitchen	6-10	11
Kitchen	11-12*	15
Communal living space (e.g. living room)	1-5	11**
Communal living space (e.g. living room)	6-10	14**
Communal living space (e.g. living room)	11-12+***	To be calculated by officers
Bathroom	n/a	3.74
Shower room / en-suite	n/a	2.74

*Any HMO with more than 12 occupants will require an additional separate kitchen. The space standards to be met by the additional kitchen is to reflect the number of people using it.
** Where a communal living space does not meet these guidelines, bedrooms will need to meet the higher space standard size i.e. 10.22m^2 for 1 occupant. If there is a combined kitchen/communal area, the two size requirements should be added together to determine if the communal area is adequate enough to count as such.
***Any HMO with more than 10 occupants, communal space requirements will be calculated by officers based on the number of occupants.

3. Facilities for the storage, preparation and cooking of food

3.1. Each occupant must have 24 hour a day access to a suitable internal kitchen which should, ideally, be no more than two floors away from their bedroom room.

3.2. All kitchens and kitchen areas must be large enough and shall have a safe and practical layout to enable those using the facilities to store, prepare and cook food. Kitchens with a poor layout and/or facilities may be deemed inadequate.

3.3. There should be adequate space for cookers, sinks and worktops and these must be appropriately positioned in the room and in relation to each other.

3.4. Sinks, worktops and immediately adjacent walls and floors should be non-porous and smooth to facilitate cleaning. Walls abutting cookers, sinks and worktops should be provided with tiles splashbacks.

3.5. Where two sets of facilities are provided in one kitchen, the layout must allow them to be safely used at the same time No more than two sets would normally be accepted in a single room.

3.6. Kitchens should have adequate natural or mechanical ventilation.

3.7. Where a bedroom is directly off a kitchen, a suitable means of escape (door or window) must be available to provide a safe and clear exit from the building. Where there is no practical exit from a courtyard or rear garden, the minimum distance of safety from the building should be no less than its height.

3.8. Kitchen facilities – Single household occupancy

Where kitchen facilities are provided within bedrooms or bedsitting rooms, they should be situated in a distinct kitchen area, ideally away from the door. They must have the following standards:

a. A suitable size sink and draining board with constant supplies of hot and cold water, a fixed impervious worktop measuring not less than 1.0m x 0.6m, with tiles or otherwise impervious splashback

b. A dry double (1.0m) wall cupboard or 1 single (500mm) base cupboard (not under the sink)

c. A storage cupboard for crockery and a drawer/container for utensils

d. A refrigerator (minimum gross capacity of 66 litres) with a freezer compartment

e. A 2-ring hob with both oven and grill. This must be safely installed and secured on a fixed worktop. Free standing units are not acceptable.

f. A minimum of two 13-amp electric sockets in the food preparation area adjacent to the worktop.

g. Adequate space, layout, ventilation, artificial lighting, and a suitable impervious floor covering.

h. All facilities must be fit for purpose.

i. A fire blanket and suitable small fire extinguisher.

3.9 Kitchen Facilities – Shared occupation

Where kitchen facilities are shared, the table below sets out the full kitchen requirements.

For HMOs with more than 12 occupants an additional separate kitchen is to be provided. The facilities provided will depend on the number of occupants sharing the kitchen.

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<table>
<tr><th colspan="7">Kitchen facilities – shared occupation</th></tr>
<tr><th>Occupants</th><th>Cooking appliances</th><th>Sinks</th><th>Cold storage</th><th>Dry goods storage</th><th>Work surfaces</th><th>Electrics</th></tr>
<tr><td>3 - 5</td><td>1 x conventional cooker (oven, grill and 4 hot plates)</td><td>1 x single sink and integral drainer</td><td>1 x under counter fridge and a separate freezer or 1 x equivalent combined fridge/freezer</td><td>2 x 500mm base units and
2 x 1000mm wall units with doors and or equivalent</td><td>2000mm(l) x 500mm (d)</td><td>2 x twin socket, located at least 150mm above the work surface.</td></tr>
<tr><td>6</td><td rowspan="2">2 x conventional cooker (a microwave may be used in lieu of a 2nd)</td><td rowspan="2">1 x double sink with integral drainer OR 1 x single sink and a dishwasher</td><td rowspan="5">2 x fridge/ freezer or 2 x combined fridge/freezers</td><td rowspan="4">4 x 500mm base units and
2 x 1000mm wall units with doors or equivalent</td><td rowspan="3">2500mm(l) x 500mm(d)</td><td rowspan="5">3 x twin electrical sockets at work top level, 1 must be 1m away from sink</td></tr>
<tr><td>7</td></tr>
<tr><td>8</td><td rowspan="3">2 conventional cooker (irrespective of a microwave oven being provided)</td><td rowspan="2">2 x double sink with integral drainer OR 1 double sink with integral drainer and a dishwasher</td></tr>
<tr><td>9</td></tr>
<tr><td>10</td><td rowspan="2">2 x double bowl sinks and integral drainer and a dishwasher</td><td>3000mm(l) x 500mm(d)</td></tr>
<tr><td>11+</td><td>2 x conventional cookers and 2 combination microwaves</td><td></td><td>5 x 500mm base units and
3 x 1000mm wall units with doors or equivalent</td></tr>
</table>

3.10 Cooking appliances

Please note that:

- All cooking appliances must be connected correctly to the electric or gas supplies by a suitable qualified engineer.
- Electric cooking appliances must be connected as instructed by the manufacturer. This will often mean electric cookers must be on their own fused spur.
- Cooking appliances should have an adjacent worktop

- No soft furnishings are to be within 600mm of the cooker rings or hotplates
- The minimum clearance between the cooker rings or hotplates and any cupboard or extractor above must comply with the manufacturer's instructions.

3.11 Sinks

Please note that:

- Space within the unit under the sink must not be included as storage space.
- Each sink must be set on a suitable base and provided with hot and cold water supplies properly connected to the drainage system.

3.12 Cold Storage

In terms of refrigeration and freezer storage, the following must be provided:

- Fridge dimensions: 84cm(H) x 60cm (W) x 60cm (D) 100 litre capacity
- Freezer dimensions: 84cm(H) x 60cm (W) x 60cm (D) 85 litre capacity
- Fridge/freezer dimensions: Upright 175cm (H) x 60cm (W) x 65cm (D)

3.13 Worktops

- These shall be provided in addition to any space required for cooking appliances.

3.14 Electrics

The required sockets are in addition to any sockets needed for the connection of cooking appliances.

4. Personal washing facilities and toilets

4.1. All baths, showers and wash hand basins (WHB) in a HMO must have hot and cold-water supplies and suitable waste drainage.

4.2. Bedrooms must not be more than one floor from any communal bath/shower room and/or WC. Officers may use their discretion if this is not practicable.

4.3. The wall finish and flooring must be washable, well-fitted and non-absorbent.

4.4. All WCs must be provided with a suitable seat and lid and must be securely fixed. They shall be properly connected to the soil drainage system and the cisterns provided with an adequate and constant available supply of water.

4.5. All bath/shower/ensuite rooms and WCs must be in a separate lockable (from the inside) room and have a suitable layout, providing appropriate drying and changing space. As a minimum:

- A shower room / en-suite must be 2.74m^2
- A bathroom must be 3.74m^2
- Separate WCs compartments must be 1300mm x 900mm, a total space of 1.7m^2 and include a WHB with hot and cold running water and a tiled splash back.

4.6. All baths, showers and WHBs should be equipped with adequate tile/or equivalent splashbacks (minimum 450mm to baths and WHBs and full heights for showers) with a waterproof seal between the splash backs and the fitting.

4.7. All baths, showers and WHBs must provide constant hot and cold water with suitable fittings and connected to a waste drainage system.

4.8. Electric showers should be fitted with thermostatic temperature controls to prevent scalding.

4.9. A bath /shower room must include:

- A bath or shower in purpose-built cubicles, and where over a bath include a well fitted screen or shower curtain (adequate tile/or equivalent splashbacks must be provided)
- WC with a secure and suitable toilet seat
- WHB with hot and cold running water and a tiled splashback
- Ventilation
- Electric lighting
- Heating (wall mounted, fixed heating)

4.10. Purpose built manufactured pod systems could be used as a personal hygiene provision, they must comply with the current British Standard.

4.11. If bath/shower rooms do not fully meet the standards, a useability test will be undertaken to ensure the following activity and appliance space is available to serve the needs of the occupant/s.

Appliance and activity space		
Appliance	**Typical appliance space (mm)**	**Typical activity space (mm)**
Bath	1700 x 800	1000 x 700
Shower	900 x 900	900 x 700 (nearby dressing space is presumed)
Wash basin	700 x 600	1000 x 700
WC suite (low level close coupled)	700 x 500	800 x 600

4.12. Where washing facilities are shared between occupants, a certain number of WCs, WHBs and baths/showers are required. The table below outlines the minimum level of shared bathroom and WC facilities which should be provided per total number of occupants.

4.13. Please note that where a room is provided with a complete en-suite facility (bath/shower, WC and WHB) for exclusive use of that occupant, then that occupant will be disregarded in the below table when considering the number of occupants sharing. E.g. if a property has six occupants and one has exclusive use of a fully equipped en-suite, the requirement for the remaining occupants will be for five people. However, if the facilities provided do not constitute a full en-suite, then the occupant will not be disregarded.

4.14. Quick guide to personal hygiene facilities by number of occupants is provided in the table below.

Quick guide - Personal hygiene facilities			
Occupants	**No. of bathrooms***	**No. of WC's**	**Additional notes**
1 - 4	1	1	At least 1 Bathroom and 1 WC (the bathroom and WC may be combined)
5	1	2	1 bathroom with a WC and 1 separate WC
6 - 7	2	2	2 bathrooms with WCs
8-10	2	3	2 bathrooms with WCs, plus a separate WC (or a 3rd bathroom with WC is acceptable)
11 - 15	3	4	3 bathrooms with WC and 1 separate WCs

** The term bathroom means an internal room containing a suitable bath or shower compartment and a WHB. A separate WC must have a WHB included.*

5. Heating, lighting and ventilation

5.1 Wall mounted, fixed heating system must be installed and provided in all rooms including the bathroom and WC areas. All heating appliances must be efficient, practical and affordable. Portable heating appliances such as fan heaters, halogen heaters, bottled gas heaters, oil radiators etc are not considered a suitable form of heating.

5.2 The heating system must be capable of maintaining a constant temperature and be available to all occupants at all times. It may be centrally controlled but the occupier of each unit of accommodation must be able to control the temperature within their bedroom, for example via thermostatic radiator valves (TRVs) where central heating is provided to individual wall mounted electric heaters.

5.3 Written instructions should be made available to occupants to ensure they can safely use any of the appliances e.g. boilers, immersion heaters, cookers, washing machines etc.

5.4 Where a central heating system is provided, including to common parts, the fuel supply to the common parts shall be via a dedicated supply, not a key or card meter (except where a system is exclusive to an individual unit of accommodation).

5.5 In terms of lighting, limited and restrictive natural light can negatively impact the living environment and restrict the usability of a room. Consideration needs to be given to the amount of actual natural light that is radiated into a room throughout the laylight hours.

5.6 Where there are no windows in the bath/shower rooms and WCs, suitable artificial lighting is to be installed to ensure the appropriate lighting levels are achieved.

5.7 Kitchens must have standard window(s) that are 20% of the floor area. Where necessary, suitable artificial lighting should be installed to ensure the required lighting levels are achieved.

5.10 Halls, stairs, landings, accessible cellars must be provided with adequate artificial lighting. External steps and walkways around the property must be adequately lit and must be able to be navigated safely.

5.11 External doors and windows must be suitably and securely fitted and draught proofed.

5.12 Where windows are installed their size must be a minimum of 20% of the floor space.

5.13 All habitable rooms (bedrooms, living and dining rooms) must:

a. Have fixed space heating capable of being heated efficiently to 21°C when the outside temperature is -1°C, at a reasonable cost and must be controllable by the occupants. Heating appliances must be wall mounted and either hard-wired or plumbed in.

b. Be provided with adequate natural and artificial lighting. Generally, this should be unobstructed windows having a glazed area of not less than 20% of the room's floor area and suitable electric light points. Bedrooms must have a standard window(s) that are 20% of the floor space.

c. Be provided with adequate natural ventilation. Generally, this should be windows having a combined opening of not less than 5% of the rooms floor area. If patio doors are the only form of ventilation, they must have either trickle vents or be able to be securely left open at night by a locked chain.

5.14 All shared house HMOs (i.e. not let under separate contracts) must meet Energy Performance Certificate minimum rates of 'E' unless otherwise except under Minimum Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 updated 2018.

6. Basement Spaces

6.1. Where rooms are proposed in basements, consideration must be given in addition to the general room standards, particularly in regard to fire risk and 'means of escape' and suitable lighting.

6.2. Basement bedrooms and kitchens must have a suitable means of escape to provide a safe and clear exit from the building for example a window into a garden area with independent low level exit points such as a gate or low-level wall. Where there is no practical exit from a courtyard or rear garden, the minimum distance of safety from the building should be no less than its height.

6.3. The floor plan and layout of the basement kitchen must ensure that the kitchen can be used in a safe manner, and where practical the cooking appliances to be located away from the room door. Where it is not practical for cooking appliances to be located remote from the door, a fire suppression system needs to be installed.

7. Safety in HMOs

7.1 All safety certificates and documents are to be provide by a competent and suitable qualified person. The licence holder will provide the council with copies of the required certificates and documents on request and when the current certificate expires you are obliged to provide the council with up-to-date certificates within 28 days of the expiry date of any certificate.

7.2 Gas Safety Certificate

Where a gas supply is fitted the licence holder must supply the council a copy of the gas safety certificate obtained within the previous 12 months and covering each gas appliance supplied by the landlord. A gas safety certificate must continue to be supplied annually thought the licence period. The certificate must be issued by a member of the Gas Safe Register who is competent to examine gas appliances. A copy of the most up to date certificate should be provided to the occupants and kept in the HMO Management Log Book.

7.3 Electrical Safety Certificate

The licence holder must ensure that an Electrical Installation Condition Report (EICR) for the mains wiring, and fixed electrical installations is provided to the occupants and the council. It must be undertaken by a suitably qualified and competent electrician within the previous 5 years. A copy of the EICR should be sent to the council on renewal or commissioning and be kept in the HMO Management Log Book.

Any remedial work relating to the safety of the electrical installation which is identified during this inspection shall be completed within the most appropriate time i.e. within 24 hours for emergency repairs and up to but no longer than 28 days from the date of issue.

7.4 Electrical Sockets

Each habitable room must be provided with an adequate number of electric sockets (at least 4 x single or 2 x double). Failure to do so may result in the overuse of extension cables by occupants which increases the risk of fire and may lead to trip hazards.

7.5 PAT Certificate

The licence holders must ensure all electrical appliances supplied by them are in a safe condition. A Portable Appliance Test (PAT) certificate must be completed by a competent person and a copy kept in the HMO Management Log Book. Appliances which fail the PAT cannot be kept in use by occupants. The PAT should be carried out annually or as stipulated by the competent person carrying out the test. The licence holder must keep all receipts for new appliances and supply copies to the council. Any portable appliances left behind by previous occupants are the responsibility of the licence holder and must either be removed or PAT tested.

7.6 Carbon Monoxide Detectors

A carbon monoxide detector should be placed in accordance with the manufacturer's instructions and must be located in any bedroom which contains a solid fuel burning combustion appliance or a gas appliance. A detector must also be placed near the gas boiler, if there is one.

8. Fire Safety and Precautions

8.1 Landlords should be aware that the HMO regulations do not contain all the fire safety requirements which their HMO property may be subject to. There are fire safety requirements under other legislation such as Part 1 of the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005.

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 as amended in 2022 requires all private sector landlords to have at least one smoke alarm installed on every storey of their property and a carbon monoxide alarm in any room containing a solid fuel burning appliance (e.g. wood burning stove).

Published **guidance on fire safety provisions for certain types of existing housing** produced by the Local Authorities Coordinators of Regulatory Services (LACORS) is available for landlords on how to ensure adequate fire safety in certain types of residential accommodation including shared houses, bedsits and flats.

8.2 Basic fire safety principles

Fire risks in rented accommodation, and in particular HMOs can be complex. However, some basic principles underpin fire safety in a residential context:

- Keep the escape route free from obstructions and flammable items
- In large, complex premises install emergency lighting
- Install the appropriate smoke detector/alarms
- Escape windows provide a second, emergency escape route.
- Fire doors and fire-resistant construction keep smoke and fire out of escape routes
- Ensure fire doors are openable from inside without the use of a key (i.e. thumb turn)

8.3 Fire Risk Assessment

The licence holder must produce a written fire risk assessment produced by a "competent person" and review at regular intervals. It should, as a minimum, list and identify the fire hazards, what has been done to reduce and mitigate the risks of those hazards and to list what physical precautions and management arrangements are necessary to ensure occupiers safety. The licence holder must review the fire risk assessment if there are any changes within the HMO property and ensure that a copy is kept in the HMO Management Log Book.

For further information on fire risk assessment please visit **Fire safety risk assessment: sleeping accommodation**. The **Hereford and Worcester Fire and Rescue Service** website also contains information on how to carry out a fire risk assessment.

8.4 Fire Detection and Alarms

The presence of a suitable, properly installed and maintained automatic fire detection and warning system will alert occupiers to the presence of a fire in its early stages and enable them to evacuate to a place of safety before the escape routes become blocked with smoke or directly affected by fire.

Mandatory licensable HMO properties as a minimum must be fitted with an integrated, hard-wired fire detection system with battery back up in accordance with BS5839: Part 6 and in accordance with the LACORS Guidance. A copy of the code of practice for BS5839: Part 6 can be found **here**.

Please note:

- Wireless systems are acceptable as long as they meet BS5839.
- Any control panels and equipment must confirm with the relevant British Standards

- The alarm signal must achieve sound levels of not less than 65dB (A) in all accessible parts of the building and not less than 75dB (A) at all bedheads when all doors are shut, to arouse sleeping persons.
- Alarms should not be installed within WCs, bathrooms or shower rooms.
- The licence holder is responsible for ensuring the fire detection and warm system is in working order at the start of each new tenancy.
- Fire detection and alarm system should be serviced at the intervals indicated in the HMO licence.
- Fire detection and alarm system should be tested in accordance with the manufacturer's instructions and at intervals indicated in the HMO licence.
- Fire detectors should be cleaned periodically in accordance with the manufacturer's instructions.

Types of fire detection and alarm systems

BS 5839: Part 6 grades fire detection and alarm systems for residential premises according to the complexity of the system. For the purposes of specifying fire detection and alarm systems and the associated engineering design parameters, there are eight different grades as follows:

Grades of automatic fire detection and warning systems	
A	A higher standard of control, monitoring and system availability can be achieved by installing a Grade A system recommended in BS 5839-1. Such systems comprise dedicated fire alarm Control and Indicating Equipment (CIE), fire detectors and fire alarm devices. Interconnections from the fire detectors and fire alarm devices to the CIE are monitored so that a fault indication is given at the CIE in the event of specified faults. Any wiring of these systems is fire-resisting.
C	System of fire detectors and alarm sounders, which may be combined in the form of smoke and/or heat alarms. Connected to a common power supply, comprising the normal mains and a standby supply, with central control equipment.
D1 and D2	System of one or more main-powered smoke and/or heat alarms with an integral back-up power supply (D1 system each alarm has a sealed-in standby supply consisting if a battery or batteries and the D2 system has an integral standby supply consisting of a user replaceable battery or batteries). These are designed to operate in the event of mains failure and therefore could be connected to the local lighting circuit rather than an independent circuit at the dwelling's main distribution board. There is no control panel. **It is not recommended that a Grade D2 system is installed in rented dwellings.**
F1 and F2	System of one or more battery-powered smoke and/or heat alarms (F1 system alarms powered by a sealed battery and F2 system alarms powered by a user-replaceable primary battery or batteries)

Levels of coverage

The level of protection needs to be directly related to the fire risk. Three categories of describe the level of protection the system provides - generally the higher category of system the higher level of protection.

Level of coverage	System
LD1 High Protection	A system installed **throughout the property** incorporating detectors in all circulation spaces that form part of the escape route from the property, and in all rooms and areas in which fire might start (i.e. risk rooms).
LD2 Medium Protection	A system incorporating detectors in all circulation spaces that form part of the escape route from the property and in all rooms or areas that present a high risk to occupants i.e. risk rooms.
LD3 Minimum Protection	A system incorporating detectors in circulation spaces that form part of the escape route from the property.

Minimum grade and coverage by HMO type

This table is based on all the HMO types being of sound and traditional construction in a good state of repair and details what the councils will accept as the minimum in terms of the grade and coverage of the fire detection and alarm warning systems and other fire safety requirements.

Please note this table is not exhaustive, for fire safety advice and guidance on other HMOs, please email the private sector housing team: privatesectorhousing@wychavon.gov.uk

Type of HMO	Grade and coverage	Other fire safety requirements
Shared house HMO of up to 2 storeys (shared cooking facilities)	Grade D1: LD3 system Interlinked mains wired smoke alarms with integral battery back-up located in the escape route at all floor levels. Interlinked heat alarm with integral battery pack back-up located in the kitchen. Interlinked smoke alarm with integral back-up located in the lounge. Interlinked smoke alarms with integral battery back-up located in the basement.	No requirement for full 30-minute protected route but the escape route should have sound, traditional construction and not pass through any risk rooms see table note below No requirement for fire doors see table note below but sound, well-constructed solid and close-fitting doors are required. Fire blanket to be located in kitchen. Final exit doors should be fitted with locks/catches which are openable by the occupiers from the inside without the use of a removeable key, e.g. thumb turn. Any door providing a means of escape and which is required to be kept locked shall be fitted with a type of lock capable of being opened easily and quickly from the inside without the use of a key e.g. thumb turn.
Shared house HMO of 3 or 4 storeys (shared	Grade D1: LD3 system Interlinked mains wired smoke alarms with integral battery back-up located in the	30-minute protected route is required, including 30-minute fire-resisting construction and 30-minute fire-resisting door (FD30) with approved self-closer (see Fire Door Standards for further information) to all risk rooms.

Type of HMO	Grade and coverage	Other fire safety requirements
cooking facilities)	escape route at all floor levels. Interlinked heat alarm with integral battery pack back-up located in the kitchen. Interlinked smoke alarm with integral back-up located in the lounge. Interlinked smoke alarms with integral battery back-up located in the basement.	Fire blanket to be located in kitchen. Emergency lighting may be required if the escape route is long or complex or where there is no effective borrowed lighting. All bedroom doors and final exit doors should be fitted with locks/catches which are openable by the occupiers from the inside without the use of a removeable key, e.g. thumb turn. Any door providing a means of escape and which is required to be kept locked shall be fitted with a type of lock capable of being opened easily and quickly from the inside without the use of a key e.g. thumb turn.
Shared house HMO of 5 or 6 storeys (shared cooking facilities)	Grade A: LD2 system Detection throughout escape route and all risk room including bedrooms, living rooms, kitchen (heat detection) and basement.	30-minute protected route is required, including 30-minute fire-resistant construction and 30-minute FD30S fire doors to all risk rooms (with smoke seals). For five storeys, lobby protection to all floors except the top floor or secondary means of escape from the top floor. 30-minute lateral fire resisting separation of the top floor. For six storeys, lobby protection to all floors except the top floor and secondary means of escape from top two floors. 30-minutes lateral fire-resisting separation of top two floors. Fire blanket to be located in kitchen. Emergency escape lighting in escape route. All bedroom doors and final exit doors should be fitted with locks/catches which are openable by the occupiers from the inside without the use of a removeable key, e.g. thumb turn. Any door providing a means of escape and which is required to be kept locked shall be fitted with a type of lock capable of being opened easily and quickly from the inside without the use of a key e.g. thumb turn.
Bedsit-type HMO of one or	A mixed system: Grade D1: LD2 coverage in throughout the escape route	30-minute protected route is required see table note x below, including 30-minute fire-resistant construction and 30-minute FD30S fire doors to all risk rooms (with smoke seals).

Type of HMO	Grade and coverage	Other fire safety requirements
two storeys **Bedsit-type HMO of one or two storeys**	Where cooking facilities are sited within the bedsits: • Interlinked heat alarms with integral battery back-up located in each bedsit; and • Additional non-interlinked smoke alarms with integral battery back-up in each bedsit Where cooking facilities are sited in shared kitchen, not within bedsits: • Interlinked heat alarms with integral battery back-up located in each communal kitchen; and • interlinked smoke alarms with integral battery back-up in each bedsit; and • additional interlinked smoke alarms with integral battery-back up located in any cellar.	Sound tradition construction between rooms. Fire blankets in each bedsit with cooking facilities and in shared kitchens. Conventional lighting is required. Emergency lighting may be required if the escape route is long or complex or where there is no effective borrowed lighting. Fire safety signage along the escape route if the escape route is complex. Final exit doors should be fitted with locks/catches which are openable by the occupiers from the inside without the use of a removeable key, e.g. thumb turn. Any door providing a means of escape and which is required to be kept locked shall be fitted with a type of lock capable of being opened easily and quickly from the inside without the use of a key e.g. thumb turn.
Bedsit type HMOs of three to six storeys within individual cooking facilities within bedsits	A mixed system: Grade A: LD2 coverage in the common areas and heat detectors in bedsits (interlinked) Grade D1 smoke alarms in each bedsit to protect the sleeping occupants (non-interlinked).	30-minute protected route is required, including 30-minute fire-resistant construction and 30-minute FD30S fire doors to all risk rooms (with smoke seals). Fire blanket in rooms with cooking facilities. Three to four storeys – conventional lighting and emergency lighting if risk requires it or there is no effective borrowed light). Final fire exit sign and signage along the escape route if complex. Five storeys – Lobby protection to all floors except the top floor or secondary means of escape from top floor. Six storeys - Lobby protection to all floors except the top floor and secondary means of escape from top two floors for six storeys. Five to six storeys –conventional lighting and emergency escape lighting. Final fire exit

Type of HMO	Grade and coverage	Other fire safety requirements
		sign and directional signage along the escape route. 30-minute fire separation between units of accommodation throughout. 30-minute fire separation across the stairway between second and third floors and between fourth and fifth floors. 30-minute lateral fire resisting separation between top two floors. All bedroom doors and final exit doors should be fitted with locks/catches which are openable by the occupiers from the inside without the use of a removeable key, e.g. thumb turn. Any door providing a means of escape and which is required to be kept locked shall be fitted with a type of lock capable of being opened easily and quickly from the inside without the use of a key e.g. thumb turn.

Table note: where construction standards are poor, travel distances are long or other high risk factors are present, a 30-minute protected route and 30-minute fire doors may be required.

Table note x: a full 30-minutes protected route is the preferred option. However, in two-storey normal risk HMOs the provision of suitable escape windows from all bedsit rooms may be acceptable in lieu of a fully protected route.

8.6 Escape routes

The layout of the property needs to be considered, along with the complexity of the route, travelling distance to the safe place, the type of construction and state of repair, occupant profile and the presence of other fire safety measures such as fire detection and warning systems, emergency lighting or fire suppression systems.

All properties must have a protected fire escape route where all occupants are able to escape safely in the event of a fire. All floors and walls on the protected fire escape routes and within all sleeping rooms must be constructed of minimum 30-minutes fire resisting materials. All floors and walls between commercial and neighbouring properties must be constructed to be 60-minutes fire resistant.

Ideally, bedrooms should be closer to the exit door to the accommodation than living areas or kitchen facilities.

As a guide it is considered 7.5m is the maximum acceptable distance from a room exit door to a place of safety, but this is not applied as a standard and may increase or decrease depending upon the level of risk once the appropriate fire prevention measures have been put in place.

All escape routes must be well maintained and free from obstruction. This includes staircases, passageways, corridors, halls, lobbies, entrances, paths and yards.

Signs indicating the escape routes must be provided in suitable positions for mandatory licensable HMOs (those occupied by 5 or more individuals).

8.7 Basements

In HMOs with habitable basements, there must be a 30-minute fire protected route between the basement and the ground floor. A 30-minute fire resisting door should be fitted at the head of the basement entrance (top of the stairs).

In a large, shared house, full 30 minutes fire separation between the basement and ground floor is expected with a self-closing 30-minute fire resisting door with intumescent strips and cold smoke seals are required. In some cases, it may be necessary to have two FD30S doors - top and bottom of the basement staircase.

8.8 Escape windows

Escape windows are only considered satisfactory and safe to use in an emergency if they serve a room where the floor level is no more than 4.5m from the ground. Any window provided as an emergency escape should have an unobstructed open-able area that is at least 0.33m^2 and have a minimum 450mm height and 450mm width. The bottom of the open-able area should not be more than 1,100mm above the floor. The window must be open-able from the inside without the use of a removable key, and the ground below is level and free of obstruction.

Please see LACORS guidance Part C paragraph 14 for more information about the requirements of escape windows.

8.9 Exit doors

Final exit doors should be fitted with locks/catches which are openable by the occupiers from the inside without the use of a removeable key, e.g. thumb turn.

It is strongly recommended that the exit door from each unit of accommodation (bedsit or flat) is also openable from inside without the use of a removable key.

Where the HMO is three or more storeys, we require doors should be fitted with locks/catches which are openable by the occupiers from the inside without the use of a removable key.

8.10 Fire door standards

Where fire-resisting partitions are required, any doorways within them must be fitted with fire-resisting door assemblies providing fire resistance at least to the same standard as the requirement for the partition itself – so 30-minute partitions will require a 30-minute fire-resisting door (FD30), 60-minutes partitions a 60-minute door (FD60).

HMO fire doors are typically required to be FD30 rated and in some cases, higher ratings (like FD60) may be required depending on the building's size, layout and risk assessment.

Where FD30 rated doors are required, they must:

- Comply with BS 476 (or newer EN 1624)
- Incorporate three CE marked minimum Grade 11 hinges adhering to BS EN 1935 standards and fire-rated metal door furniture.
- Have a maximum gap around the door and lining not to exceed 2mm. For gaps between 2-4mm an intumescent strip and smoke seal is to be rebated into both edges and top, fitted either to the door or lining.

- 35mm x 12.5mm door stops glued and screwed at 300mm centres
- Be provided with overhead door closers capable of closing the door onto the latch. The door closers must conform to BS EN 1154

Any door providing a means of escape and which is required to be kept locked shall be fitted with a type of lock capable of being opened easily and quickly from the inside without the use of a key e.g. thumb turn.

A conspicuous notice must be fitted to all fire resistant self-closing doors across escape routes and to communal kitchens and other communal rooms in HMOs should be marked approximately eye levels stating, 'Fire Door Keep Shut'. Doors to cupboards, stores, boiler rooms opening onto the escape route should be marked 'Fire door keep locked shut'.

Entrance doors to flats and bedsit rooms will always require approved self-closing devices.

In lower risk premises where a full 30-minute protected route is not required, it should be possible to accept existing, well fitted and constructed solid doors, providing they are in sound condition. Non-fire resisting glazed doors, doors of flimsy construction or hollow infill-type doors will not be accepted.

8.11 Emergency escape lighting

When considered necessary, emergency escape lighting must be designed to comply with BS 5266. It is essential that the emergency lighting system is routinely inspected and tested.

All HMO properties of five storeys or above must have an emergency lighting system installed to the current British Standard and LACORS guidance.

In HMOs of three or four storeys, it may be necessary to provide emergency escape lighting throughout the escape route if the route is long or complex or where there is no effective borrowed light.

8.12 Firefighting equipment (portable)

The provision of fire blankets and simple fire extinguishers can be useful in restricting the development and spread of small fires in their early stages. However, the best advice is to evacuate the building to a place of safety and call the fire and rescue service.

Fire blankets are recommended as good practice in the kitchens of all premises including HMOs.

8.13 Furniture and Furnishings

The licence holder must keep all furniture and furnishings supplied to the occupants in a safe and reasonable condition and comply with The Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended).

8.14 Testing

The following fire equipment tests must be carried out on an annual basis and copies of the certificates kept in the HMO Management Log Book:

a. Fire alarm
b. Fire extinguishers (if provided)

c. Emergency escape lighting (where provided)

8.15 Credit Meters

Where a payment or credit meter controls the amount of electricity available to the occupants, a separate independent power supply circuit must be provided to the fire alarm and emergency lighting systems. This new supply to the fire alarm and emergency lighting systems must not rely on the credit-controlled supply and must not be interrupted at any time.

9. Management of the HMO

9.1 There are management regulations that apply to all HMOs. **The Management of Houses in Multiple Occupation (England) Regulations 2006 apply to all HMOs except those consisting entirely of self-contained flats. For HMOs consisting entirely of self-contained flats the 'Licensing and Management of Houses in Multiple Occupation (England) Regulations 2007' apply.**

9.2 Legal responsibilities

The licence holder/manager must ensure that the HMO property is properly managed at all times and complies with the legal HMO regulations. These duties include:

a. Provide and display the manager's contact details to the occupiers on a noticeboard or HMO Management Log Book.

b. All common partes, fixtures, fittings and appliances are maintained in good and clean decorative repair and in safe working condition.

c. Each letting is in a clean condition at the start of a rental period and the internal structure is kept in good repair and condition.

d. Outbuildings, boundary walls, yards and fences are maintained in a good state of repair and condition. The garden must also be kept in a safe and tidy condition.

e. Maintenance of the water supply and drainage system.

f. Provision of required safety measures and tests for the property including fire safety.

g. Supply and maintenance of gas and electricity.

h. Provision of waste disposal and recyclable materials facilities.

Other requirements on the licence holder:

i. They must ensure that occupiers are given clear advice on what to do in the event of an emergency e.g. fire and have access to contact details. They must be aware of the location of the stopcock should they need to turn it off.

j. They must supply the occupiers with a tenancy/licence agreement at the start of their occupancy; a copy shall be available on request by the council.

k. They shall provide the occupiers with advice and copies of any instruction manuals necessary to enable them to operate boilers, cookers, gas fires and any other similar appliances supplied.

9.3 Household waste disposal

There is a general requirement under the HMO regulations for the provision of waste disposal. For a HMO requiring a mandatory licence, then a specific condition may be placed on your HMO licence requiring the licence holder to comply with any scheme

which is provided by the council which relates to the storage and disposal of household waste at the HMO pending collection.

The licence holder must:

a. Ensure that an explanation is given to the occupiers at the beginning of their occupancy regarding the arrangements for household waste storage and disposal.

b. Provide a suitable location for the provision of household waste containers for the property

c. Provide and maintain suitable and sufficient waste containers for the storage of domestic waste and recyclable materials.

d. Ensure that household waste and litter must not be allowed to accumulate within the property or garden unless properly storage pending disposal. Where no external provision for storage is made, they shall ensure that safe and satisfactory internal storage is provided.

9.4 Anti-Social Behaviour

The licence holder is expected to:

a. Try and manage any anti-social behaviour from their occupants. Examples of anti-social behaviour include disturbing the neighbourhood with noise nuisance such as shouting or playing loud music at any time of the day although particularly between 11pm and 8am.

b. Provide a written statement of the terms and conditions of the tenancy/licence agreement to all occupiers at the start of their occupation. The agreement must include a clause about not causing nuisance and anti-social behaviours and include provisions for bringing the tenancy/licence agreement to an end for anti-social behaviours through the proper legal process.

c. On request, the licence holder/manager must demonstrate to the satisfaction of the council that they have taken all reasonable and practicable steps when dealing with complaints of anti-social behaviour made against the occupants. Examples of action which may be taken include the issuing of warnings, both verbal and written. In the event that anti-social behaviour persists, the licence holder/manager must be prepared to take appropriate legal action to regain vacant possession as soon as possible.

9.5 HMO Management Log Book

A HMO Management Log Book shall be kept and maintained by the licence holder and kept in the communal area of the property. It should be available for inspection by both the occupants and the council if required.

The Log Book may be an online app which occupants access and the licence holder must be able to show this to council officers on request. If an online Log Book is used, the licence and the licence holder contact details must be clearly displayed in the common area of the HMO.

All safety certificates and documents are to be provided by a competent and suitable qualified person (e.g. fully qualified Electrician who is a member of a recognised electrical association such as NAPIT and fully qualified gas engineer who is a member of the Gas Safe Register). The licence holder will provide the council with copies of the required certificates and documents on request and when the current

certificate expires you are obliged to provide the council with up-to-date certificates within 28 days of the expiry date of any certificate.

The Log Book shall contain up to date copies of the following documents:

a. A copy of the HMO licence (if not openly displayed in a common area)
b. Contact details for the licence holder (if not openly displayed in a common area)
c. A standard licence/tenancy agreement for the property (not with personal details displayed)
d. A current gas safety certificate (if gas supply is present)
e. A current Electrical Installation Condition Report (with minor works certificates, periodic reports and new installations certificates)
f. Portable Appliance Test (PAT) certificate showing a pass for all currently used appliances provided by the landlord
g. Fire alarm installation or service records
h. Fire alarm testing records as specified in BS5839
i. Fire extinguisher service records (if applicable)
j. Fire risk assessment
k. Emergency lighting test certificates (if applicable)

9.6 HMO Management Notifications

The licence holder, and where appropriate, the nominated managing agent, must inform the council within 21 days in writing of any of the following changes/events:

a. Change of address of the licence holder
b. Change of telephone number and/or email address
c. Change of ownership of the licensed property
d. Change of managing agent
e. Changes to the property including structural alterations
f. Changes to the number of occupants in the property
g. Any events that may affect the 'fit and proper' person status of the owner, licence holder or manager such as relevant criminal convictions.
h. Change of mortgagee

10. Housing, Health and Safety Rating System (HHSRS)

10.1 The HHSRS system applies to all HMOs in addition to the regulations regarding HMO licensing, standards and management. The principle of HHSRS is that any residential premises should provide a safe and health environment for any potential occupier or visitor.

10.2 It is a risk-based assessment tool that is used by councils to assess the health and safety risks in dwellings, regardless of tenure. It is used to identify and protect against potential risks and hazards for health and safety that may be caused by any deficiencies in the property. If any hazards are found, they are classed as category 1 or category 2 hazards. Common hazards found in HMOs include: damp and mould growth, excess cold, entry by intruders, lighting, electrical, fire safety, flames and hot surfaces, falls and personal hygiene, sanitation and drainage.

10.3 All HMOs are checked for hazards under HHSRS by the council during the HMO property licence inspection. If any category 1 hazards are suspected, a full HHSRS assessment will be carried out. The council will act in accordance with the Housing Act 2004 if category 1 hazards are found and may use its powers if category 2 hazards are found. The council will consider enforcement action including serving housing enforcement notices such as Improvement Notices and Hazard Awareness Notices.

10.4 In the case of licensable HMOs, conditions can be added to the HMO licence even if they serve the same purpose as a housing enforcement notice. A housing enforcement notice may also be served.

10.5 More information on HHSRS can be found on the government's website here in the publication for landlords and property-related professionals.

11. Non-Compliance

11.1 Criminal Offence

It is a criminal offence to operate or manage an unlicensed HMO where it should be licensed or fail to comply with any of the HMO Management Regulations. Failure to comply may result in prosecution or a civil penalty charge.

11.2 Breach of Licence Conditions

If the licence holder/manager allows the HMO property to be occupied by more people than is permitted on the licence this is a breach of licence conditions and they may be prosecuted and face an unlimited fine through the Courts or be served a civil penalty charge.

Failure to comply with any other condition/s of the licence may also result in prosecution and be subject to a fine of up to £5,000 per condition breach, or a civil penalty charge.

11.3 Following a Conviction

A conviction under Housing legislation may mean that the person is no longer considered to be a fit and proper person to hold a licence in the future and the licence will be revoked.

The tenant or the council can apply to the First-Tier Tribunal for a Rent Repayment Order (in certain circumstances). This may require the landlord to pay back any rent collected during the period that the offence lasted (up to a period of 12 months).

11.4 Civic Penalty Charges

The Housing and Planning Act 2016 introduced a range of measures including civil penalties of up to £30,000 as an alternative to prosecution for certain specified offences under the Housing Act 2004:

- Failure to comply with an improvement note (Housing Act 2004 section 30)
- Licensing of HMOs under Housing Act 2004 Part 2 (section 72)
- Licensing of HMOs under Housing Act 2004 Part 3 (section 95)
- Failure to comply with overcrowding notice (Housing Act 2004 section 139)
- Failure to comply with management regulations in respect of HMOs (Housing Act 2004 section 234)

Where the council has determined that a financial penalty may be appropriate to impose as an alternative to prosecution, the council will follow its published Housing Civil Penalties Policy which can be found here.

The council can also use its powers to issue a civil penalty charge of up to £5,000 for failure to comply with a remedial notice served under The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 as amended in 2022.

12. Version control

Version	Author	Approved by	Date	Changes
1.0	Kate Stevenson-Pugh	Laura Marshall, Head of Housing Services	10/03/2026	Updated 2018 Standard

[1] *The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 and the Licensing and Management of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018)*

[2] *The Management of Houses in Multiple Occupation (England) Regulations 2006*