

Chelmsford City Council Amenity Standards for Houses in Multiple Occupation (HMOs)

An HMO is a property that is occupied by 3 or more people who do not form a single household and who share or lack a bathroom, WC and/or kitchen.

An HMO must be suitable for the number of occupants (eg with regards to size and facilities) and the manager of a licensed HMO (the landlord or agent) must be a 'fit and proper' person eg no criminal record or breach of landlord laws or code of practice.

From 1 October, 2018, with few exceptions, landlords or agents will be required to apply for a licence for any HMO lived in by five or more people and licensed HMOs will be subject to mandatory conditions relating to space standards for sleeping accommodation

The following amenity standards cover the provision of kitchen, washing and facilities and space standards and were adopted by Chelmsford City Council on 12th July 2011. They are guidance to landlords on the level of provision that the Council will consider suitable for the number of occupants in an HMO. They apply to all HMOs in the Chelmsford District whether they require a licence or not. Although properties are assessed on a case by case basis, these standards will be considered when considering if an HMO is suitable for licensing. Non-compliance with these local standards may result in a conditional licence being granted or in an application being refused even if prescribed (legal minimum) standards are being met. (Housing Act 2004 section 65 (2)

Attached to this document are Appendices which include information for consideration by landlords. These include legal obligations and other matters that fall outside the locally agreed HMO amenity standards

	Minimum standards for all Houses in Multiple Occupation	Minimum standards for licensed HMOs
General		
Heating	Letting rooms, shared bathroom and communal lounge areas in bedsit type HMOs and shared houses and the living accommodation and bathroom in self-contained flats shall have provision for controllable and affordable space heating that is safely and property installed and maintained appropriate to the design, layout and construction of the dwelling Central heating is the recommended system. Portable electric heaters and convector heaters will not be considered to be satisfactory	

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Electrics	Bedrooms shall have at least 2 double electric sockets and must be installed in accordance with Part P of the latest Building Regulations and the current edition of the IEE wiring regulations The management regulations also require a certificated inspection of the fixed installation by a suitably qualified electrician to be undertaken at least every 5 years.	
Natural lighting and ventilation	Letting rooms and communal lounge areas in bedsit type HMOs and shared houses need at least 1 window which has an area of glazing of at least 1/10th of the floor area of the room that it serves and an openable area equivalent to 1/20th of the floor area of that room	
Fire precautions:	Landlords are required to undertake a fire risk assessment and the results implemented and shared with tenants. Landlords of licensed HMOs must document and review their risk assessment. Local authority officer will have regard to the Guidance on Fire Safety standards in "LACORS Guidance" when determining the fire provisions required in each property.	

Space Standards

A letting room or bedroom in an HMO is, for the occupier, their home where they live and sleep. That room should be of sufficient floor area to at least accommodate a bed and storage space for personal belongings and, ideally, floor space for study, privacy and entertainment as well as prevent overcrowding and provide for personal hygiene and prevention of the spread of disease.

In the case of rooms with sloping ceilings, any floor area where the ceiling height is less than 1500mm high shall be disregarded. Ceiling height is measured from the finished floor level. Space provided for ensuite facilities will not be taken into account when calculating the floor area.

Bedrooms / letting room	1 person 9.5 sq m	1 person 9.5 sq m
that has no other separate (shared) living areas of an adequate size	2 person 14 sq m	2 person 14 sq m
Bedroom / letting room that has a separate shared	1 person bedroom 6.5 sq m	The legal minimum in licensed HMOs 6.51 sq metres (from 1/10/2018)
living area of adequate size and bedrooms in self contained flats:	2 person bedroom 9.5 sq m	The legal minimum in licensed HMOs 10.23 sq metres (from 1/10/2018)

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Shared living room in bedsit type	For 1 to 5 people sharing - minimum size 11 sq m	For 1 to 5 people sharing - minimum size 11 sq m
HMOs and shared houses	n/a	For 6 to 10 people sharing - minimum size 16.5 sq m
Living room in a self contained flat	1 person flat - minimum size 9 sq m 2 person flat - minimum size 12 sq m	
Shared kitchen in bedsit type HMOs and shared houses:	For up to 5 people sharing - minimum size 7 sq m	For up to 5 people sharing - minimum size 7 sq metres Plus 2 sq metres per additional user up to a maximum of 12 sq m
Kitchen, kitchenette or kitchen area in a self contained flat:	1 person flat - 4.5 sq m 2 person flat - 5.5 sq m	

Kitchen facilities

Shared kitchen facilities shall be not more than one floor distant from any letting room. If a shared kitchen is more than one floor distant from a letting room then a dining area must be provided on the same floor as the kitchen

Shared Kitchen facilities	For up to five persons	Increase in facilities suitable for up to seven persons
	Cooker1 with four rings, an oven and a grill	 Cooker 1 cooker with four rings, an oven and a grill and a microwave oven
. The sink base unit cannot be used for food storage	Sink units • 1 with drainer and base unit and an adequate supply of cold and constant hot water and satisfactory foul drainage connection *	 Sink units* 2 with drainers and base units and an adequate supply of cold and constant hot water and satisfactory foul drainage connection. or 1 as above and a dishwasher

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or combination of lengths of worktop equivalent to that length	Worktops • 2000mm x 600mm length	 Worktops 2000mm x 600mm length of worktop,** Plus For each additional user above five persons there shall be an additional 500mm length per user
	 Electrical sockets Dedicated electrical sockets of sufficient number for all major appliances Plus one additional undedicated electrical socket per user of the kitchen 	 Electrical sockets Dedicated electrical sockets of sufficient number for all major appliances Plus one additional undedicated electrical socket per user of the kitchen
*** this may be located in the shared kitchen or within the letting room	 Storage One base unit or drawer unit for the storage of shared crockery and utensils Plus one wall or base storage unit for dry goods storage per user***, 	 Storage One base unit or drawer unit for the storage of shared crockery and utensils Plus one wall or base storage unit for dry goods storage per user ***

Minimum standards for all Houses in Multiple Occupation	Minimum standards for licensed HMOs
Refrigeration Fridge space equivalent to one separate shelf in a fridge per user. This equates to a volume of approximately 0.11 cu. metres • Freezer space equivalent to one separate shelf in a freezer per user. This equates to a volume of approximately 0.11 cu. Metres	 Refrigeration Fridge space equivalent to one separate shelf in a fridge per user. This equates to a volume of approximately 0.11 cu. Metres Freezer space equivalent to one separate shelf in a freezer per user. This equates to a volume of approximately 0.11 cu. metres
Mechanical ventilation Mechanical extract ventilation either through the external wall or within a cooker hood installed to current Building Regulations requirements, irrespective of whether or not there is adequate natural ventilation	Mechanical ventilation Mechanical extract ventilation either through the external wall or within a cooker hood installed to current Building Regulations requirements, irrespective of whether or not there is adequate natural ventilation
Lighting • Adequate artificial lighting	Lighting - Adequate artificial lighting
 Waste disposal Adequate covered waste disposal facilities, for example a 20 litre container 	 Waste disposal Adequate covered waste disposal facilities.

	Minimum standards for all Houses in Multiple Occupation	Minimum standards for licensed HMOs
Kitchen within a letting room (provided for exclusive use of occupants) Any exclusive kitchen facilities provided within a letting room must not be included within the level of provision for shared use	No need for shared crockery/utensil storage but otherwise all the requirements as for a shared kitchen will be applicable though the following alternative provision is acceptable: Cooker - with 2 rings instead of 4 of a Microwave oven. Worktop size: 1000mm x 600mm	
Fire blankets	Shared kitchens and kitchenettes or kitchen areas in self-contained flats shall have a light-duty type fire blanket complying to current BS / EN standard wall mounted at 1.5 metres above floor level and positioned closer to the room exit than the cooking facilities.	
Fire Doors (suggested good practice - falling outside the adopted standards)	The room door to the kitchen to be a 30 minute fire resisting door complying with BS476 hung on 3 No 100mm steel or brass hinges fitted with an overhead hydraulic self-closing device and a combined intumescent seal and smoke strip pinned into rebates along the sides and top of the door or door frame.	

Washing and sanitary facilities

There must be an adequate number of bathrooms, toilets and wash hand basins suitable for personal washing for the number of persons sharing these facilities. Where 'reasonably practicable'*, there must be a wash hand basin (whb)with appropriate splash-back in each unit other than a unit in which a sink has been provided. (*subject to the age and character of the HMO, the size and layout of each flat and its existing provision for wash-hand basins)

No letting room should be more than 1 floor distant from a bathroom and /or a toilet

External toilets are not satisfactory – and will be excluded from calculations

Bathrooms to have hot and cold water supply and satisfactory foul drainage and appropriate wall tiling and splash-backs

Washing and sanitary facilities may be provided within letting rooms for exclusive use by occupants. Any ensuite facilities provided within a letting room must not be included within the level of provision for shared use

	Minimum standards for	Minimum standards for
	all Houses in Multiple	licensed HMOs
	Occupation	
Shared facilities for For 1-4 persons	1 bathroom with bath or shower 1WC (may be within bathroom) 1 WHB (must be in same room as WC).	
Shared facilities for		1 bathroom with bath or shower
5 persons		1 separate WC with wash hand basin
		1 whb in each room in which there is a WC.
Shared facilities for 6 -10 persons		2 bathrooms with bath or shower 2 WCs with wash hand basin (one of which may be in a bathroom and one which must be in separate cubicle) 1 whb in each room in which
Shared facilities for 11-15 persons		there is a WC. 3 bathrooms with bath or shower 3 WCs with wash hand basin (two of which may be in bathrooms and one which must be in separate cubicle) 1 whb in each room in which there is a WC.
Heating	Bathrooms shall be adeq	uately heated
Ventilation	Bathrooms shall have adequate natural ventilation or be supplied with mechanical ventilation that meets current Building Regulation requirements	
Annandia		ndlords that fall outside the

Appendices: Areas for consideration by landlords that fall outside the locally agreed HMO amenity standards:

Appendix 1: Matters applicable to all tenanted properties (including HMOs)

	Minimum standards for all Houses in Multiple Occupation	Minimum standards for licensed HMOs
Heating (The assessment of whether heating is adequate is made under the Housing Health and Safety Rating System) Note: The use of portable paraffin or oil fired heaters and liquefied petroleum gas heaters (LPG) (bottled gas heaters) are prohibited under any circumstances, whether provided by the landlord or the tenant	common parts and bathro temperature of 19 degree temperature is –1°C: 2 The heating provision in occupant and capable of suitable, affordable to opel layout and construction of 3 In the case of gas central fitted with thermostatic varied with thermostatic varied with thermostatic varied with thermostatic varied and standard day rate" elfixed down-flow heater in fused spur. It must be capenergy efficient heating a electricity tariff available. 5 All appliances must be person. Gas appliances a Gas-Safe Registered Engaccordance with the Gas Regulations 1994 and all Work to electrical appliant electrician able to certify following schemes: BRE Standards Institution (BS Registration Limited NICE)	nust be controllable by the being safely used at any time, be erate, appropriate to the design, of the dwelling ral heating, radiators must be alves. It stem will be acceptable in the ge heater/panel heater with nat can be run on both "off peak ectricity tariffs, together with a the bathroom powered from a pable of providing instantaneous and controllability, on the optimum safety (Installation & Use) applicable British Standards. Inces must be undertaken by an the work under the one of the Certification Limited British I) ELECSA Limited NAPIT EIC Group Ltd.
Insulation (The assessment of whether a property is adequately insulated is made under the Housing Health and Safety Rating System)	accommodation to improcondensation risk. Partic	uld be taken to insulate HMO ove energy efficiency and reduce cular attention should be paid to s and conversions must comply

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Power supply and Electrical Sockets (The assessment of whether this is adequate is made under the Housing Health and Safety Rating System)	output for their expected buildings to large HMOs electrical supply, over an supply. Electrical sockets must suitably located to minimi	will require an increased d above a standard domestic be adequate in number and ise the need for use of adaptors ntroduce additional hazards. The
Ventilation (The assessment of whether this is adequate is made under the Housing Health and Safety Rating System)	Mechanical ventilation in kitchens, bathrooms and WC compartments must operate on suitable systems to remove moist air and minimise noise disturbance. Mechanical ventilation must comply with the Building Regulations that are current at the time of application. Any installation shall be fitted with an overrun device usually connected to the lighting circuit of the room unless the fan is humidity controlled, where this may not be possible All rooms to have controllable trickle vents and/or windows that can be securely locked in the night-latch position to provide background ventilation without losing too much heat	

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Waste Disposal	Adequate and hygienic waste disposal arrangements must be in place within the HMO. In practice this means the provision of suitable bins/receptacles and on-site waste management arrangements having regard to: • The number of occupants • The type and size of HMO accommodation • The waste collection and recycling arrangements available either through the local council domestic collection service or a commercial waste contract The adequacy of waste disposal arrangements in all HMOs is subject to compliance checks under the HMO management regulations	In HMOs subject to mandatory licensing conditions require the licence holder to comply with any scheme which is provided by the local authority relating to the storage and disposal of household waste at the HMO pending collection (Housing Act 2004, Schedule 4 – as amended)

Minimum standards for all Houses in Multiple Occupation

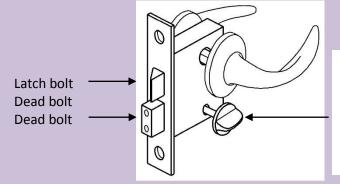
Minimum standards for licensed HMOs

Security

HMO design must adequately control security risks without compromising fire safety. **External doors** must be openable from inside without the use of a key and securely lockable from the outside with either:

- A key
- A security code
- A door entry system

In all circumstances other than HMOs which are occupied by a stable, cohesive group of sharers (i.e. a genuine shared house), individual letting rooms must be securely designed. This means **doors to individual lettings** must be fitted with a combined lock and latch, where the lock is operated from the inside of the bedroom by a thumb-turn or lever, rather than a key. For example a euro cylinder type lockset:



Note. The 'thumbturn' operated lock should be sited on the room side of the door to facilitate escape without the use of a key.

This provides adequate security and ease of escape, and avoids occupants locking themselves out of their rooms.

Key operated window locks are required to all accessible windows (ground floor, basement and adjacent to external structures such as fire escapes and flat rooves).

Where a window is an escape window that is an integral part of the means of escape from fire then a suitable alternative security feature will be required. (ie it must be capable of being secured to prevent entry by intruders whilst retaining the means of escape – in practice, this can mean the removal of keys from lockable windows as these can still be secured by the occupier)

	Minimum standards for all Houses in Multiple Occupation	Minimum standards for licensed HMOs
*The annual gas safety check on each appliance or flue can be carried out up to 2 months before the date the check needs to be carried out but still retain the original deadline date as if the check had been carried out exactly 12 months after the previous check.	deal with landlords' duties fittings and flues provided. The landlord is responsible repair of flues, appliances tenants use by a Gas Salano prescribed timeframe suggests good practice to and subsequent repairs. An annual gas safety che 12 months of the installat and annually thereafter's lengineer. A record of the years and copy must be in	eck has to be carried out within ion of a new appliance or flue oy a Gas Safe Registered safety check must be kept for 2 ssued to each existing tenant ck being completed and a copy
Appendix 2: Duties of Managers of Houses in Multiple Occupation		

Appendix 2: Duties of Managers of Houses in Multiple Occupation (The Management of Houses in Multiple Occupation (England) Regulations 2006)

Contact details:	Ensure that the name, address and telephone contact number are provided to each household and also displayed in a prominent position in the HMO
Fire:	To keep all means of escape from fire free from obstruction and maintained in good order and repair; Maintain any fire fighting equipment and fire alarms in good working order (In light and HMOs) display nations indicating means of
	(In licensed HMOs) display notices indicating means of escape from fire so that they are clearly visible to the occupiers
Safety of occupiers:	Take all reasonable measures to protect occupiers from injury having regard to the design and structural condition of the HMO and the number of occupiers. Prevent access to roofs and/or balconies that are unsafe Provide bars or other safeguards at windows with sills at or near floor level

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Water supply:	Maintain a water supply and drainage system in good, clean and working condition Keep tanks or other receptacles used for the storage of water for drinking or other domestic purposed covered and in good, clean and working condition. Protect any water fitting liable to frost damage, protected from frost damage	
Safety of Electrical installation:	Ensure that the fixed electrical installation is inspected by a qualified person at least every 5 years and obtain a certificate of the results of that test. The certificate must be provided to the local authority within 7 days of a written request.	
Safety of gas appliances:	the testing or any gas ap recognized engineer	of a written request in relation to pliance at the HMO by a
Maintaining services	interrupted. Not to unreasonable caus	•
Maintaining common parts, fixtures, fittings and appliances in good order and repair	Ensure that all common parts are maintained in good and clean decorative repair, in safe and working condition and reasonably clear from obstruction Keep handrails in good repair	
does not apply in relation to fixtures, fittings or appliances that the occupier is entitled to remove from the HMO or which are otherwise outside the control of the manager	Provide additional handrails or banisters necessary for the safety of occupiers Keep stair coverings safely fixed and in good repair Maintain all windows and other means o ventilation in common parts in good repair Provide adequate light fittings in common parts that are available for use at all times Maintain fixtures, fittings and/or appliances provided in common parts for shared use in good, safe and clean working order	
External	Maintain outbuildings, ya and gardens, boundary w	rds and forecourts in shared use valls in good order
Parts not in use	Keep it and any access to from refuse and litter	o it reasonably clean and free

	Minimum standards for all Houses in Multiple Occupation	Minimum standards for licensed HMOs
Maintenance of living accommodation The duties do not require the manager to carry out any repair which arises from the un-tenant-like behaviour Or in relation to furniture, fixtures, fittings or appliances that the occupier is entitled to remove from the HMO or which are otherwise outside the control of the manager.	Ensure that each unit of living accommodation and any furniture supplied with it are in clean condition at the beginning of a person's occupation Ensure that internal structure is maintained in good repair; and any fixtures, fittings or appliances within the part are maintained in good repair and in clean working order; and every window and other means of ventilation are kept in good repair	
Waste disposal facilities	provided adequate for the household occupying the and litter pending their distribution (b)make such further arrarefuse and litter from the	HMO for the storage of refuse

Appendix 3 Mandatory conditions for mandatorily licensed HMOs		
The following are mandatory conditions that will apply on every HMO licence by virtue of Schedule 4 of the Housing Act 2004.		
(Note: further conditi	ons may also be applied to a licence)	
Gas safety	if gas is supplied to the house, the licence holder must produce to the local housing authority annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months	
Electrical appliances and furniture	to keep electrical appliances and furniture made available by him in the house in a safe condition	
	to supply the authority, on demand, with a declaration by him as to the safety of such appliances and furniture	
smoke alarms	to ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation, and	
	to keep each such alarm in proper working order	
	to supply the authority, on demand, with a declaration by him as to the condition and positioning of such alarms.	
carbon monoxide alarms (*a bathroom or lavatory	to ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation* and contains a solid fuel burning combustion appliance	
is to be treated as a	to keep any such alarm in proper working order; and	
room used as living accommodation)	to supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm	
(Space Standard) floor area of any room in the HMO used as sleeping accommodation	to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres	
	to ensure that the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres	
	to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;	
	to ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation	
Licence holder to inform local authority of small rooms	Conditions requiring the licence holder to notify the local housing authority of any room in the HMO with a floor area of less than 4.64 square metres	
(overcrowding of sleeping accommodation) Obligation to ensure	where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence	
rooms are not over- occupied	where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it	

	is not used as such by more than the maximum number of persons aged under 10 years specified in the licence
	where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified
Household waste	conditions requiring the licence holder to comply with any scheme which is provided by the local housing authority to the licence holder and which relates to the storage and disposal of household waste at the HMO pending collection
The following conditions are to be applied if the mandatory space standard and/or occupation conditions have (not knowingly) been breached by the licence holder	
If space standard or over-occupation requirements are breached	A condition requiring the licence holder to rectify the breach within a specified period (of not more than 18 months) beginning with the date that local housing authority have notified the licence holder of the breach

If you have any comments on this document that you would like Chelmsford City Council to consider in a future review of its adopted amenity standard or in the advice and guidance to landlords or tenants, please email:

Safe.support@chelmsford.gov.uk

Or write to

Public Health and Protection Services (Housing Standards) Chelmsford City Council Civic Centre Duke Street Chelmsford Essex CM1 1JE