

EAST LONDON

GUIDANCE ON HMO STANDARDS (3)

This guidance is intended for Houses in Multiple Occupation (HMOs) in the London Boroughs of Barking & Dagenham, Hackney, Havering, Newham, Redbridge, Tower Hamlets and Waltham Forest. It applies to all HMOs whether or not they are licensable.

The guidance is intended to be flexible, as there may be more than one way to achieve a required standard. However, alternatives to the guidance must be approved by the local authority.

While all the East London boroughs will have regard to the standards, there is variation in housing stock between the boroughs and so local conditions will be taken into account in their application and enforcement.

What is an HMO?

The Housing Act 2004 has widened the definition of an HMO, and some types of accommodation are now HMOs that would previously not have been.

A building is now defined as a House in Multiple Occupation (HMO) if the following apply:

- It is occupied as living accommodation
- by at least 3 people who belong to more than one family or household
- in accommodation that is not self-contained and
- rent is paid by at least one of the occupiers and
- it is the occupiers' only or main residence.

Or

- it has been converted into self-contained flats and
- the conversion does not meet 1991 Building Regulations and less than 2/3 of the flats are owner-occupied.

Self-contained flats within buildings that are HMO's may be occupied as HMO's themselves. The guidance applies to self-contained flats which meet this condition.

An individual tenancy may have exclusive use of the basic facilities (bath/shower, wc and kitchen), but the accommodation would only be defined

as self-contained if the sleeping/living area and all the facilities are behind one door.

What is a household?

A household can be a single person. For two or more people to be part of the same household, they must be closely related by blood, be married or co-habiting partners of either sex, or be in recognized relationships such as step children, or adopted or fostered children. Some live-in employees also count as being in the same household.

Space Standards for Sleeping Accommodation

In this guidance, a **bedsit** is defined as a room, or rooms, used for sleeping within a building, where some of the basic facilities for food preparation and hygiene are provided within the accommodation, or in a separate room and for the exclusive use of the occupiers of the bedsit.

A **bedroom** is a room within a building used for sleeping, and which does not contain any of the basic facilities. The facilities are either provided in separate rooms and are shared with other people living in the HMO, or are provided in separate rooms but for the exclusive use by the occupiers of the bedroom.

A maximum of two people are permitted to share a room for sleeping **irrespective of age**. If there are two occupiers, they must be living together as partners, family members or consenting friends. A room shared by more than two people is overcrowded, and may be subject to enforcement action by the local authority.

A room used for sleeping must not be shared by people of the opposite sex who are 10 and over, unless they are married or living together as husband and wife.

When measuring the size of the room and assessing usable space, the shape of the room should be taken into account as well as the total floor area. Space taken up by fitted units are counted in the floor area calculation, but chimney breasts, lobbies and ensuite bathroom or shower rooms are not.

Rooms must have a minimum floor to ceiling height of at least 2.14 m over 75% of the floor area. Any floor area where the ceiling height is less than 1.53 m is disregarded.

Number of occupiers	Room for sleeping Kitchen facilities in a separate room	Room for sleeping Kitchen facilities within the room
One	8.5 sq m	13 sq m
Two	13 sq m	18 sq m

Local housing conditions and policies vary between the boroughs and some may accept existing smaller rooms depending upon a risk assessment, and the communal living space available to the tenants within the HMO.

Living and dining rooms

A landlord may provide a communal living room in addition to any space that is required for shared kitchen and dining facilities. As a guide, a communal living room should be at least 13 sq m for 3 people, plus 1 sq m for every additional person. For example, a living room for 5 people should be 15 sq m.

If dining facilities are combined with the living room, the room should be at least 14 sq m for 3 people, plus 1 sq m for every additional person. For example, a combined living/dining room for 5 people should be 16 sq m.

Kitchen Facilities

Kitchen facilities should be no more than one floor away from the letting. Where this is not practicable, a dining area of a size suitable for the number of occupiers should be provided on the same floor as, and close to, the kitchen.

Kitchens must be of an adequate size and shape to enable safe use of food preparation by the number of occupiers and the following guidelines for shared kitchens apply:

Number of sharers	Room size
Up to 3	5.5 sq m
4 – 5	7.5 sq m
6- 7	9.5 sq m
8 – 10	11.5 sq m

Where all or some of the lettings within the HMO do not contain cooking facilities, they must be provided for sharing with other households. There should be one full set of facilities per 5 persons, irrespective of age. Some

flexibility may be considered in well-managed properties where there are 6 or 7 persons, subject to a risk assessment carried out by the local authority.

Where there are 8 – 10 persons, either an additional full set of cooking facilities must be provided, or additional facilities must be provided in an appropriate number of individual lettings where the room is large enough. If two sets of facilities are in the same room, each set must be separated and in distinct areas of the room.

A set of cooking facilities is comprised as follows:

Number of Occupiers	Facilities	Specifications
One	Cooker	In one-person bedsits only, a cooker with a 2-ring hob, oven and grill. Must be permanently and safely installed on a fixed worktop.
Up to 5		Four-ring hob, oven and grill.
6 - 7		Four-ring hob, oven and grill and an additional combined microwave oven and grill.
Up to 5 ----- 6 - 7	Sink/drainer	1000 mm sink/drainer set on base unit, provided with a constant supply of hot and cold water and properly connected to the drainage system.
		A double sink/drainer installed as above <u>or</u> A single sink/drainer plus a dishwasher.
One household ----- Up to 5 ----- 6 – 7	Worktop	1000 mm x 600 mm. Worktop must be fixed, and made of suitable impervious material.
		2000 mm x 600 mm provided and fitted as above
		2000 mm x 600 mm provided and fitted as above, plus additional space for extra appliances.
All	Splashback	300 mm tiled splashback or its equivalent to be provided to the sink/drainer, worktop and any cooker without an integral splashback.
Up to 5	Electrical sockets	One suitably located electrical socket for each dedicated appliance such as a cooker, refrigerator and washing machine. In addition, 4 sockets (in either double or single combinations)

6 – 7		to be provided above the worktop. An additional 2 sockets as above.
All	Floor covering	Impervious and washable floor covering to cover the floor area of the kitchen.
Per household	Food storage cupboard	One double wall cupboard or One single base cupboard. May be provided within individual lets. The base unit below the sink/drainer is not acceptable for food storage.
Per household	Refrigerator	Where provided in individual lettings, a small fridge freezer.
Up to 5		Where provided in a shared kitchen, equivalent of 2 worktop height refrigerators both with freezer compartments, or 1 worktop height fridge and 1 worktop height freezer.
6 - 7		Where provided in a shared kitchen, the equivalent of an additional worktop height refrigerator with freezer compartment.

Kitchen facilities where provided in a bedsit should be sited remote from the entrance door. The cooker should not be situated below a window.

A kitchen must not be the sole access to a room used for sleeping.

Kitchen facilities must not be installed in a hallway

A humidistat-controlled mechanical extractor must be provided where there is inadequate ventilation by means of a window. Newly converted kitchens must have a mechanical extractor regardless of whether there is an openable window.

Apart from an extractor hood, fixtures and fittings are not to be directly above cooking appliances.

Sufficient refuse storage to be provided adequate for the number of occupiers.

Personal washing and wc facilities

Bathrooms and wc's should be within one floor of lettings, and where shared, must be accessible from a common area. Wc's and bath/shower rooms must

be fitted with a suitable and functioning lock and the surfaces must be impervious and readily cleansable.

Bath/shower rooms and wc's must be adequately ventilated, and bath and shower rooms must be adequately heated, such as by radiator, wall-mounted convection or fan heater, or underfloor heating. Electric bar heaters are not permitted. In new conversions, a mechanical extractor must be installed in addition to any openable window.

Where only one bathing facility is provided in the premises, it must be a bath with a suitable seal and a fixed overhead shower. A fixed shower rail and curtain must be installed.

Whb's in each bedsit sleeping room are a required where practicable in houses with 5 or more occupiers, unless the room contains a sink/drain. Properties that are not bedsit accommodation may not require whb's in sleeping rooms at the discretion of the local authority.

The facilities must be adequate for the number of occupiers, and the following is a guide. External wc's are not counted.

Number of Occupiers	Facilities	Specifications
1-4	1 bath with whb WC can be in bathroom	Standard size bath with 450 mm splashback Full-size whb with tiled splashback. Both to have constant supply of hot and cold water. If the WC is separate, it must have an additional whb & tiled splashback within the compartment.
5	1 bath with whb in room 1 wc with whb 1 whb in each sleeping room	Wc may be in the same room as the bath/whb Whb's in bedsit rooms where practicable.
6-10	2 bathrooms with whb's in each One of bathrooms must contain bath, and the other a shower which may	As above Whb's in bedsit rooms where practicable.

	be a fixed over-bath type 2 wc's, one in own compartment with whb 1 whb in each sleeping room	
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Where a shower cubicle is provided, it must be of a sufficient size that the user can bathe and dress without injury.

Fire Safety

Fire safety standards to be based on the latest edition of the Lacors Housing Fire Safety Guidance.

Heating

A fixed heating system must be provided to all lets. Radiators must be fitted with thermostatic valves. Fixed storage heaters are preferred where there is no gas supply.

Additional Considerations

Compliance with these standards does not negate the need for compliance with other statutory provisions, including the Housing Act 2004 and supporting Regulations. For further information contact your Environmental Health/Private Sector Housing Service.

Sources

The following sources were consulted in producing this guide:

BRE Housing Design Handbook 1993
 Joint London Boroughs Code of Practice for Hostel Accommodation
 Residential Property Tribunal
 Local planning guidance
 Local development plan
 HMO licence applications
 London Borough HMO standards
 GLA Housing Space Standards
 Housing Act 2004

Statutory Instrument No 373
Housing Health and Safety Rating System Operating Guidance
Building Regulations Part F
Lacors guidance on overcrowding