

Amenity Standards for Houses in Multiple Occupation

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This document has been produced by City of Bradford Metropolitan District Council and should be read in conjunction with document “Fire Safety Principles for Residential Accommodation”. This is a guide for persons who own, manage or control houses in multiple occupation (HMOs) and provides guidance on personal washing facilities, kitchen facilities and space standards.

In general terms a property is a HMO if it is occupied by persons who do not form a single household and who share one or more basic facility; personal washing, WC or cooking facilities. The Housing Act 2004 sections 254 – 259 define a HMO and Part 2 of the Act introduced licensing of HMOs. The following guidance is applicable to all HMO regardless of whether a mandatory licence is required.

When following the standards below, it is crucial that the reader understands the different HMO Categories so they can apply the correct standard to their property. The kitchen and space standards in this guidance varies depending on the category of HMO. The most common categories of HMO are Category A - bedsit or Category B – shared house. Although there are a multitude of different layouts of buildings occupied as HMOs and therefore it is not possible to take account of every possible building design, however the principles described will be appropriate for the majority of the HMOs in the Bradford district (this document may subsequently be revised in response to changes in relevant Legislation and Government guidance).

Category A bedsit - These are HMOs that contain a number of individual lettings. Each letting has the exclusive use of certain rooms (this maybe specified in a tenancy agreement) and each letting door usually has a lock on it. Occupiers may share some or all of the basic amenities (washing, toilet and kitchen facilities) or they may have their own amenity within or outside their unit of accommodation. Category A HMOs tend to not have a communal living room and are let to individuals or couples. The occupiers of the HMO live independently with little or no communal living.

Category B shared - These are HMOs rented to a defined social group, commonly students, young professional adults, work colleagues and friends. The occupiers each enjoy exclusive use of a bedroom but would share other facilities such as communal lounge, kitchen/dining facilities, bathrooms and WC facilities. The occupiers of a shared HMO tend to have the characteristics of a single household by living as a cohesive group and often share a living room. The HMO is usually rented out by 1 group and typically but not always on a single joint contract.

Self-contained flats.

It should be noted that a property consisting of self-contained flats can also be classed as a HMO if:

- The building works undertaken in connection with the conversion did not comply with the appropriate building standards and still does not comply with them; and
- Less than two-thirds of the self-contained flats are owner occupied.

Properties that have been erected or converted into dwellings which are self-contained may still be classed as a HMO if they meet the self-contained test

detailed in section 254 of the Housing Act 2004. HMOs containing self-contained flats that do not have building approval may also fall under the definition of a converted block of flats under section 257. S257 HMOs are subject to the requirements of The Licensing and Management of Houses in Multiple Occupation (Additional Provisions)(England) Regulations 2007.

Standards applicable to all HMO types.

The Housing Act 2004 introduced a system of assessing conditions in residential premises called the Housing Health and Safety Rating System. It is based on the principle that residential premises should provide a safe and healthy environment for any potential occupier or visitor.

A person in control of a HMO may find it difficult to identify and appreciate all the deficiencies to the premises. However, ensuring that all parts of the property (including any garden wall, garden and yard surfaces) are maintained in a good state of repair and taking account of the standards for amenities, space and means of escape will substantially reduce the presence of hazards and the potential risks to occupants.

Heating

Fixed heating is to be provided throughout the property which is capable of efficiently maintaining an indoor temperature of 21°C in all habitable rooms and bathrooms and 18°C in all functioning space (hallways, corridors and passages) when the outside temperature is -1°C. The provision of insulation can assist in meeting this standard. Heating may be by means of:

- Gas or oil programmable central heating,
- Electric storage heaters,
- Electric panel or convector heaters;
- Similarly, efficient heating systems which may be developed in the future.

Heating systems must be safely installed by a competent person and maintained in a safe and full working order. Heaters shall be fixed in such a position so as to direct heat towards the centre of the room. Electric heaters should be connected to a suitably rated fused spur outlet and have time control provided by a programmable time switch integrated into the appliance, or a separate time switch, and individual temperature control provided by an integral adjustable thermostat, separate room thermostat or programmable room thermostat. Gas appliances must be safety inspected annually and certified in accordance with the Gas Safety (Installation & Use) Regulations 1998.

The heating system must be capable of use at all times and be fully temperature controllable by the occupiers of the HMO, both within their exclusive use rooms and communal spaces. If central heating is on a timed supply, where tenants do not have access to the main controls, then supplementary heating may be required within each unit of accommodation. Where this supplementary heating is provided, it must be from a fixed appliance capable of thermostatically controlled instant heat, connected to a suitable flue and terminal outlet, or dedicated fixed spur socket.

The use of portable paraffin or oil fired heaters and liquefied petroleum gas heaters (LPG or Bottled Gas heaters) will not be acceptable under any circumstances, whether provided by the landlord or the tenant.

Insulation

It is recommended that 270mm of loft insulation is provided. If the existing loft insulation has settled or is less than 100mm in thickness, it should be topped up. Un-insulated cavity walls should be insulated to satisfy current building standards.

For properties without cavity walls, consideration should be given to external wall insulation in order to compliment a suitable heating system. Other considerations in relation to efficiency of heating systems include insulation of the eaves void, suspended floors where the joists can be easily accessed from an unoccupied cellar, and the underside of sloping roof areas.

Electricity supply

Electrical socket outlets shall be provided to individual rooms or lettings to a minimum standard as follows:

- Living rooms – 6 single (3 double) sockets or equivalent.
- Bedrooms – 4 single sockets (2 double) or equivalent.
- Bedrooms containing living space – 6 sockets (3 double) or equivalent.

Natural lighting

All habitable rooms should be capable of direct natural light sufficient to allow normal daytime activity without the need for additional artificial lighting. As a general guide – the total glazed area should be equivalent to at least 1/10th of the floor area although basement rooms may require additional glazing in order to achieve this. (Light tubes are not acceptable).

All kitchens, bathrooms and water closet compartments shall ideally comply with requirements above. All glazing to windows in bathrooms and water closet compartments is to be obscure. Where it is not practicable to provide natural light, adequate artificial lighting shall be provided.

Artificial lighting

All rooms, passageways, staircases and cellars in use shall be adequately lit with suitable switching, including two-way switching to stairs and passageways etc, as necessary.

There should be sufficient switches to operate the lighting on each staircase, landing, corridor or passage and each switch should allow adequate lengths of corridors, passages and stairways to be illuminated at the same time. Time switches

will only be allowed on common landings and stairways and should stay on for sufficient time to allow persons to reach the furthest room in good time.

Ventilation

All habitable rooms with a window to external air, the openable area of which is approximately 1/20th of the floor area of that room, will satisfy any standard for room ventilation.

In addition to the above, all kitchens and bathrooms will be fitted with mechanical ventilation, with an overrun device in the bathroom, providing a minimum of 3 air changes an hour.

Security of residents

External doors should be provided with appropriate locks, which should be capable of being opened from the inside without the use of the key, to allow residents to escape in case of emergency. To prevent intruders reaching locks by breaking a pane of glass in or near the door, locks should be fitted away from glazed areas. As an additional safeguard, Georgian wired glass or strengthened glass should be used in and around doors.

Windows which are accessible from ground level should be provided with security locks, to which the occupant has a key; except where the window is a designated means of escape, in which case it must be capable of being opened from the inside without the use of a key.

Doors to individual lets within the building should also be capable of being opened from the inside without the use of a key.

Bathrooms and toilets should have locks or privacy bolts.

Refuse, storage and disposal

Waste containers in sufficient numbers and capacity, shall be provided to contain all the waste generated at the premises taking into account occupancy levels.

Amenity standard - Personal washing, bathing and Sanitary facilities.

There are significant health risks associated with the use of sanitary conveniences which can be minimised through well designed, regularly maintained and adequately facilitated amenities.

The number of washing/bathing facilities, Water Closets (WCs) and Wash Hand Basins (WHB) in relation to the number of persons is as follows: (the standard below applies to both Category A and B HMOs).

Where personal washing facilities are available exclusive to a unit of accommodation either within that unit of accommodation or separate but exclusive, the persons having

exclusive use of these facilities will be discounted from the number of persons sharing as described below.

No of persons sharing	1 Bathroom with WC	1 Bathroom + 1 separate WC	2 Bathrooms with WCs	2 Bathrooms with WCs and a separate WC or a third bathroom	3 Bathrooms With WCs
3 - 4	✓	✓	✓	✓	✓
5	X	✓	✓	✓	✓
6	X	X	✓	✓	✓
7	X	X	✓	✓	✓
8	X	X	✓	✓	✓
9	X	X	X	✓	✓
10	X	X	X	✓	✓
11	X	X	X	X	✓
12	X	X	X	X	✓

✓ means achieves agreed standards

X means does not meet agreed standards

The term “*bathroom*” means a room containing a bathing facility which can either be a suitable bath or shower compartment or both

Requirements for water closets

Should be situated in rooms of sufficient size to enable safe and proper use of the facility.

Be of a hygienic design and construction, with surface finishes that are durable, easy to clean and maintain.

The room and location of WCs must allow personal privacy to be maintained at all times. The toilet room must not open directly on to a kitchen area.

All rooms containing a WC to have a wash hand basin, of minimum dimensions 560 mm x 430 mm, with its own adequate and constant supply of hot and cold running water. An impervious splash back 300mm high should also be provided.

No WC to be more than one floor above/below or 30 metres distant horizontally from a sleeping room.

No outdoor toilets are permissible unless considered as an additional facility.

Requirements for bath/shower rooms

Should be situated in rooms of sufficient size to enable the safe and proper use of the facility.

Be of a hygienic design and construction, with surface finishes that are durable, easy to clean and maintain.

The room and location of the bath/shower must allow personal privacy to be maintained at all times.

Each bath should be at least standard size, minimum of 1.67m in length or shower with minimum dimensions 800mm x 800mm. The splash back to the bath/shower must be adequate, the surface of which must be non-porous and allow easy cleaning.

No bath/shower to be more than one floor above or below a sleeping room.

For the purpose of thermal comfort and also to reduce the chance of accidents, WCs and bath/shower rooms must have controllable and fixed space heating.

All sinks, baths, showers, wash basins should:

- be provided with suitable splashbacks, preferably tiles
- be provided with an adequate supply of hot and cold running water
- connected to waste drainage, capable of safely carrying waste water out of the dwelling and into the mains drainage system
- connected to a proper working flushing cistern, provided with a constant adequate supply of water and they shall be properly connected to a drain capable of safely carrying waste out of the dwelling and into the mains drainage system

Amenity Standard – kitchens

Many accidents occur in connection with the cooker, the electrical installation or out-of-reach storage. This can be minimised by ensuring there is safe layout and adequate circulation space. The location of appliances in relation to any obstructions is of particular importance.

The design of kitchens can also reduce the risks to health. Non-porous and smooth work surfaces on and around food preparation areas will minimise the potential of food poisoning which can result from cross contamination.

Dining rooms, where separate from kitchens, should be accessed directly from the kitchen or be in an adjoining room, to minimise travel distance.

Where the kitchen does not have sufficient area for dining or where it does not adjoin a dining room, then a kitchen, for reasons of safety, should not be located more than one floor distance from each let for which the kitchen is provided.

The number of persons permitted to use one set of kitchen facilities is dependent on the mode of occupancy, see below;

Facility	Category A - Bedsit with shared kitchen/s	Category A - Bedsit with kitchen within the living accommodation (the occupant has exclusive use of the kitchen facilities).	Category B – Shared house
Cooking appliances	1 suitably positioned gas or electrically operated cooker with 4 rings/hotplates, a standard sized oven and a grill per 3 persons.	1 suitably positioned gas or electrically operated cooker with 2 rings/hotplates oven and grill.	1 suitably positioned gas or electrically operated cooker with 4 rings/hotplates, a standard sized oven and a grill per 5 persons. In shared houses occupied by 6 people, one kitchen with an additional microwave oven will be accepted. Where there are 7 or more persons sharing the house the required ratio is 1 set of kitchen facilities to every 5 persons (e.g. 7 persons – 2 kitchens, 11 persons – 3 kitchens).
Sink and drainer	Each sink should be minimum size 1m in length with an adequate integral drainer and an impervious splash back 300mm high. Each sink to be connected to its own adequate and constant supply of hot and cold running water.	Each sink should be minimum size 1m in length with an adequate integral drainer and an impervious splash back 300mm high. Each sink to be connected to its own adequate and constant supply of hot and cold running water.	Each sink should be minimum size 1m in length with an adequate integral drainer and an impervious splash back 300mm high. Each sink to be connected to its own adequate and constant supply of hot and cold running water.

Useable worktop of smooth impervious material	There should be a minimum 0.50m ² of free space worktop per person available for the preparation of food for each kitchen.	There should be a minimum 0.50m ² of free space worktop per person available for the preparation of food for each kitchen.	There should be a minimum 0.50m ² of free space worktop per person available for the preparation of food for each kitchen.
Electrical sockets located above a useable worktop space.	A minimum of two double socket outlets at worktop height with additional sockets for the use of the larger appliances.	A minimum of two double socket outlets at worktop height with additional sockets for the use of the larger appliances.	A minimum of two double socket outlets at worktop height with additional sockets for the use of the larger appliances.
Storage facilities	Each person should be provided with adequate, properly constructed and installed dry goods food storage, 1 standard 500mm wide base or wall unit per person (the kitchen sink base unit is additional and cannot be included as meeting the above). Adequate refrigerated and freezer space is also required.	Each person should be provided with adequate, properly constructed and installed dry goods food storage, 1 standard 500mm wide base or wall unit per person (the kitchen sink base unit is additional and cannot be included as meeting the above). Adequate refrigerated and freezer space is also required.	Each person should be provided with adequate, properly constructed and installed dry goods food storage, 1 standard 500mm wide base or wall unit per person (the kitchen sink base unit is additional and cannot be included as meeting the above). Adequate refrigerated and freezer space is also required.

No more than two sets of cooking facilities to be provided in one kitchen area. Where two sets are to be provided, the positioning of appliances and the space available around food preparation, cooking and dining should be sufficient to enable safe kitchen practices.

All preparation areas and splash backs to worktops/sinks must have a non-porous and smooth covering to facilitate easy cleaning.

Room/space standard

General

Overcrowding and lack of space in houses/flats can give rise to issues such as inconvenience, lack of privacy, stress and increased risks to health through injuries and disease.

For the purposes of the space standards, any child, regardless of age, is counted as a person.

No two persons of 10 years old or more, of opposite sex, to sleep in the same room, unless they are married or are cohabiting.

All habitable rooms, kitchens, bathrooms and toilet compartments should have a minimum floor to ceiling height of 2.14m (7ft), except in the case of existing attic rooms, which shall have a minimum height of 2.14m (7ft) over an area of the floor equal to not less than $\frac{3}{4}$ of the area of the room, measured on a plane 1.5m (5ft) above the floor. Any floor area with headroom of less than 1.5m (5 feet) will be discounted.

Irrespective of floor area, consideration shall be given to the shape and useable space within the kitchen or room, to determine whether it is suitable and safe for its proposed use.

Room sizes specific for Category A bedsit HMO's

A single person room should be of minimum habitable (discounting space for kitchen area) floor area of 8.5m² increasing to 12m² for 2 persons.

Room sizes specific for Category B shared HMO's

Bedrooms – where a separate living room is provided. A single person room should be of minimum 6.5m² and increasing to 10m² for 2 persons.

Bedrooms – without any separate living room provided. A single person room should be of minimum 8.5m² and increasing to 12m² for 2 persons.

Communal living rooms should be of a minimum size 10m² which may serve up to a maximum of 8 persons. Properties with more than 8 residents should consult the office for further guidance.

Additional responsibilities

There are a number of Acts and Regulations which place further responsibilities upon owners and/or managers, the main ones are detailed below. The appropriate body should be contacted for further information.

Right to rent

A landlord must carry out a right to rent immigration check on any adult living in the property whose agreement began on or after 1 February 2016.

Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

These regulations require landlords to have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at an interval of at least every 5 years. Landlords have to provide a copy of the electrical safety report to their tenants, and to their local authority if requested

The Regulatory Reform (Fire Safety) Order 2005 – Under the FSO, the responsible person must carry out a fire safety risk assessment and implement and maintain a fire management plan.

Planning permission – may be necessary for the change of use of premises into a HMO. The size and number of persons to occupy the property dictate whether permission is necessary.

Compliance with current Building Regulations – may be necessary for any new building work, structural alterations, installation of certain services and/or fittings and any other work that is required by the various parts of the Regulations e.g. replacement windows and Part P (electrical) requirements which are specific to electrical works.

The Council Tax Department - should be notified of any change in use or circumstances as the owner becomes liable for council tax accruing at a HMO premise.

Environmental Protection Act 1990 – covers a wide range of environmental issues particularly nuisance and matters which are regarded as prejudicial to the health of the occupant, which may be relevant to houses in multiple occupation.

The Furniture and Furnishings (Fire Safety) Regulations 1988 as amended will apply to upholstered furniture, supplied in accommodation for letting.

Health and Safety at Work Act 1974 – is a complex piece of legislation and it generally covers work related activities. HMO owners/managers should take note of the responsibility of ensuring safe conditions in and around the premises for residents, staff, visitor and persons carrying out their business at the premises.

Landlord and Tenant Law – governs landlord and tenant relationship and any implied responsibilities upon landlords.

The Protection from Eviction Act 1977 – makes it an offence to deprive, or attempt to deprive a residential occupier of their accommodation.

Gas Safety (Installation and Use) Regulation 1998 as amended – places a duty upon landlords to ensure the required checks, installation and repair works to gas appliances are carried out by contractors registered with Gas Safe.