

Subject:	HMO Standards	Status:	For Publication
Report to:	Cabinet	Date:	12 th February 2020
Report of:	Public Protection Manager	Portfolio Holder:	Customers and Communities
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	No	Attached: no
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION
1.1	That Members note the content of the report and adopt the new standards.

2. PURPOSE OF REPORT

- 2.1 To make Members aware of the updated standards in relation to Houses in Multiple Occupation (HMO).

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:

- **A clean and green Rossendale:** our priority is to keep Rossendale clean and green for all of Rossendale's residents and visitors, and to take available opportunities to recycle and use energy from renewable sources more efficiently.
- **A connected and successful Rossendale that welcomes sustainable growth:** our priority is to ensure that we are well connected to our residents, key partners and stakeholders. We want to make the most of every pound we spend and we are always looking for new and innovative ways to make the resources we do have, work harder for us.
- **A proud, healthy and vibrant Rossendale:** our priority is to ensure that we are creating and maintaining a healthy and vibrant place for people to live and visit.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 The reputational risk to the Council of not adopting the revised standards will impact on our ability to drive up the standards of the boroughs private sector housing stock.

5. BACKGROUND AND OPTIONS

- 5.1 The Council is determined to drive up the standards of all private sector housing stock across the borough by ensuring landlords maintain their properties to the highest standards. Work to crack down on Rogue Landlords has resulted in enforcement action being taken across the borough where accommodation has been found to be substandard.

This includes flats above takeaways and other similar commercial premises which are often occupied by those persons most vulnerable to exploitation.

Over the last 12 months inspections have taken place at over 40 premises, with 12 of these being found to have sub-standard and in some cases, dangerous gas and electricity supplies.

Work continues to identify more problem properties, including those classed as House in Multiple Occupation (HMO's).

5.2 The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 SI 2018/221 & The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licenses) (England) Regulations 2018 introduced new standards which must be adhered to by landlords who wish to operate Houses in Multiple Occupation (HMO's).

Rossendale presently has around 30 properties classed as HMO's, with one falling into the category of a Licensed HMO.

5.3 The new regulations made a number of changes in relation to HMO's. These include the definition of a HMO, the minimum bedroom size and the adequate provision of bins and waste disposal.

5.4 The introduction of these changes gave an ideal opportunity for Rossendale Borough Council to amend and refresh its existing standards and allow us to carry out further enforcement against those that fail to comply.

5.5 The revised standards were published on our website for a period of six weeks and comments invited from members of the public and interested parties. No comments were received during this time.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

6.1 There are no financial implications.

7. MONITORING OFFICER

7.1 All legal implications are contained within the body of the report.

8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

8.1 The proposed revised standards were published on our website for a period of 6 weeks, and no comments were received during this period. If adopted, the new standards will form part of the Councils Private Sector Housing Policy.

Consultation has been undertaken with the Portfolio Holder for Communities and SMT. An EIA initial assessment has been undertaken and it has been identified there are no disproportional impact and a Full EIA is not required.

9. CONCLUSION

9.1 That Members approve and adopt the revised standards in relation to HMO's.

Background Papers	
Document	Place of Inspection
Revised HMO Standards	Attached

**ROSSENDALE BOROUGH
COUNCIL'S STANDARDS
FOR
HOUSES IN MULTIPLE OCCUPATION**

January 2020

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Introduction

This guidance has been produced by Rossendale Borough Council for Houses in Multiple Occupation. The guide has been written to assist owners, agents and occupiers in relation to the standards that they should expect in such accommodation. The guidance covers both licensable and non-licensable HMOs. The Housing Act 2004 introduced licensing of certain Housing in Multiple Occupation (HMOs). Larger HMOs, such as bedsits and shared houses often have poorer physical management standards than other privately rented properties. The people who live in HMOs are amongst the most vulnerable and disadvantaged members of society. As HMOs are the only housing option available for many people, the government recognizes that it is vital that they are properly regulated.

Licensing of certain HMOs is intended to make sure that:-

- Landlords of HMOs are fit and proper people, or they employ managers who are fit and proper to manage the property on their behalf.
- Each HMO is suitable for occupation by the number of people specified under the licence.
- The standard of management of the HMO is adequate and meets requirements.
- HMOs are suitably equipped with amenities and facilities for the number of occupants
- High risk HMO's that pose the greatest risk under the Housing Health and Safety Rating System (HHSRS) can be identified and targeted for improvement. The key principle of HHSRS is that a dwelling, including structure and associated outbuildings and garden/yard and/or other amenity space and means of access, should provide a safe and healthy environment for the occupants and visitors. The council has a mandatory duty under the legislation to deal with serious hazards.

Definition of an HMO

An HMO is defined in law as a house or flat in which **three or more unrelated persons forming two or more households** share an amenity such as a bathroom, toilet or cooking facilities.

A '**household**' is defined as; a single person, a couple, or members of the same family who are living together (a parent or grandparent, a brother or sister, a child, a grandchild or stepchild, a cousin, a niece or nephew, or an uncle or aunt).

An HMO is also a building which has one, or more non-self-contained units. A non-self-contained unit is where one, or more, of the amenities/facilities is not within the occupant's room. This applies even if the facility is for exclusive use of the occupant.

Converted buildings

An HMO is also a building that has been converted into self-contained flats and less than two-thirds are owner occupied and the conversion does not meet the appropriate Building Regulations. If the property was converted prior to June 1992 the conversion must meet the

1991 Building Regulations. If the conversion took place after June 1992 the conversion must meet which ever Building Regulations were in force at the time of conversion.

Certain properties are not classed as HMOs, examples include:-

- If they are occupied by two people
- If a property is occupied by the owner (and their family) and only one or two lodgers
- The property is occupied by a religious community
- If the occupiers have their main residence elsewhere (this does not include full-time student accommodation)
- If the owner or the manager is a public body
- If the owner or the manager is an educational institution,
- The building of self - contained flats if two thirds or more of the flats are owner occupied
- The property is part of a guest house or hotel (unless a HMO Declaration has been made)
- If no-one in the property pays rent or other considerations

Licensing of HMOs

From the 1st October 2018 it is a legal requirement for all HMOs to be licensed if the property is occupied by **five or more persons, from two or more separate households**. To apply for a licence please contact the Council for further details, or go https://www.rossendale.gov.uk/info/210172/housing_and_homelessness/10681/shared_houses_and_flats_in_multiple_occupation

The meaning of fit and proper person

The council will carry out checks to make sure that the person applying for the licence is a fit and proper person and the following will be taken into consideration:

- Any previous convictions relating to violence, sexual offences, drugs and fraud
- Whether the proposed licence holder has broken any laws relating to housing or landlord and tenant matters
- Whether the person has previously been found guilty of unlawful discrimination

What is included in a licence

A licence will normally last for 5 years. The licence will also include certain conditions, such as:-

- Annual gas safety certificate to be provided
- Proof that all electrical appliances and furniture are maintained to a safe standard and meet regulations
- Proof the fire detection systems and emergency lighting are installed and positioned correctly.

What may happen if you do not apply for a licence or breach licence conditions

It is an offence if the landlord or person in control of the property:

- Fails to apply for a licence for a property which is licensable
- Allows a property to be occupied by more people than are permitted under the licence

The penalties include prosecution, fines, civil penalties (up to £30,000) and banning orders.

HMO Declarations

Where the local authority are satisfied that a building or part of a building meets one of the above tests they may serve a notice under section 255 of the Housing Act “an HMO Declaration” declaring that the building or part to be a house in multiple occupation.

Rent Repayment Orders

A tenant living in a property that should be licensed but found not to be licensed can apply to the residential property tribunal for a rent repayment. This would cover the rent they have paid during the unlicensed period. The Council can also reclaim any housing benefit that has been paid during the time the property was without a licence.

Can an appeal be made about a council’s licensing decisions

Yes – you may appeal to the Residential Property Tribunal (RPT) against the Council’s decision to:

- Refuse a licence
- Grant a licence
- Revoke a licence
- Vary a licence
- Refuse to vary a licence

HMO standards

Legal Standards in HMOs

The Housing, Health and Safety Rating System (HHSRS) was introduced by the Housing Act 2004 and this is the method used to assess whether properties are free from unnecessary or avoidable hazards. All residential accommodation including HMOs should be free from unnecessary hazards. Appendix 1 provides a summary checklist which will assist landlords and agents in ensuring the property is free from hazards.

Further and detailed information on HHSRS can be found at;

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf

Management Regulations

All HMOs are subject to Management Regulations under the Management of Houses in Multiple Occupation (England) Regulations 2006. Following these standards will ensure that the HMOs meet the required management regulations. For further information see page 17

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Space Standards

Rosendale Borough Council has adopted the following space standards as the minimum requirements.

Table 1 – Space Standards

Minimum Bedroom Size	Total Number of People in HMO	Minimum Kitchen Size	Living / Dining Room Size
with a separate living space: 1 Occupant 6.51m² Or 2 Occupants 11m²	3 to 5 people	7m ²	11m ²
	6 to 10 people	10m ²	16.5m ²
	11 to 15 people	13.5m ²	21.5m ²
	16+ people	16.5m ²	25m ²
without a separate living space: 1 Occupant 10m² Or 2 Occupants 15m²	3-5 people	7m ²	No additional communal living space required
	6-10 people	10m ²	
	11 to 15 people	13.5m ²	
	16+ people	16.5m ²	

The kitchen or living room should be within one floor distance from an occupant's bedroom.

HMOs with kitchen facilities for the exclusive use of the occupants (Bedsits)

A bedsit is where sleeping, living and cooking facilities are provided for exclusive use by the occupants within a single unit of accommodation (ie one room). It can be occupied by a maximum of two persons.

A 1 person bedroom, sitting room and kitchen must be a minimum of 13m².

A 2 person bedroom, sitting room and kitchen must be a minimum of 20.5m².

Usable Space

The measured space in any room must be 'usable space'. The room should be able to accommodate the required amount of appropriate furniture easily and still allow space for movement about the room.

Any floor space that has a ceiling height of less than 1.5m shall be disregarded for the purpose of measuring the total usable space in the room.

All habitable rooms, kitchens, bathrooms and toilets shall have a minimum floor to ceiling height of 2.3m, except in the case of basements which shall have a minimum height of 2.14m.

Washing Facilities and Toilets

Where there are five or more occupiers sharing bathing and toilet facilities there must be at least one separate toilet and wash hand basin with appropriate splash back and at least one bathroom with a fixed bath or shower and toilet – see table 2 below.

The bathrooms or shower rooms and toilets shall be readily accessible and normally not more than one floor away from the user. Shared facilities shall be accessible from a common area. Facilities must be inside the building.

Bathrooms and shower rooms must be lockable rooms, be of adequate size and be laid out in such a way as to enable persons to undress, dry and dress themselves in a safe manner.

Each bath, shower and wash hand basin shall be provided with a continuous and adequate supply of hot and cold running water and be designed to ensure reasonable temperature control.

Bathrooms and shower rooms must have adequate lighting, heating and ventilation.

Bathrooms, shower rooms and toilets must be fit for the purpose.

The splash back to a wash hand basin or bath shall be a minimum 300mm high and extend at least equal to the width of the wash hand basin and all joints shall be adequately sealed.

In the case of a shower, whether in its own compartment or over a bath, the splash-back shall be a minimum 150mm above the height of the shower head and up to the edge of a fixed shower screen (the shower screen must meet current British Standards). Where a shower curtain is used the splash-back should extend 300mm beyond the shower curtain to ensure it is waterproof.

The walls and ceilings in the bathroom, shower room and toilet should be smooth, impervious, and easily cleanable. The flooring should be capable of being easily cleaned and slip-resistant.

Bathrooms, shower rooms and toilets must be constructed to ensure privacy.

Any toilet provided in a separate compartment must have a wash hand basin with an appropriate splash back as detailed above.

The table below explains the sharing ratios for bathrooms and toilets.

Table 2 – Number of Bathroom/Showers and Toilet Facilities

Number of Occupants	Facilities Required
3 to 4 people	<ul style="list-style-type: none"> • 1 bathroom containing a bath or shower, toilet with a wash hand basin (the toilet with wash hand basin may be situated in a separate room).
5 people	<ul style="list-style-type: none"> • 1 bathroom containing a bath or shower, toilet with a wash hand basin. • 1 separate toilet with wash hand basin.
6 to 9 people	<ul style="list-style-type: none"> • 2 bathrooms containing a bath or shower, toilet with wash hand basin.
10 people	<ul style="list-style-type: none"> • 2 bathrooms containing a bath or shower • 2 toilets with wash hand basin, one of which must be in a separate room.
11 to 14 people	<ul style="list-style-type: none"> • 3 bathrooms containing a bath or shower, toilet with wash hand basin.
Bedrooms with en-suites	Where a bedroom is provided with a complete en-suite facility (bath/shower, toilet and wash hand basin) for the exclusive use of that occupant, then that occupant will be disregarded when considering the provision of washing facilities for the shared facilities in the remainder of the dwelling.

Kitchens

A kitchen, suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food.

The kitchen must be equipped with the following equipment which must be fit for the purpose and supplied in a sufficient quantity for the number of those sharing the facilities (see Appendix 1 for further information):

1. Sinks with draining boards
2. An adequate supply of cold and constant hot water to each sink
3. Installations or equipment for the cooking of food
4. Electrical sockets
5. Worktops for the preparation of food
6. Cupboards for the storage of food or kitchen and cooking utensils
7. Refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezers)
8. Appropriate waste disposal facilities; and
9. Appropriate extractor fans, fire blankets and fire doors.

The kitchen layout must be safe, convenient and allow good hygiene practices.

Cookers should be located away from doorways and have enough floor space for items to be safely retrieved from the oven

If two sets of facilities are provided the layout must allow them both to be used safely at the same time. No more than two sets of facilities shall be provided in any one kitchen.

Table 3 – Kitchen Facilities for Shared Use

Number of Occupants	Minimum Provision of Kitchen Facilities
3 to 5 people	<p>A complete set of kitchen facilities consisting of the following items must be provided for every five persons:</p> <p>Sink: A stainless steel sink, integral drainer and a tiled splash-back, on a base unit. A minimum of 300mm high should be provided to the sink and draining board, and all joints shall be adequately sealed. The sink must have constant supplies of hot and cold running water and be properly connected to the drains. The cold water must come directly from the rising water main. It must be possible to stand directly in front of the cooker and sink and to place utensils down on both sides of each.</p> <p>Cooker: A gas or electric cooker with four ring burners, oven and grill, that are capable of simultaneous use. The cooker is to be located away from doorways.</p> <p>Electrical Sockets: At least two double 13amp electrical power points (in addition to those used for fixed appliances, such as washing machines / fridges/freezers.</p> <p>Worktop: A kitchen worktop that is level, secure and impervious. The minimum dimensions are 1500mm length for 3 occupants plus 500mm per additional person.</p> <p>Storage: A food storage cupboard for each occupant that is at least one 500mm wide base unit or wall unit. The space in the unit beneath the sink and drainer is not allowable for food storage.</p> <p>Fridge/Freezer: A refrigerator with adequate freezer space. If not in the kitchen the fridge/freezer must be freely accessible and adjoining the kitchen.</p> <p>Waste Disposal: Appropriate waste disposal facilities must be provided – see page 21 for further information.</p> <p>Ventilation: At a minimum the window opener should be easily accessible to open and close to provide ventilation. Ideally, mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second, or 30 litres/second if the fan is sited within 300mm of the centre of the hob.</p>
6 to 7 people	<p>In addition to the above:</p> <p>A combination microwave is acceptable as a second cooker</p> <p>A dishwasher is acceptable as a second sink</p> <p>A refrigerator and a separate freezer</p>
8 to 10 people	<p>Two complete sets of kitchen facilities as above.</p>

Where the landlord provides a catering service the facilities must comply with the Food Hygiene (England) Regulations 2013.

In addition, some self-catering facilities will need to be provided and the level of facilities required will be determined on a case-by-case basis taking into account the level of provision by the landlord.

Kitchen for Exclusive use: Bedsits:

A bedsit is where sleeping, living and cooking amenities are provided for exclusive use by occupants within a single unit of accommodation (i.e. one room).

Table 4 – Kitchen Facilities for Exclusive use: Bedsits

Minimum Provision of Kitchen Facilities for Exclusive use: Bedsits
<p>Cooking: A full size (4 ring) gas or electric cooker</p> <p>Storage: A food storage cupboard for each occupant that is at least one 500mm wide base unit or wall unit. The space in the unit beneath the sink and drainer is not allowable for food storage.</p> <p>Preparation: A kitchen worktop that is level, secure and impervious. The minimum dimensions are 500mm width and 1000mm length.</p> <p>Electricity: Two double 13 amp power sockets suitably positioned at worktop height for use by portable appliances, in addition to sockets used by fixed kitchen appliances, plus two double sockets located elsewhere within the bedsit.</p> <p>Washing: A stainless steel sink and integral drainer set on a base unit with constant supplies of hot and cold running water. The sink shall be properly connected to the drainage system. The cold water shall be direct from the mains supply. A tiled splash-back shall be provided behind the sink and drainer.</p> <p>Ventilation: At a minimum the window opener should be easily accessible to open and close to provide ventilation. Ideally, mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second, or 30 litres/second if the fan is sited within 300mm of the centre of the hob.</p> <p>Layout: The same principles of safe layout and design apply in bedsits as for shared kitchens. Cookers must not be located near doorways to avoid collisions.</p>

Fire Safety

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 require appropriate fire precaution facilities and equipment to be provided of such type, number and location as considered necessary.

The Regulatory Reform Order (Fire Safety) 2005 requires all HMOs to have a sufficient risk assessment with regard to fire. The Council will usually complete joint property inspections of licensed HMOs with the Lancashire Fire and Rescue Service.

The Management Regulations require fire-fighting equipment and fire alarms to be maintained in good working order.

Fire Safety guidance about fire safety provisions for certain types of existing housing is published by LACORS. This document contains advice for landlords and fire safety enforcement officers in both local housing authorities and fire and rescue authorities on how to ensure adequate fire safety. The LACORS document can be viewed here https://www.rossendale.gov.uk/download/downloads/id/14384/fire_safety_guidance.pdf

The information in Table 5 below is summarised from the Lacors Fire Safety Guidance document and provided to help landlords understand their responsibilities and the fire safety precautions judged necessary for HMOs.

Fire Risk Assessment

A Fire Risk Assessment is required. A Fire Risk Assessment is an organised and methodical look at the premises, the activities carried on there and the likelihood that a fire could start and cause harm to those in and around the premises. The aims of a Fire Risk Assessment are:

- to identify fire hazards;
- to reduce the risk of those hazards causing harm to as low as reasonably practicable; and
- to decide what physical fire precautions and management arrangements are necessary to ensure the safety of people in the premises if a fire does start.

For all medium/large HMOs it is recommended that a professional fire risk assessment is completed.

Further information is available on the Fire Authorities website <https://www.lancsfirerescue.org.uk/>

Higher Risk Houses

If the property is of a non-standard layout or if the occupants present a higher risk due to factors such as drug/alcohol dependency or limited mobility then the risk may increase and additional precautions may need to be taken. This must be factored into your Fire Risk Assessment.

An example of a non-typical layout is 'inner rooms' where the bedroom is located such that the occupant passes through risk rooms (living rooms, kitchens or dining rooms) in order to reach the means of escape. There are various solutions available such as escape windows or water suppression systems; these should be discussed with Environmental Health before undertaking works.

The following table provides examples based on typical properties that do not present a high risk.

Table 5 – Fire Safety

		Number of Storeys		
Area	Items	1 or 2	3	4+
Fire Doors	Doors to kitchens must be 30 minute fire doors with combination heat and smoke seal intumescent strips	✓	✓	✓
	Bedroom doors must be 30 minute fire doors with combination heat and smoke seal intumescent strips	✓	✓	✓
	Doors to any cellars must be 30 minute fire doors with combination heat and smoke seal intumescent strips.	✓	✓	✓
	Note - Self closer devices should be fitted to all 30 minute fire doors.			
Fire Alarm System	Grade A* fire alarm system with smoke detectors in escape route at all levels, heat alarm in the kitchen , incorporate manual call points.	✗	✗	✓
	Grade D* fire alarm system with smoke detectors in escape route at all levels and heat alarm in the kitchen	✓	✓	✗
	Additional interlinked smoke alarms to bedrooms	✓	✓	✓
	Additional interlinked smoke alarms in any cellar	✓	✓	✓
	*Note – For further information about Grades of fire alarm system – see LACORS Housing- Fire Safety guidance.			
Fire Fighting Equipment	Fire blanket in kitchen	✓	✓	✓

Locks on Doors	<p>Final exit doors must have a security lock that can be opened from the inside without a key.</p> <p>Locks on bedroom doors must be provided with a lock that can be opened without a key from the inside.</p>	 	 	 
Protected Escape Route	<p>30 minute protected escape route. **</p> <p>Walls and floors should be of sound, traditional construction;</p> <p>Escape windows in each bedroom as an alternative escape route.</p> <p>**the staircase enclosure should be of sound, conventional construction throughout the route, and the stairs should be 30 minutes fire resisting.</p>	  	  	  
Lighting of Escape Routes	<p>Conventional artificial lighting</p> <p>Emergency lighting</p> <p>Note – Emergency escape lighting required only if route is complex or where there is no effective borrowed light.</p>	 	 	 
Signage	<p>Signage along escape routes</p> <p>Note – Fire exit signage along escape route if the escape route is complex.</p>			

Although the table above can't detail an exhaustive list of requirements it shows what the necessary requirements may include.

Fire safety signs/fire exit signs should be considered as part of the fire risk assessment and be fitted along the escape route if the escape route is complex.

Landlords are required to test and maintain fire alarm and emergency lighting systems in accordance with the British Standards.

Grade A fire alarm systems should be tested weekly. The system must be inspected and serviced at periods not exceeding six months in accordance with the recommendations of Clause 45 of BS 5839-1:2017. An inspection and servicing certificate of the type contained in H.6 of BS 5839-1:2013 should be issued by a suitably qualified and competent person.

Emergency lighting systems should be tested regularly/a minimum of monthly – self certified by landlords, and a full system test and service must be completed annually by a competent person in line with BS5266.

Grade D fire alarm systems should be tested at reasonable intervals/a minimum of 3 monthly. Testing and maintenance must be in accordance with the manufacturer's instructions. Landlords can self-certify this has been completed.

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The Management of HMOs

The Management of Houses in Multiple Occupation (England) Regulations 2006 apply to all HMOs (except those consisting entirely of self-contained flats) whether they require a licence or not. These regulations cover the manager's and occupiers' responsibilities to maintain the property in a clean and safe condition.

For HMOs consisting of self-contained flats the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 apply. Anyone failing to comply with any part of the regulations is committing an offence and could be prosecuted.

Definitions:

The regulations refer to '*the manager*' of an HMO. This is the person managing the HMO. It may be the landlord, manager or agent.

A '*household*' is the individual or family occupying the property. For a shared house (eg of students) each person would be considered as a 'household' for the purposes of the Regulations.

'*Common parts*' are all the areas both inside and outside the property used by more than one household.

'*Living accommodation*' is the room(s) let to a household for their personal use.

The Manager of a HMO Must:

<p>Provide Information to Occupiers</p>	<ul style="list-style-type: none"> ✓ Make each occupier aware of his name, address and contact telephone number ✓ Display these details in a prominent position in the property (usually in a common area of the HMO)
<p>Duty to Take Safety Measures</p>	<ul style="list-style-type: none"> ✓ Maintain means of escape from fire in a safe condition and keep them free from obstruction. ✓ Maintain any fire-fighting equipment and alarms in good working order. ✓ Ensure that all notices indicating the fire escape route are displayed in positions which enable them to be clearly seen by occupants (<i>this does not apply where the HMO has four or fewer occupiers</i>) ✓ Take steps to protect occupiers from injury having regard to: <ul style="list-style-type: none"> ○ The design of the HMO ○ The structural conditions in the HMO ○ The number of occupiers in the HMO. ○ Making sure any balconies or roofs accessible from the property are safe. ○ Fitting bars or other safeguards to openable windows on the first floor or higher which have a low sill to prevent the window being opened so far that an occupier could fall.
<p>Maintain Water Supply and Drainage</p>	<ul style="list-style-type: none"> ✓ Keep the water supply and drainage system in good working condition, ensuring:- <ul style="list-style-type: none"> ○ Any water storage tank is provided with a suitable cover. ○ Water fittings liable to frost damage should be protected. ✓ The manager must not unreasonably cause or permit the water or drainage supply to be interrupted.

<p>Supply and Maintain Gas and Electricity</p>	<ul style="list-style-type: none"> ✓ Ensure that gas and electricity supplies are maintained in a safe condition. ✓ The manager must not unreasonably cause the gas or electricity supply to be interrupted. ✓ If the Council make a request in writing, provide a copy of the latest gas appliance test certificate within 7 days. ✓ Arrange to have every fixed electrical installation inspected and tested (by a person qualified to do this) every 5 years as a minimum, and obtain a certificate to show the results. If the Council make a request in writing, provide a copy of the latest test certificate within 7 days. ✓ If you provide portable electrical appliances, you will need to supply a PAT test certificate.
<p>Maintain Common Parts, Fixtures, Fittings and Appliances</p>	<ul style="list-style-type: none"> ✓ Keep all common parts: <ul style="list-style-type: none"> ○ In good and clean decorative repair ○ In safe and working condition ○ Prevent the obstruction of these areas. ✓ Make sure all handrails and banisters are in good repair (and provide additional rails or banisters if necessary); stair coverings must be secure and in good condition. ✓ Make sure all windows or other means of ventilation are in good repair. ✓ Provide adequate light fittings, available for use at all times. ✓ Maintain fixtures, fittings or appliances in good working order. (This does not apply to anything brought in by an occupier). ✓ Keep outbuildings, yards, forecourts maintained in repair, clean condition and good order. ✓ Keep gardens safe and tidy ✓ Keep boundary walls fences and railings etc in good condition and safe. ✓ Make sure any parts of the property which are not in use are also kept clean and free from obstruction including refuse and litter.

Maintain Living Accommodation	<ul style="list-style-type: none"> ✓ Make sure that living accommodation and any furniture supplied with it are clean at the beginning of a person's occupation. ✓ Keep in good repair and maintained (<i>this does not apply to anything brought in by the occupier</i>): <ul style="list-style-type: none"> ○ The internal structure ○ Any fixtures, fittings and appliances within each area of living accommodation ○ Every window and other means of ventilation.
Provide Waste Disposal Facilities	<ul style="list-style-type: none"> ✓ Ensure that sufficient bins are provided for occupiers to store refuse and make arrangements for the disposal of refuse having regard to the service provided by the Council.

Occupiers of HMOs:

The Regulations also place a number of duties upon the occupiers/tenants of an HMO. These duties include:

- ✓ Do nothing to hinder the manager in carrying out his duties.
- ✓ Allow the manager, or someone acting on his behalf, to enter at all reasonable times. (before entering for anything other than an emergency the manager must give 24 hours notice).
- ✓ Provide information the manager may need to carry out his duties.
- ✓ Take care to avoid damage to anything the manager is legally required to provide.
- ✓ Store and dispose of refuse and litter correctly.
- ✓ Comply with reasonable instructions regarding fire safety.

Waste Disposal

HMOs occupied by separate and multiple households generate more waste than a single family. The Council is committed to reducing environmental crime. To do this it is important that the landlord of the HMO provides the occupants with the appropriate facilities for storing rubbish.

To encourage occupants to recycle waste, internal storage areas should be designed to enable occupants to segregate their waste into refuse and recyclables and to store it temporarily until it can be transferred to external bins.

Where provision for internal storage is included, occupants must be supplied with container(s) for the internal segregation of waste for recycling.

Options that landlords may wish to consider are kitchen units with pull out drawers and separate containers. There are several such products on the market.

The containers described below must be able to be stored within the external boundary of each property. Container storage areas should be in a convenient position to enable the householder to wheel them to the kerbside for collection.

Occupiers are required to present their containers at the kerbside on collection day and return them to the storage area as soon as possible following collection.

Table 6 – Waste Disposal and Recycling

Number of Occupants	Refuse	Recycling Paper/Card	Recycling Glass, Cans, Plastic Bottles
1 to 4 people	1 x 240 litre Green bin	1 x 240 litre Grey bin	1 x 240 litre Blue bin
5 to 8 people	2 x 240 litre Green bin	2 x 240 litre Grey bin	2 x 240 litre Blue bin
9 to 12 people	3 x 240 litre Green bin	3 x 240 litre Grey bin	2 x 240 litre Blue bin

Planning Permission/ Change of Use

Compliance with the provisions of the HMO Standards does not confer exemption from the need to obtain any planning permission/change of use necessary for operation of an HMO or from action by the Council under other legislation.

You are advised to establish lawful use of your premises under planning legislation. It is also advisable to contact the Council’s Planning and Building Control departments for advice.

Rossendale Borough Council Development Control

Website: developmentcontrol@rossendalbc.gov.uk

Telephone: 01706 217777 Option 4

Building Control

Works of alteration and/or improvement including those requested by the Council may require Building Regulation or Building Notice approval. For further information please contact:

Email: Buildingcontrol@rossendalebc.gov.uk

www.rossendalebc.gov.uk/buildingcontrol

Telephone: 01706 217777, Option 4

For further information about Change of Use, Planning Permission and Building Regulations please go to the following webpage:-

<http://www.planningportal.gov.uk/permission/commonprojects/changeofuse/>

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Appendix 1 – Property Condition Standards Checklist

Component	Primary Hazard	Checked/Notes
The property should have at least an E rating detailed in the Energy Performance Certificate.	Excess cold	
<u>EXTERNAL</u>		
Chimney		
Structurally sound	Structural collapse	
Sound pointing	Damp and mould	
Sound flashing and capping		
Roof		
Ridge tiles and pointing sound	Damp and mould	
Roof covering sound.		
Any replacement slates to be of the same size, colour and thickness.		
Properly installed, maintained and matching rain water and drainage goods including gutters, rainwater pipes and soil vent pipes. Gutters should be free from debris/vegetation. Timber gutters should be painted/treated.		
Front and Rear Elevation		
Sound and uniformed pointing (not missing or cracked)	Damp and mould	
Sound render (not missing, blown or cracked)		
Windows		
Well maintained window frames with locking handles, trickle vents or a mechanism for being secured on the opener whilst allowing a gap for ventilation. 'K Glass' or similar alternative.	Excess cold	
Windows should be neatly and adequately sealed to ensure they are free from draughts and operate freely.		
The view through the glazing should not be obscured by failed double glazing units.	Lighting	
Where key operated locks are fitted owners should ensure that the tenants are provided with keys.	Entry by intruders	
Window Restrictors		
If any window opens fully without restriction, ensure that a window restrictor that limits the window to opening no more than 100mm but that can easily be overridden by an adult in the event of an emergency <u>without</u> the need for a key is fitted.	Falls between levels	

Appendix 1 – Property Condition Standards Checklist

Component	Primary Hazard	Checked/Notes
Front and Rear Doors		
Solid core timber, metal framed UPVC construction or specialist composite security doors. All glazing in doors must be either wired or safety glass. The door should be of sound fitting with multi-point locking, letter plate and all necessary furniture including door numbers.	Entry by intruders	
The door frames should be strong and well secured to the jambs.		
Ensure the door is fitted neatly in the casing with a maximum 2 to 4 mm gap around the door to prevent draughts.	Excess cold	
Ensure a weather bar is fitted to the door.		
Security Grills		
Any security grills fitted to exit doors must allow escape from the building easily. Security grilles on ground floor windows where they form part of the protected route of escape from fire, must be easily removable. Security grills should not be fitted to first floor windows.	Fire	
Gardens and Yards		
Timber/steel gate to suit the height of the yard/garden walls/fences. The gate should be structurally sound, open and close with appropriate latch/bolt, suitably decorated or stained. The house number should be visible on the rear gate.	Entry by intruders	
All boundary walls and fences will be of adequate height, well maintained, stable and in good repair. Render should not be excessively blown or falling off. Coping and decorative blocks must be stable and adequately secured.	Structural collapse	
All yard surfaces should be of a solid construction and free from trip hazards.	Falls on the level	
Where a garden or yard area exists this shall be kept in good order and free of waste, litter and faeces as far as is reasonably practicable. The landlord, as far as is reasonably practicable, shall have responsibility to enforce a requirement that their tenants keep the garden/yard free of unwanted furniture or fittings.	Domestic hygiene, pests and refuse	
External Decoration		
Painted elevations should be of sound condition, uniform and free from excessive deterioration. This should include jambs		

Appendix 1 – Property Condition Standards Checklist

Component	Primary Hazard	Checked/Notes
and cills.		
Drainage		
All drainage holes should have suitable covers	Personal hygiene, sanitation and drainage	
External Steps		
Where appropriate external steps within the boundary of the property require a hand rail/guarding.	Falls on stairs	
<u>INTERNAL</u>		
Loft Hatch		
The loft hatch should fit securely to prevent excessive draughts.	Excess cold	
Waste Pipes		
Where waste pipes have to run through internal rooms to exit to the external wall they should be boxed in.		
Floor Boards and Wood Work		
Floor boards should be secure and even.	Falls on the level	
All wood fittings within the property should be free from dry and wet rot.	Damp	
Vestibules		
The glazing in vestibules should be of safety glass. If a vestibule is to be removed all of the vestibule must be taken out and the ceiling made good including uniformed re-decoration.		
Heating		
Gas central heating system capable of heating the living areas to 21°C and all other areas of the property to 19°C, when the outside temperature is -1°C. All rooms including the kitchen and bathroom should be capable of being heating in the manner described. The Ideal <ul style="list-style-type: none"> • A' Rated Boiler • 7 day fully programmable digital room thermostat • Thermostatic radiator valves (TRVs) on all radiators (except in rooms with a room thermostat) • A high performance hot water cylinder and a cylinder thermostat (if you have a hot water cylinder) • If there has never been a gas supply to the property contact the scheme operator. 	Excess cold	

Appendix 1 – Property Condition Standards Checklist

Component	Primary Hazard	Checked/Notes
Any exposed heating pipes running up walls should be neatly boxed in.		
Lighting		
Each habitable room should have an opening window of appropriate size and position to provide sufficient light during day light hours to enable domestic and recreational activities to be carried out without eyestrain.	Lighting	
Windows should not be shared between rooms by the addition of a partition wall. Each room with the potential to be a habitable room must have its own opening window.		
Artificial lighting should be appropriately positioned with sufficient accessible switches to control it. Please note that artificial lighting to the stairs must be controllable from the top and bottom of the staircase.		
Internal Doors		
Ensure the doors open and close with suitable clearance for carpets, ensure the door hinges are secure and ensure the door latches securely, ensure all edges are finished to an acceptable standard being a smooth finish with all harris's removed. The doors should fit neatly into the casing with a maximum 2 to 4mm around the edges. The door to the bathroom or toilet(s) should be provided with a lock.	Collision and entrapment	
Glazing in doors should be safety glass alternatively the glass should be neatly boarded and decorated to match the original door.		
Kitchen (for detailed property type information see: - Kitchens section above)		
Kitchen facilities should be of an appropriate design and laid out to make it easy to safely and hygienically prepare food.	Food safety	
The window should be easily accessible to open and close to provide ventilation. Ideally Install suitable mechanical ventilation with built in shutter and over -run	Damp	
The sink should be of adequate size with drainer. With a supply of hot and cold water properly connected to pipes which safely carry away waste water to discharge it into a drainage system. As a minimum there should be: <ul style="list-style-type: none"> • A double base unit separate to the sink unit which is not suitable for food storage. 	Food safety Water supply	
	Food safety	

Appendix 1 – Property Condition Standards Checklist

Component	Primary Hazard	Checked/Notes
<ul style="list-style-type: none"> A single base unit A double wall unit One of the base units should contain a minimum of one drawer. 1.5 meters of work surface. The surface of the worktop smooth, impervious and capable of being easily cleaned. A space for a cooker with either a gas or electric connection. A space for a fridge and freezer and washing machine. 		
Provide a minimum of 300 mm (approx. 3 rows of tiles or equivalent) to the rear of all work surfaces and behind the cooker position. Tile edges must be suitably finished using either tile edging bead or pointed with silicone sealant.	Food safety	
The floor covering should be an even surface and easily cleaned (no carpets).	Falling on levels	
Internal Stairs		
<p>Handrails are to be fixed at an appropriate height of between 900mm -1000mm above the step nosings.</p> <p>The handrail must be a suitable profile such as mop stick and securely fixed. Balustrades or guarding must not have gaps that are in excess 100mm.</p>	Falling on stairs	
Bathroom		
The toilet should be smooth and impervious surface. A seat and lid should be fitted to the toilet. Connected to a working flushing cistern provided with a supply of water and connected to a drain capable of carrying waste into the drainage system	Personal hygiene	
A wash hand basin, bath or shower securely fitted with a supply of hot and cold water. They should be capable of being easily cleaned and connected to water pipes which safely carry away waste water to discharge it into a drainage system.		
<p>Provide a minimum of 300mm approx. 3 rows of tiles to the wash hand basin and bath. If a shower is installed over the bath provide tiles approx. 6 m squared from bath to ceiling and a suitable shower curtain or screen.</p> <p>Tile edges must be suitably finished using either tile edging bead or pointed with silicone sealant.</p>	Personal hygiene	
The floor covering should be an even surface and easily cleaned (no carpets).	Falling on levels	
Install a suitable extractor fan with built in shutter and over-run.	Ventilation	
Bathroom lighting should comply with the IEE Wiring Regulations - 17th Edition. In particular attention should be		

Appendix 1 – Property Condition Standards Checklist

Component	Primary Hazard	Checked/Notes
given to Zone 0, Zone 1, and Zone 2. The bathroom ceiling light is generally outside these zones but should be of the sealed and splash proof type.		
Electrical Hazards		
The electrical installations should be safe to use and regularly maintained eg no cracked light or plug sockets.	Electrical	
Valid Periodic Inspection Report or Electrical Installation Condition Report for the whole of the electrical installations within the property in accordance with current IEE wiring regulations. If the Electrical Installation Condition Report requires remedial action the follow should be ensured:- Classification Code C1 – ‘Danger present and immediate remedial action required’, should be remedied within 48 hours following the date of the report. Classification Code C2 – ‘Potentially dangerous and urgent remedial action required’, should be remedied within 28 days following the date of the report.		
With the exception of the bathroom every room should have at least two double plug sockets in accordance with IEE guidelines. For example, plug sockets in the kitchen should not located directly above a cooker or sink.		
Meters should have an adequate cover and sealed. Meters and consumer units should service the residential accommodation only and should not be shared with other uses such as a commercial part of the premises.		
If portable appliances are provided by the landlord a PAT test is required.		
Gas Appliances		
Gas supplied to the property and gas appliances should satisfy the requirements of current quality regulations. A gas safety certificate should be obtained annually.	Carbon monoxide	
The gas meter should service the residential accommodation only and should not be shared with other uses such as a commercial part of the premises.		
A carbon monoxide detector should be located in the premises if gas or sold fuel burning appliances are used. Ideally All properties should be fitted with a carbon monoxide detector.		
Basements		
Should be fitted with a hand rail to the stairs and adequate	Falls on stairs	

Appendix 1 – Property Condition Standards Checklist

Component	Primary Hazard	Checked/Notes
lighting which can be switched on at the top of the stairs.		
Well ventilated	Damp and mould	
Fire (for detailed property type information see: - Fire Safety section above and Lacors Fire Safety Guidance)		
<p>The Ideal Hard wired interlinked smoke detection fitted on every level of the property including the cellar. A heat detector in the kitchen and at fire escape windows fitted in the bedrooms with restrictors limiting to but easily overridden in the event of an emergency <u>without</u> the need of a key.</p>	Fire	
For typical terrace properties with a central staircase, a door between the kitchen (a risk room) and the bottom of the stairs should be fitted thereby providing a protected escape route to the front door without the need for an escape window.		
Where a staircase enters a kitchen an escape window should be present on the first floor. A heat detector should be fitted in the kitchen.		
Accommodation with Attic Bedrooms		
Attic bedrooms must have a door	Fire	
Hardwired interlinked smoke detection on all floors with an escape window to the first floor.		
Bulk Head/Middle Bedrooms		
Must have a suitably sized window that can be opened and closed.	Lighting/damp	
Internal Decoration and Floor Coverings		
At the start of the tenancy the decoration should be in a reasonable condition, clean and uniformed.		
At the start of the tenancy the floor coverings should be in a reasonable condition, clean, well fitted and uniformed.		
Asbestos		
The property should be free from asbestos.	Asbestos	
Lead		
Installation of lead pipework is now prohibited in the UK. Any lead pipe work found in the distribution of drinking water should be removed and replaced.	Lead	
Infestations		
The house should be free from insect or pest infestations.	Pests	