

# **MINIMUM AMENITIES STANDARDS FOR HOUSES IN MULTIPLE OCCUPATION (HMO)**

## **Introduction**

These are minimum standards for Houses in Multiple Occupation (as defined in the Housing Act 2004 Part II).

A house in multiple occupation is a property occupied by 3 or more unrelated people in 2 or more households. A full definition of house in multiple occupation can be found in section 254 of the Housing Act 2004. Details of what relationships constitute single family can be found in section 258 of the Housing Act 2004. The Act also provides the Council powers to deal with poor living conditions in houses in multiple occupation (HMO's).

The standards in this document are minimums, not the ideal state. Amenity standards may exceed the minimum, and amenities should not be deliberately reduced to reach only the minimum standard.

HMOs are also subject to the Housing Health and Safety Rating System (HHSRS). The HHSRS evaluates the risk to the health and safety of tenants and visitors presented by a wide range of potential housing hazards. Many of the items described in the following standards can also be required by HHSRS.

## **Planning Provision**

Any creation of a letting in which all basic amenities are available for the exclusive use of its occupants will likely require Planning Permission. Permission cannot be guaranteed by the Private Sector Housing Enforcement team, or by compliance with these standards. HMO's with more than 6 occupiers are also required to have planning permission. Enquiries can be made at [Planning and Building Control - Wandsworth Borough Council](#)

## **Private Sector Housing Contact Details**

Environmental Health (Private Sector Housing) services for Richmond-upon-Thames and Wandsworth boroughs are provided by the London Borough of Merton as part of a tri-borough Regulatory Services Partnership.

Postal address: Private Sector Housing, Civic Centre, London Road, Morden SM4 5DX

Email: [privatehousing@merton.gov.uk](mailto:privatehousing@merton.gov.uk)

Telephone: 0208 545 3025

## **Heating**

- All bedrooms, living rooms, bathrooms and communal areas of the HMO shall be provided with a suitable appliance properly maintained and capable of maintaining an average minimum temperature of 18°C in communal areas and 21°C in bedrooms. Appliance means;
  - a) An efficient central heating system or
  - b) A fixed gas fire with an adequate flue or
  - c) A fixed electric heater with wiring spurred in to the main electrical supply
- Each unit of accommodation must be able to control temperature within their own dwelling. Portable oil or gas heaters not permitted

## **Natural & Artificial Lighting**

- All habitable rooms shall have clear glazing of at least 10% of floor area in a window or door, opening to external air.
- All staircases, landings and hallways have an area of clear glazing, or adequate artificial lighting. All glazing to windows in bathrooms and WCs shall have obscure glazing
- There shall be sufficient switches provided on each landing, hallway or staircase enabling each landing, hallway or staircase to be lit at the same time
- Where provided, timed switches must allow a person to climb stairs and enter a room before going off. Timed switches are only permitted to common landings, hallways and staircases.

## **Ventilation**

- All habitable rooms shall have an openable area in a window or door with of at least 5% of floor area, opening to external air.
- Basements used as habitable room must have a window opening with space outside with a depth of at least 600mm or 300mm if a bay window
- Kitchens, bathrooms and WCs shall comply as above, or provided with an extractor fan, providing a minimum of 3 air changes per hour and fitted with an overrun device for a minimum of 20 minutes.

## Washing and Sanitary Facilities

- Where exclusive bathroom, shower room and toilet facilities cannot be provided, one bathroom or shower room, one toilet and one wash hand basin shall be provided for every 5 occupants.
- Doors to communal bathrooms, shower rooms and WCs shall be capable of providing privacy and lockable from the inside.
- A wash hand basin shall be provided within each WC.
- Communal bathrooms, shower rooms and WCs shall be accessible directly from the common areas and usually within one floor from each letting.
- Each bath, shower and wash hand basin shall be provided with a constant supply of hot and cold water.
- The wall, floor and ceiling surfaces shall be smooth, impervious and capable of being easily cleaned.
- All bathrooms, shower rooms and WCs shall be adequately heated and ventilated as per above.

## Kitchen Facilities

- Where exclusive kitchen facilities cannot be provided, one set of kitchen facilities shall be provided for every 5 occupants as per table below.

Kitchens	
A minimum of 7 m <sup>2</sup> or 11 m <sup>2</sup> for a kitchen/diner	<b>For every 5 people sharing one set of facilities <sup>1</sup></b>
Suitably located in or in relation to the living accommodation, preferably not more than one floor from any letting that it serves but cannot be more than two floors from any letting room it serves.	
Drinking water supplied, hot and cold water and waste drainage, protected from frost damage, with sink and drainer board	
A refrigerator of at least 245 litres for up to 5 people and a freezer of at least 85 litres for up to 5 people. May be provided as a combined fridge freezer providing the above requirements are met.	

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<sup>1</sup> In hostel type accommodation, this may be for every 10 persons in occupation, but no single kitchen shall provide facilities for more than 20 persons.

An oven and grill with a 4-ring hob (2 ring hob for single person use)	
Four double 13 amp electric power points with at least two at work top level, in addition to power points dedicated to appliances	
Worktop measuring at least 1500 x 600 mm (1000 x 600mm for single occupier accommodation)	
One food storage cupboard per unit of accommodation (not to be located under the sink)	
Appropriate refuse storage and disposal facilities placed in a manner to prevent nuisance	

## Living Rooms

- Living rooms must be fully furnished and meet requirement set out in the table below

Living rooms	
Minimum size of 11m <sup>2</sup> <i>(in hostels, an additional 1m<sup>2</sup> must be available for each person in occupation in excess of 11) or 18m<sup>2</sup> for a combined kitchen and living room</i>	<b>For every 5 people sharing it <sup>2</sup></b>

## Bedrooms

- All space standards apply irrespective of the age of the occupants. See Appendix where children reside in the HMO. The sharing of rooms by persons of the opposite sex over the age of 10 is not permitted unless and they are over 16 and live as a couple
- In calculating floor areas, the Council will discount space occupied by: kitchens, bathrooms, showers, toilets, corridors, chimney breast. No rooms which has been appointed as a kitchen or bathroom shall be suitable for sleeping accommodation.

<sup>2</sup> Or 6 people if it can be shown that there is adequate space for all 6 occupiers to use the living space (for example if not all the occupiers are in residence all year round such as students). Where there are 7 or more occupiers, the living space needs to be larger than 18 square metres by approximately 20% additional space for each additional occupier in excess of 5.

- All habitable rooms should have a minimum height of 2.3 meters, except in the case of existing attic rooms, which shall have a minimum height of 2.14 meters over not less than 75% of the room area. Any floor area where the ceiling height is less than 1.5 meters shall not count towards the habitable floor space.

Bedrooms (Refer to Appendix 1 below if children are residing in an HMO)		
0 – 10.22m <sup>2</sup>	Not suitable	Where no separate living room is provided
10.22m <sup>2</sup> - 15m <sup>2</sup>	Maximum 1 occupier	
15m <sup>2</sup> or larger	Maximum 2 occupiers	
0 – 6.51m <sup>2</sup>	Not suitable	Where a separate living room is provided (not including kitchen area)
6.51m <sup>2</sup> – 10.22m <sup>2</sup>	Maximum 1 occupier	
10.22m <sup>2</sup> - 15m <sup>2</sup>	Maximum 2 occupiers	
15m <sup>2</sup> - 19.5m <sup>2</sup>	Maximum 3 occupiers	Hostels only - where a separate living room is provided which is not a kitchen
19.5m <sup>2</sup> - 24m <sup>2</sup>	Maximum 4 occupiers	
24m <sup>2</sup> or larger	Maximum 5 occupiers	
Where kitchen facilities are provided within a bedroom (i.e. bedsits), an additional floor area of 3.5m <sup>2</sup> shall be required in addition to the minimum bedroom sizes above		

### **External Doors & Windows**

- Shall be maintained in a good state of repair and decoration.
- Capable of resisting draughts and heat loss so that internal temperature remains above 16 degrees when internal space heating is switched off.
- Shall be sufficiently secure to prevent entry by intruders – windows cannot be opened from the outside and doors secured with a secure lock which must be openable from the inside without a key (i.e. thumb turn lock), to enable escape in an emergency, for example a fire.
- For windows on first floor and above with sills less than 1.1m from floor level, limiters must be fitted to restrict the window being opened more than 100mm and be capable of being over-riden by an adult, for escape purposes.

## Fire Safety

- The licence holder must ensure that a Fire Risk Assessment is undertaken in accordance with The Regulatory Reform (Fire Safety) Order 2005 and that action to minimise the risk of fire at the HMO is taken in accordance with the assessment.
- The licence holder must ensure that any fire detection equipment, fire alarms and emergency lighting at the HMO are maintained in good working order by competent persons and are periodically serviced and tested in accordance with the relevant British Standards requirements for servicing and testing, being BS 5839 part 6 2019+A1:2020 for fire detection and fire alarm systems, and BS 5266 for emergency lighting systems.
- The risk of fire increases when a property is occupied by people who are not living as one family. In addition, occupiers from vulnerable or disadvantaged groups, or where there is a high occupancy turnover with little social interaction between occupiers are at increased risk.
- Minimum standards will vary according to the type of HMO and the property itself, you are advised to seek our advice prior to installation. Information is also available on the Council website. [Fire Safety guidance in HMO properties](#) Any variations from said standards must be agreed in writing with the case officer.
- Furniture must meet fire safety standards and carry a permanent label to say it passes fire safety standards <sup>3</sup>

## Gas Safety

- Gas appliances must be checked for safety every 12 months by a Gas Safe registered engineer. All works to the gas installation and gas appliances shall be carried out by an engineer registered on the gas safe register.
- A carbon monoxide detector either mains fed or with 5-year battery shall be situated adjacent to all gas appliances e.g., hob, fire, boiler
- Ensure that each Carbon Monoxide alarm is kept in proper working order

## Electrical Safety

- A minimum of four double sockets shall be provided in each room used as a bedroom or living room.
- Ensure electrical appliances provided are tested by a suitably qualified contractor on an annual basis with records kept for at least five years. Copies

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<sup>3</sup> All furniture provided within the HMO must comply with The Furniture and Furnishings (Fire) (Safety) Regulations 1988.

of all maintenance records and PAT must be provided to the Authority, within 7 days on demand.

- Ensure that every electrical installation in the HMO is in proper working order and safe for continued use.
- Only approved Electrical contractors are to be permitted to carry out inspections of electrical installations and appliances or remedial works.

## **Management**

The Management of Houses in Multiple Occupation (England) Regulations 2006 places the following duties on the manager of the HMO.

- Regulation 3 - Duty to inform the occupier of contact details including name, address and telephone number and to display this information in a prominent place in the HMO. If a landlord is regularly out of the country or away for long periods of time, a local manager should be appointed who can act on behalf of the landlord, contact details for this person should also be displayed.
- Regulation 4 - Duty of the manager to take safety measures in relation to providing and maintaining the means of escape from fire & fire fighting equipment and to reasonably protect the occupiers of the HMO from injury.
- Regulation 5 - Duty of the manager to maintain water supply & drainage. Water rates should be registered in the name of the landlord/manager who is responsible for paying the bills.
- Regulation 6 - Duty of the manager to supply & maintain gas & electricity, including the provision of the latest gas safety certificate to the local authority when requested and the uninterrupted supply of gas and electricity. Utility bills should be registered in the name of the landlord/manager who is responsible for paying the bills. Key meters are not acceptable.
- Regulation 7 - Duty of the manager to maintain common parts, fixtures, fittings and appliances including stairs, banisters, floor coverings, windows, lighting, shared appliances, yards, gardens and boundaries. Common parts must be kept free from obstruction, clean and in good order & repair.
- Regulation 8 - Duty of the manager to maintain living accommodation and any furniture, fittings and appliances provided by the landlord.
- Regulation 9 - Duty to provide waste disposal facilities suitable for the number of people occupying the HMO.
- Regulation 10 - Duties of occupiers to reasonably cooperate with, not to hinder or frustrate the manager in performance of his duties; to provide information reasonably requested by the manager for the purpose of carrying out his duties; take reasonable care to avoid causing damage; properly

dispose of rubbish; and comply with reasonable instructions regarding the means of escape from fire, prevention of fire and the use of fire equipment.

### **Appendix 1 - HMOs occupied by children.**

- When calculating room sizes a child is counted as one person irrespective of age but the minimum room size when occupied by one child under 10 years of age is 4.64 square metres.
- A bed shall be provided for exclusive use by the child.
- Any child over the age of 10 years shall not have to share a bedroom with their parents or a child (aged under 16) of the opposite sex.
- The letting must have its own kitchen and bathroom for exclusive use of that letting and directly accessible from the letting.
- Ideally, a play space and a desk shall be provided. Where there is a garden or other outside space associated with the dwelling, it shall be child friendly, safely & easily accessible to the children.
- Balconies must have guarding to a height of at least 1100mm. Guarding should be designed to discourage children from climbing on it and should be strong enough to support the weight of people leaning against it. There shall be no gaps greater than 100mm in width.
- If windows on first floor and above have sills less than 1.1m from floor level, limiters must restrict the window being opened more than 100mm and be capable of being over-ridden by an adult if no children are present or in the event of a fire.
- Landlords are advised to seek advice from Private Sector Housing wherever there are children living in a HMO