



Housing Act 2004

Property and Management Standards Applicable to Houses in Multiple Occupation (HMOs)

Physical Property Standards Shared Houses/Flats

Shared Houses and Shared Flats

Definition

Houses or flats occupied on a shared basis usually by members of a defined social group (for example students, asylum seekers, refugees or groups of young single adults etc). Each occupier has exclusive use of a bedroom but would share kitchen, bathroom and toilet facilities. In most cases there is a communal living room.

Room Sizes and Permitted Occupation

The following are the minimum floor areas required:

(a) One Person Units of Accommodation

- (i) Each bedroom/study where all occupants of the house have access to a separate communal living room – 6.5 m²
- (ii) Each bedroom/study where all occupants of the house do not have access to a separate communal living room – 10 m²

(b) Two Person Units of Accommodation

- Each bedroom/study where all occupants have access to a separate communal living room 11 m²
- Each bedroom/study where all occupants do not have access to a separate communal living room. 15 m²

(c) Communal Rooms

(i) Kitchens

- Kitchens for 2 to 5 persons 7 m²
- Kitchens for 6 to 10 persons 10.5 m²
- Kitchens for 11 to 15 persons 13.5 m²

NB A single kitchen would not normally be suitable for use by more than 15 persons regardless of its size. In cases where more than 15 persons are using or are likely to have use of a kitchen, the advice and agreement of the City Council must be sought.

(ii) Dining Kitchens (only applicable where provided)

- Dining kitchens for 2 to 5 persons	11.5 m ²
- Dining kitchens for 6 to 10 persons	19.5 m ²
- Dining kitchens for 11 to 15 persons	24 m ²

(iii) Combined Living Rooms and Dining Rooms

- Living room and dining room for 2 to 5 persons	11 m ²
- Living room and dining room for 6 to 10 persons	16.5 m ²
- Living room and dining room for 11 to 15 persons	21.5 m ²

General Principles of Occupation

- Children below the age of 10 years now count as a whole person.
- In no case shall any room used for sleeping purposes be occupied by more than two persons.
- Persons of the opposite sex over the age of 12 shall not be permitted to share the same room for sleeping purposes unless they are of marriageable age and are either married or living as partners.
- The sharing of a room for sleeping purposes by persons who are neither related or living as a married couple shall be permitted only when both persons give their consent.
- No unit of accommodation shall be occupied on the basis of a divided or shared tenancy or licence. This is to avoid the situation arising whereby a unit of accommodation may be occupied by different persons at different times of the day or different days of the week (for instance shift workers or seasonal/migrant workers who occupy a property in connection with their employment.)
- Only rooms designated as living rooms, bedroom or bed/sitting rooms may be used for living or sleeping purposes.
- Each separate bedroom within a shared house is regarded as a unit of accommodation for the purpose of assessing amenity standards.
- Circulation spaces such as hallways, landings and other rooms such as kitchens, bathrooms or cellars, roof spaces etc shall be deemed unsuitable for use as sleeping or living accommodation.
- Irrespective of overall floor area, consideration will be given to the shape and usable living space within the room when determining its suitability for occupation. No account will be taken of any part of a room where the ceiling height is less than 1.525 m (5ft).

Kitchen Facilities for Shared Houses

A shared kitchen should ideally be not more than one floor distant from any unit of accommodation having use of it. It is however, acceptable for a kitchen to be a maximum of two floors distant where there is a communal dining room adjacent to the kitchen or where the kitchen is of sufficient size to serve as a kitchen/dining room.

Each shared kitchen shall comprise as a minimum:

(a) Cooking Facilities

- The kitchen must be provided with sufficient cooking appliances suitably located to enable users to cook food safely and hygienically and to minimise waiting time when more than one person wishes to cook food at the same time. In particular:
- For every five persons there must be a conventional gas or electric cooker with at least 4 burners/hobs, oven and grill.
- For up to and including 7 persons a combination microwave oven of minimum 20 litres capacity, suitably located on a fixed worktop may be provided in place of an additional conventional cooker.
- For 8 to 10 persons there must always be at least 2 conventional cookers and for 11 to 15 persons at least 3 conventional cookers, whether or not any supplementary microwave ovens are provided.

(b) Sinks

- For every 5 persons there must be a kitchen sink complete with hot and cold water supplies and trapped waste.
- For up to and including 7 persons a double bowl sink and drainer will be regarded as adequate in place of providing an additional sink. Alternatively, a standard sink plus an electric dishwasher will be acceptable for up to and including 7 persons.
- For 8 to 10 persons there must always be at least two standard sinks and for 11 to 15 persons at least three standard sinks whether or not any supplementary dishwasher is provided.

(c) Food Preparation

- There must be sufficient fixed work surfaces to enable each user to prepare food safely and hygienically. At least 0.5 metre run of work surface for each user will generally be acceptable for this purpose.
- For properties with more than 10 occupants sharing the same kitchen, a reduction in this standard may be appropriate as it is unlikely that all persons in the group will be preparing food at the same time.

- At least 2 twin switched power sockets set at a convenient height and safe position in relation to the kitchen facilities and work surfaces must be provided for every 5 persons. This is in addition to any dedicated sockets serving major appliances such as dishwashers, washing machines and refrigerators.

(d) Food Storage

- Adequate refrigerated food storage must be provided either within the shared kitchen or within a room directly adjacent to the kitchen if space is a particular problem.

For every 3 persons there must be a standard domestic refrigerator of at least 100 litres capacity and a freezer compartment of at least 15 litres capacity.

Alternatively a tall upright fridge freezer will be acceptable for every 5 persons. These usually have a fridge capacity of around 140 to 180 litres and a freezer capacity of around 70 to 90 litres.

A combination of separate larder refrigerators and freezers will also be acceptable provided they give an approximate equivalent standard.

- Adequate dry/canned food storage and utensil storage cupboards must also be provided. A half standard base unit or standard single wall unit per person will be acceptable for this purpose. The space beneath a sink is not acceptable for food storage purposes.
- In shared kitchens where it is likely that there will be a high degree of communality (for example students or professionals) it is not normally a requirement for refrigerators or storage cupboards to be locked.

In shared kitchens where a lesser degree of communality may be expected, the sharing of refrigerators and storage cupboards may lead to poor storage practice and conflict between residents.

Lockable cupboards and refrigerators may be appropriate in certain circumstances although providing them in each individual unit of accommodation will always be preferable where there is any doubt as to how the residents will interact.

Personal Washing and Bathing Facilities for Shared Houses

(a) Baths and Showers

A bathroom containing a bath or shower shall be provided on a ratio of at least one bath or shower to every 5 persons sharing. A shower facility installed over a bath will not count as an additional shower. Bathrooms in a house accommodating up to 5 persons should, wherever possible, be situated not more than one floor distant from any bedroom. In recognition of the fact that many such terraced type houses have a single bathroom situated in a ground floor extension, it will be acceptable for the bathroom to be situated up to two floors distant.

In larger houses accommodating more than 5 persons, there will always be a need for more than one bathroom, in which case one of the bathrooms must never be more than one floor distant from any bedroom.

(b) Wash Hand Basins

All bathrooms or separate compartments containing a WC must be provided with a wash hand basin.

Toilet Facilities for Shared Houses

Toilet facilities shall be provided in the following ratios:

- 1 – 4 persons - 1 WC which may be separate or located within a shared bathroom.
- 5 persons - 1 WC which must be separate from the bathroom but can be contained within a second bathroom.
- 6 – 10 persons - 2 separate WCs but one of the WCs can be contained within a bathroom.
- 11 – 15 persons - 3 separate WCs but 2 of the WCs can be contained within 2 bathrooms

This sequence would continue proportionally for every additional five persons.

In houses accommodating up to and including 5 persons, the WC may be situated up to a maximum of 2 floors distant from any bedroom. In houses accommodating more than 5 persons there will always be a need for more than one WC in which case one of the WCs must never be more than one floor distant from any bedroom.

Fire Precautions in Shared Houses

Full details of the required level of fire protection can be found in an advice booklet entitled “A guide to Fire Protection in Multi–Occupied Residential Properties” which has been produced by the Homestamp consortium. A copy of the advice booklet mentioned above can be found on the website www.homestamp.com or you can request a copy from the Housing Standards Team by telephoning 01782 232087. To ensure consistency the level of fire protection has been taken from the latest housing fire safety publication by the Local Authority Co-ordinating body on Regulatory Services (LACORS now called Local Government Regulation).

Heating in Shared Houses

All habitable rooms within a shared house must be provided with an adequate fixed form of heating.

Bedrooms in shared houses are used not only for sleeping purposes, but also serve as studies/living rooms, therefore adequate heating is particularly important.

Within all bedrooms plus any communal living room or dining room, the heating appliance must be capable of achieving a room temperature of at least 21°C within one hour of turning on when the air temperature outside is –1°C.

For heating to be properly used by the tenants, it must be affordable. Central heating is the preferred option but electric night storage heaters and balanced flue gas heaters are also satisfactory providing they are capable of adequately heating rooms where they are provided. Electric storage heaters must be connected to an off peak tariff meter.

Heaters which use full price electricity are not normally acceptable as the main form of heating.

Whichever form of heating is installed it must be time and temperature controllable by the occupants at all times. Where heating is provided to any communal rooms or areas, the running costs must be met out of the general rental charges or general energy charges rather than any type of prepayment meter. Where open-flue gas fires are provided in a room used for sleeping purposes, they must be of modern design and fitted with an automatic oxygen depletion cut-off device. All heaters, other than water filled radiators, must be suitably positioned such that there is at least two metres between the heater and any bedding and such heaters must also not be located where curtains are likely to catch fire.

Paraffin heaters, LPG heaters and freestanding plug in electric heaters are not acceptable.

In fully insulated and draught-proofed accommodation, full price electricity may be a viable option if it can be shown that the overall cost is affordable.

All heating appliances must be fixed to either the wall or the floor and be provided with an appropriate base or surround if one is specified by the appliance manufacturer.

All gas heaters or boilers of any type must be properly serviced and maintained in a safe condition in accordance with the manufacturer's recommendations and the Gas Safety (Installation and Use) Regulations 1998 (as amended).

All bathrooms, whether for exclusive or shared use must also be provided with a fixed form of heating.

Electric fan or radiant wall heaters are acceptable in bathrooms provided they are designed to operate in moist atmospheres.