

**Standards for Houses in Multiple Occupation
London Borough of Barnet**

Amended May 2021

Adopted Standards for Houses in Multiple Occupation

A house in multiple occupation (HMO) is a house or flat which is occupied by persons who do not form a single household. There are various types of HMO including houses divided into rooms, bedsits or flatlets, shared houses, lodgings, hostels and some properties converted into self-contained flats.

The Council's main requirements are set out below. It is expected that all HMOs will comply with these standards where reasonable and practicable.

The Council recognises the importance of HMOs as part of borough's housing supply. However the self-containment of shared accommodation may need planning permission and therefore you should always contact the Council's planning department if you propose to install kitchen or bathroom facilities within bedrooms or bedsitting rooms in existing HMOs. The use of premises as an HMO may also require planning consent.

1. Space Standards

National minimum room sizes were introduced in The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018. However, the Government emphasised these are a statutory minimum and are not intended to be the optimal room size. It was their view that "local housing authorities will continue to have discretion to require higher standards within licence conditions, but must not set lower standards". The minimum room sizes below are those the Council has deemed appropriate to apply to HMOs in the borough of Barnet.

Room sizes must generally accord with the following minimum standards, although the provision of other facilities, such additional communal spaces, will be taken into consideration. This might include for example, a shared dining area or lounge. In these circumstances, a reasonable reduction to these standards may be agreed with the Inspecting Officer, who will have regard in so doing, to the government's Housing Health and Safety Rating System Operating Guidance.

1.1 One room lettings

Minimum room floor area where the kitchen is in a separate room	Minimum room floor area including kitchen	Maximum number of persons
10m ²	13m ²	1
14m ²	17m ²	2

1.2 Two or more room lettings

Minimum combined floor area for two or more room letting	Minimum floor area for any room used as a kitchen	Minimum room floor area for any room used for sleeping	Maximum number of persons
13m ²	4.5m ²	6.5m ²	1
17m ²	4.5m ²	10.2m ²	2

1.3 Notes:

- Persons of the opposite sex, aged ten years and over and who are not co-habitant are not allowed to sleep in the same room.
- There is no reduced space standard for children
- When measuring the floor area of a room, space occupied by any en-suite bathroom or WC facilities shall not be included.
- All rooms shall have a minimum ceiling height of at least 1.9 metres from finished floor level over not less than 75% of the floor area of the room. Any floor area where the ceiling height is less than 1.5 metres from the finished floor level shall be disregarded. Where bunk beds are used, there shall be a minimum ceiling height of 2.5 metres from the finished floor level.
- In addition to the actual floor area, consideration shall be given to the shape of, and usable living space in the room to determine its suitability for occupation and the number of persons permitted to occupy it.
- The room arrangement must allow unobstructed entry to and exit from the room and ensure that any facilities provided there are safe and easy to use.
- If a studio room has a partition, the total net useable floor area of all the spaces created will be aggregated. However, sleeping rooms must not be less than a minimum area of 6.5m² for a single person letting and 9.5m² for a double person letting.
- Half the area provided by a bay window can be included.
- Where the room door opens into a lobby/corridor within the accommodation that is less than 1.2 metres wide, the space occupied by that lobby/corridor will be disregarded. Where the lobby/corridor is between 1.2 and 1.8 metres wide, some of the area may be counted if it is suitable for storage/use. The allowable area is calculated by deducting 1.2 metres from the width and multiplying this by the length of the corridor. For example, if a corridor into a room is 1.5 metres wide by 2.5 metres deep, the useable area of the corridor would be 0.3 x 2.5 metres. No deduction should be made where doors open into corridors/lobbies more than 1.8 metres wide.
- All sleeping rooms shall be occupied by 1 household only.

2. Personal Washing Facilities

- 2.1 Where there are five or more occupiers in the HMO each separate household shall, where practicable, be provided with a wash hand basin (unless a sink is provided) together with a satisfactory supply of hot and cold running water properly connected to the wastewater drainage system and suitably located within the unit of accommodation. A tiled splash back, a minimum of 300mm high (two standard tiles) is to be provided to each wash hand basin. See Appendix A for additional guidance.
- 2.2 Each separate occupancy in the HMO shall, where practicable, be provided with its own readily accessible bath or shower room of adequate size with sufficient space for drying and changing. Where this is not practicable, a readily accessible bathroom or shower room with sufficient space for drying and changing shall be provided in the ratio of **one to every five persons** regardless of age. See Appendix A for additional guidance.

- 2.3 All bath/shower compartments shall be ventilated directly to the external air by an openable window. Where this is not practicable, mechanical ventilation complying with the current Building Regulations shall be provided.
- 2.4 The walls and floors to any shower/bathroom are to be waterproof and readily cleansable. Showers shall be provided with a suitable waterproof screen or shower curtain.
- 2.5 An appropriate door with lock shall be provided to the bathroom/shower room to ensure privacy for the user.
- 2.6 Baths and showers are to be provided with a satisfactory supply of hot and cold running water and properly connected to the wastewater drainage system
- 2.7 All washing facilities must be fit for purpose, of adequate size and layout and suitably located in relation to the living accommodation. Baths and showers shall not be provided in kitchens and in all cases, shall not be more than one floor distant from any user.
- 2.8 Adequate heating and artificial lighting shall be provided.
- 2.9 Personal washing facilities must be available for use 24 hours a day.

3. Sanitary Conveniences

- 3.1 Each separate occupancy shall where practicable, be provided with its own water closet compartment.
- 3.2 Where this is not practicable, water closets shall be provided in readily accessible compartments or bathrooms in the ratio of **one water closet to every five persons**, regardless of age. Where a water closet is being shared by more than four persons, it must be situated in its own WC compartment. See Appendix A for additional guidance.
- 3.3 External water closets are not permitted.
- 3.4 All WCs must be maintained in proper working order, connected to the soil drainage system and contained in a room of adequate size and layout, suitably located in relation to the living accommodation and in all cases, shall not be more than one floor distant from any user.
- 3.5 A wash hand basin shall be provided, where practicable, in each separate water closet together with a satisfactory supply of hot and cold running water and properly connected to the wastewater drainage system. A tiled splash back, a minimum 300mm high (two standard tiles), is to be provided to each wash hand basin.
- 3.6 All water closet compartments shall be ventilated directly to the external air by an openable window. Where this is not practicable, mechanical ventilation complying with the current Building Regulations shall be provided.
- 3.7 An appropriate door with lock shall be provided to the room containing the WC to ensure privacy for the user.
- 3.8 Water closets must be available for use 24 hours a day.

4. Facilities for the Storage, Preparation and Cooking of Food and for the Disposal of Waste Water

4.1 Kitchen Facilities for Exclusive Use by Households

4.1.1 Each household shall, where practicable, have its own kitchen separate from and being not more than one floor distant from the sleeping room or located within the unit of accommodation.

4.1.2 Each kitchen shall have the following facilities:

- An adequately sized food storage cupboard of minimum capacity 0.5 cubic metres (e.g. 2no: 600mm x 720mm x 600mm). This provision is in addition to any base unit cupboards provided below the sink/drain.
- An adequately sized working refrigerator with a freezer compartment (1 to 2 persons = 140 litres minimum). To minimise disturbance from noise, an A rated energy efficient fridge is recommended.
- Four (13 amp) electric sockets: 1 conveniently located for the connection of the refrigerator and 2 situated at work top height.
- Adequately sized (1000mm x 600mm) fixed, impervious worktop for the preparation of food.
- A mains supplied gas or electric cooking appliance with a minimum of two rings or hot plates together with a grill and oven.
- A sink and drainer of adequate size (1000mm x 600mm) together with its own satisfactory supply of hot and potable cold running water and properly connected to the wastewater drainage system.
- A tiled splash back, a minimum 300mm high (two standard tiles), is to be provided to the sink.
- There must be artificial lighting sufficient to carry out normal activities within a kitchen area.

4.2 Kitchens for Communal Use

4.2.1 Where it is not practicable to have a kitchen provided for exclusive use, a shared kitchen may be provided **in a ratio of one to five persons** regardless of age and must comply with the following:

- Have a floor area of not less than 6m².
- Depending upon the circumstances, it may be possible to have two sets of kitchen facilities in the same kitchen. In such an instance, no more than two

sets of facilities (each provided for a maximum of five persons, regardless of age) shall be provided in any one shared kitchen and in such an instance, the kitchen must have a floor area of not less than 12m². In a shared kitchen, where two sets of facilities are provided, the two sets shall be reasonably separate from each other to allow their safe and simultaneous use by two or more households

- In addition to the floor areas mentioned above, consideration shall be given to the ceiling height, shape of, proportion and any other relevant features of the kitchen to determine its suitability for use.
- The arrangements must allow for the unobstructed entry to and exit from the room

4.2.2 Each shared kitchen shall have the following facilities:

- Adequately sized lockable food storage cupboards of minimum capacity 0.14 cubic metres for each household (600mm x 380mm x 700mm). This provision is in addition to any base unit cupboards provided below the sink/drain.
- Adequately sized (1000mm x 600mm) fixed, impervious worktop for the preparation of food. A further 500mm (linear width) of worktop will be required for each additional person sharing (for example, a minimum provision for five persons sharing is 2.6 linear meters of worktop). The worktop to be at the same height as an adjacent cooker hob.
- A mains supplied gas or electric cooking appliance with a minimum of four rings or hot plates together with a grill and an adequately sized oven.
- A sink and drainer of adequate size (1000mm x 600mm) together with its own satisfactory supply of hot and potable cold running water. The sink is to be properly connected to the wastewater drainage system.
- A tiled splash back, a minimum 300mm high (two standard tiles), is to be provided to the sink.
- There must be artificial lighting sufficient to carry out normal activities within the kitchen area.
- An adequately sized working refrigerator with a freezer compartment on the following ratios: 1 to 2 persons = 140 litres; 3 to 4 persons = 160 litres and 5 persons = 200 litres. To minimise disturbance from noise, an A rated energy efficient fridge is recommended.

4.2.3 Where not provided in a shared kitchen, each letting room shall be provided with:

- An adequately sized working refrigerator with a freezer compartment (140 litres minimum). To minimise disturbance from noise, an A rated energy efficient fridge is recommended

- A storage cupboard of minimum capacity 0.14 cubic metres (600mm x 380mm x 700mm)
- These facilities shall be suitably and safely located within the room.

4.3 General Requirements for all Kitchen Facilities

- Cooking facilities shall be suitably and safely located in relation to the room(s) occupied by the person(s) using them. This shall be not more than one floor distant from the sleeping room or within the unit of accommodation.
- All wall, floor and ceiling finishes are to be waterproof and readily cleansable. No furniture or curtains shall be within 600mm of the cooker or otherwise as recommended by the manufacturer of the appliance.
- Kitchen facilities must be available for use 24 hours a day.
- Cookers should not be fitted close to doorways and there should be sufficient floor space to safely retrieve items from the oven. Otherwise they shall be suitably and safely located.
- A mechanical extractor must be provided and suitable for kitchen use, ducted to the open air, and fitted with a suitable terminal outlet.
- Adequate refuse disposal facilities should be provided and regularly maintained.
- All rooms containing kitchen facilities should be provided with a fire blanket in accordance with BS EN 1869:2019 & BS 7944 1999, mounted on a wall near, but not above, cooker and otherwise in accordance with the manufacturer's instructions.
- There must be artificial lighting sufficient to carry out normal activities within the kitchen area.

All kitchens should be provided with 30 minute fire resistant door sets. The door shall be a fire resisting door constructed to conform to BS 476-22 1987 and fitted with a self-closing device to conform to BS EN 1154: 1997 and adjusted to close the door from any point of travel. The door is to be fitted with dual function cold -and intumescent seal (fire and smoke) to the head and both sides of the door in accordance with manufacturer's instructions.

5. Heating

- 5.1 All units of living accommodation including sleeping rooms and bath/shower rooms must be equipped with an adequate means of fixed space heating (meaning a fixed gas or electrical appliance, or an adequate system of central heating), operable at all times and available at all times, taking into account affordability, the presence of thermal insulation, the location of the appliance, ease of use, safety and performance. Heating appliances provided in a bathroom or shower rooms must be suitable for use in such a room.
- 5.2 The appliance must be capable of efficiently maintaining the room at a minimum temperature of 18°C at an outdoor temperature of -1°C.
- 5.3 Where heating and hot water is provided centrally by the landlord, these provisions must be capable of being used at any time. There should also be the ability to control the level of heating within each letting e.g. thermostatic radiator valves (TRV's) on radiators.
- 5.4 The use of portable paraffin or oil-fired heaters and liquefied petroleum gas heaters shall not be acceptable under any circumstances.

6. Security

- 6.1 Suitable locks to doors and windows reduce the risk of burglary. In order to prevent an 'Entry by Intruders' hazard under Part 1 of the Housing Act 2004 (the Housing Health and Safety Rating System), the following is required (6.2-6.4): -

6.2 Exterior Communal Doors

- Exterior doors to the building should close fully and the door and frame assembly should be of solid construction, be capable of resisting bodily pressure and the possibility of slipping the door lock.
- Locks should comply with BS 8621:2017 (Lock assemblies operated by key from the outside of the door and by handle or thumb turn from the inside of the door).
- Where the front door lock is within arm's reach of the letterbox, then either a letterbox cowl or a bottomless cage should be fitted.
- Consideration of the glazing for and surrounding the door should be given. Single glazed panels should be either protected with metal grilles or replaced with laminated glazing or security film.

6.3 Bedsit and Flat Entrance Doors

- The door and surrounding frame (notwithstanding the requirement to be a fire resisting door in the appropriate circumstances) should be of a solid construction, be capable of resisting bodily pressure and the possibility of slipping the door lock.
- All newly installed doors require a fire rated auto-deadlocking cylinder night latch complying with BS 8621:2017 BS 8621 (2007) + A2 2012 (Lock

assemblies operated by key from the outside of the door and by handle or thumb turn from the inside of the door.

Where there are letterboxes to individual flats, a letterbox cowl or bottomless cage is required if the lock is within arm's reach of the letterbox.

6.4 Windows

- All windows should have key operated locks with the exception of escape windows required as part of a means of escape strategy. Such windows are to be openable from inside without use of removable key.

7. Provision of Means of Escape in Case of Fire in Houses In Multiple Occupation

7.1 Appropriate fire precautions and equipment must be provided to reduce the risk of death/injury to the tenants in the event of fire.

7.2 In general terms, the following fire precaution facilities and equipment must be provided:

- The installation of a suitable automatic fire detection system in accordance with BS 5839-6:2019+A1:2020
- Appropriate and suitable firefighting equipment including fire blankets and other equipment considered appropriate to the circumstances.
- An adequate number of notices detailing procedures in the event of fire.
- Generally and without prejudice to the above, the HMO's design, construction and condition should limit the spread of fire and smoke and there should be adequate fire protection to the means of escape and between each unit of accommodation and other spaces. The HMO should be provided with appropriate fire detection and alarm systems and as appropriate, emergency lighting and firefighting equipment. All provisions to be in accord with LACORS 'Guidance on fire safety provisions for certain types of existing housing.' This can be found at: -

http://www.rother.gov.uk/media/pdf/p/p/Lacors_Fire_Safety_Guide_July_2008.pdf

In general terms, a means of escape from fire will include: -

- Doors and partitions constructed to provide the appropriate standard of fire resistance.
- Emergency lighting in accordance with BS 5266-1:2016 and suitable fire signs where appropriate.
- The provision of a 'protected route' leading to a place of safety (normally the street). 'Protected route' means a route having an adequate degree of protection from fire including walls (other than external walls), partitions and floors separating the route from the remainder of the building.

7.3 From the 1st October 2006 your premise has been required to comply with the Regulatory Reform (Fire Safety) Order 2005. The enforcing authority for this legislation is the London Fire and Emergency Planning Authority. For further information on this you can refer to the internet site <https://www.london-fire.gov.uk/safety/the-workplace/fire-risk-assessments-your-responsibilities/>

In addition, please note that the government has published a guidance document 'Fire safety risk assessment - Sleeping accommodation' which provides comprehensive guidance on the management of fire safety. It includes guidance on your duties regarding fire safety records and evacuation plans, which must be made available to residents and the Enforcing Authority. If you have any queries regarding your duties you should contact the London Fire and Emergency Planning Authority on 0207 7587 2270 or in writing to Barnet Borough Team, 227 Long Lane Finchley London N3 2RP or by email at barnetgroup@london-fire.gov.uk.

7.4 Where more than 5 people are employed at the property, the *Fire Precautions (Workplace) Regulations 1997* will apply. A risk assessment must be undertaken at the property by the owner to identify the fire hazards present and take action to eliminate or reduce the risk of such hazards.

8.0 **Fitness for Human Habitation**

8.1 Under the Homes (Fitness for Human Habitation) Act 2018, landlords must ensure that their property, including any common parts of the building, are fit for human habitation at the beginning of the tenancy and throughout.

8.2 The Council expects all HMOs to be fit for human habitation – the definition of fitness is contained in the Landlord and Tenant Act 1985.

8.3 A property may be unfit if:

- the building has been neglected and is in a bad condition
- the building is unstable
- there is a serious problem with damp
- it has an unsafe layout
- there is not enough natural light
- there is not enough ventilation
- there is a problem with the supply of hot and cold water
- there are problems with the drainage or the lavatories
- it is difficult to prepare and cook food or wash up
- there is a category 1 or 2 hazard under the Housing Health and Safety Rating System (HHSRS)

9.0 **Management of Houses in Multiple Occupation**

9.1 All HMOs must comply with the requirements of The Management of Houses in Multiple Occupation (England) Regulations 2006 or in the case of an HMO falling within Section 257 of the Housing Act 2004, the Licensing and

Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007.

Further information concerning these Regulations can be found at:

<http://www.legislation.gov.uk/uksi/2006/372/contents/made>

http://www.legislation.gov.uk/uksi/2007/1903/pdfs/uksi_20071903_en.pdf

10. Planning Permission / Building Regulations

- 10.1 The conversion of a property to a House in Multiple Occupation (HMO) may require planning permission. For further information on planning issues please contact the Planning Department on 020 8359 3000.
- 10.2 All alterations to an HMO or installations therein, including the provision of new sanitaryware and other facilities shall comply with the latest Building Regulations where these apply.
- 10.3 The provision of additional facilities, structural and other alterations may require Building Regulations approval. More information on the requirements under the Building Regulations, please contact Building Control on 0208 359 4500.

11. Other Relevant Statutory Requirements

- 11.1 Furniture and Furnishings (Fire)(Safety) Regulations 1998 (amended 1989 1993 and 2010)

Domestic upholstered furniture, furnishings and other products containing upholstery and supplied in conjunction with the accommodation must comply with specified levels of fire resistance.

- 11.2 Gas Safety (Installation and Use) Regulations 1998 (as amended):

- Gas safety inspections and tests must be completed by a Gas Safe registered gas installer/engineer annually. Certificates are required in relation to ALL gas appliances and the gas installation.
- All servicing and repairs are to be carried out by Gas Safe approved contractors.
- Records of annual safety inspections and tests must be made available to the Council for inspection, with a copy supplied to the tenant.

- 11.3 The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

A BS EN 50291 kitemarked carbon monoxide alarm (mains or battery powered) should be fitted in any room where any fuel burning appliance is located, including those that burn gas, oil, coal and wood. This includes any room that has a flue from such an appliance running through it. If there is an enclosed

boiler, the alarm should be fitted just outside the enclosure. Alarms should be fitted in accordance with the relevant British Standard and manufacturer's instructions.

11.5 Housing Health and Safety Rating System (HHSRS)

The Housing Health and Safety Rating System (HHSRS) is a system for assessing the health and safety risks in dwellings and is a method used to inspect properties under Part 1 of the Housing Act 2004. An HMO can comprise of a number of separate dwellings. For example, every bedsit room or self-contained flat within an HMO is a dwelling.

The principle of the HHSRS is that any residential premises (including the structure, means of access, and any associated outbuilding, garden or yard) should provide a safe and healthy environment for any potential occupier or visitor. The HHSRS is a risk assessment process and is comprehensive in its coverage of key health and safety risks in dwellings. In very broad terms, the rating system works by assessing the risk associated with certain hazards and if the likelihood of harm is significant the Council may take action to ensure that the risk is removed or reduced.

12.0 Household Waste

12.1 Adequate provision for refuse storage and recycling should be provided in accordance with the London Borough of Barnet Household Recycling and Waste Policies

12.2 Additional information can be found at
<https://admin.barnet.gov.uk/sites/default/files/2020-02/Household%20Recycling%20and%20Waste%20Policies.pdf>

12.3 HMO's/landlords should comply with 1a, 3, 7 and 13 of the policy

12.3 Any queries should be made via CSI@barnet.gov.uk

Contact us

For additional information on any aspects of these standards please email hmos@barnet.gov.uk, call 0208 359 5355 or contact the HMO Licensing Team Regulatory Services Development and Regulatory Services, London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW.

Annex A

Additional Guidance on Provision of Wash Hand Basins, Bath/Shower rooms and WC's in Relation to Number of Persons (Based on Guidance provided by the DCLG April 2006)

Number Of Persons	Number and type of facilities
1-4	<ul style="list-style-type: none">• No wash hand basins required in sleeping rooms• At least 1 bath/shower room with wash hand basin if no wash hand basin in sleeping rooms• At least 1 W.C. with wash hand basin (this can be in the bath/shower room or in its own separate compartment)
5	<ul style="list-style-type: none">• Where reasonably practicable wash hand basins in sleeping rooms unless a sink has been provided• At least 1 bath/shower room• At least 1 W.C. with wash hand basin (either in it's own compartment or in an additional bath/shower room)
6-10	<ul style="list-style-type: none">• Where reasonably practicable wash hand basins in sleeping rooms unless a sink has been provided• At least 2 bath/shower rooms• At least 2 W.C' s with wash hand basins (at least one should be in its own compartment the other may be in one of the bathrooms)
11-15	<ul style="list-style-type: none">• Where reasonably practicable wash hand basins in sleeping rooms unless a sink has been provided• At least 3 bath/shower rooms• At least 3 W.C.' s with wash hand basins (at least one should be in its own compartment the other two may be in the bathrooms)