



Liverpool
City Council

Houses in Multiple Occupation Standards and Management

Neighbourhoods – Private Sector Housing

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1 Introduction

1.1 The purpose of this document is to provide guidance on the minimum requirements for privately rented accommodation consisting of Houses in Multiple Occupation [HMO]. It is not intended to be a fully comprehensive list of requirements and regard should be made to national standards, lease terms/conditions and other legal requirements when assessing standards.

1.2 This document should also be read in conjunction with Liverpool City Council's guidance document on "Standards for Private Rented Property" which, is the minimum requirements for ALL privately rented homes including single and family occupancies. The same standards set out in that document will apply to HMO's with the addition of these standards that are applicable to HMO's.

1.3 All dwelling types should provide a safe and healthy environment for occupants and visitors including HMO properties. The aim of this document is to help landlords meet these obligations, encourage good practice and to provide a guide to the minimum standards considered acceptable in HMO's in the Private Rented Sector, as set out in the Housing Act 2004 and other relevant associated legislation.

1.4 Landlords and letting agents have a general duty of care to ensure that the accommodation they offer for rent does not have a detrimental effect on the health, safety and welfare of their tenants. All dwellings should provide a safe and healthy environment for occupants and visitors.

1.5 The types of properties that are HMO's is set out in sections 254-259 of the Housing Act 2004, a brief summary of which is detailed below;

- A house which is **NOT** a self-contained flat and is used by at least three persons in more than one household (unrelated), sharing a basic facility such as a WC, personal washing facilities or cooking facilities. This type of HMO is typically a shared house or bedsit accommodation.
- A self-contained flat containing all basic amenities such as a WC, personal washing facilities and cooking facilities behind the entrance door and located

within the flat. The flat is occupied by three or more occupants in more than one household (unrelated) sharing the amenities.

- A converted building is a house which contains one or more units of living accommodation [letting rooms] that is **NOT** self-contained, such as all amenities not behind the entrance door of a flat. The building also contains one or more units of living accommodation that are self-contained flats containing all living and amenities within the flat. Also the building is occupied by three or more persons in more than one household.
- Any building which has been converted entirely into self-contained flats where the conversion did not meet the standards of the 1991 Building Regulations and less than two-thirds of the flats are owner occupied. This type of HMO is typically buildings converted into flats without Building Control certification or those buildings that were converted to the old standard before June 1991. This is a section 257 HMO.
- The definition of "Household" is described in section 258 of the Housing Act 2004, the same household being persons who are related to each other such as Husband, Wife, co-habiting couples, including same sex couples, children, step & foster children, grandchildren, grandparents, uncles, aunts, nephews, nieces.
- For example 3 friends or colleagues sharing a house that are not related to each other would be 3 persons in 3 households and therefore an HMO. Similarly two couples [4 persons] sharing a property would be 4 persons in 2 households and a HMO.

1.6 The primary legislation being the Housing Act 2004 provides the method for assessing standards in Houses in Multiple Occupation under Part 1 of the act. The method of assessing property conditions is the Housing Health and Safety Rating System [HHSRS]. A dwelling is risk assessed in respect of 29 Health and Safety Hazards. These hazards are prescribed in the Operational Guidance of the Housing Health and Safety Rating System. Hazards are categorised 1 or 2 according to the risk, Category 1 being the more serious. Where a category 1 hazard is present the local authority must take some form of action. The authority also has a power to take action for category 2 hazards.

1.7 The Department for Communities and Local Government have published a guide titled “Housing Health and Safety Rating System – Guidance for Landlords and Property Related Professionals”. Reference on how to obtain a copy of the guidance can be found at the back of this document.

1.8 In addition to Part 1 of the Housing Act 2004, to review housing conditions and the presence of any health and safety hazards. Certain types of HMO’s are required to have a Mandatory license under Part 2 of the act. This applies to those properties that are occupied by at least 5 or more persons in more than one household (unrelated) with a sharing of one or more basic kitchen, bathroom or toilet amenity. A Mandatory HMO licence is for a maximum of up to 5 years with length of term of the licence determined by Liverpool City Council.

1.9 All Houses in Multiple Occupation must comply with minimum standards of management as prescribed under section 234 of the Housing Act 2004. These general minimum standards of management are for HMO’s that are required to be licenced and a separate set of regulations for those HMO’s consisting of flats that do not comply with the Building Regulations 1991 onwards, subject to section 257 of the Housing Act 2004.

1.10 The HMO management regulations are Statutory Instrument 373 “The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006”, that covers licensed HMO’s and Statutory Instrument 1903 “The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007”, that covers s257 HMO’s. Reference on how to obtain a copy of these regulations can be found at the back of this document.

1.11 As a minimum, HMO properties should always:

- Be free from Category 1 and significant Category 2 hazards with regard to the Housing Health and Safety Rating System (HHSRS) introduced by the Housing Act 2004;

- Comply with all other legislation and regulations relating to adequate property management and the Health and Safety of residential occupants;
- Be in such a condition so as not to cause nuisance to any neighbouring properties.

1.12 Any furniture supplied by anyone other than the occupier shall comply with The Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended in 1989 and 1993).

1.13 All gas appliances and services shall comply with the Gas Safety (Installation and Use) Regulations 1998.

1.14 All electrical installations to comply with The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.

1.15 Any work carried out at the property, which requires either Building Regulation approval or Planning Development Control consent, should have such approval.

1.16 This guidance does not cover types and numbers of furniture, kitchen or electrical appliances or internal decorative repair.

1.17 Properties must comply with the minimum requirements of The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015. All private rented properties to have a minimum energy efficiency rating of A to E by June 2021.

1.18 This guidance is not intended to cover matters that would fall within an Inventory. Furnishings, fixtures and non-permanent fittings should be subject to a separate assessment procedure.

1.19 Throughout, the standards refer to habitable rooms. A habitable room is any room used for domestic purposes such as living room, dining room and bedrooms, but which is not solely a kitchen, bathroom or W/C.

2 Planning permission

2.1 Planning permission may be required for use of a property as a House in Multiple Occupation, you should enquire with Liverpool City Council, planning as to whether you will require planning approval for use as a HMO.

2.2 Certain properties will automatically require planning permission for change of class use to a HMO, these included all properties where it is proposed seven or more persons to reside at a property in more than one household (unrelated).

2.3 Additional planning permission under an Article 4 direction is required for use of a property as an HMO. This applies to all HMO's in 11 wards throughout the City of Liverpool since June 2021, with three or more persons living in more than one household. Further information relating to planning permission and the 11 wards can be found on the council's website at www.liverpool.gov.uk

3 Building Regulations

3.1 Building Regulations apply to a wide range of works relating to the conversion of a building to an HMO. Examples include, but are not limited to, structural alterations, provision of en-suite bathroom facilities, replacing windows, upgrading/renewing electrical wiring and upgrading/renewing certain heating systems, drainage works above and below ground.

3.2 Prior to works commencing, you must ensure you have submitted a Building Regulations application for any works controlled under the Building Regulations. Failure to do so is a contravention of the Building regulations and could result in enforcement action being taken by the council's Building Control Department.

Detailed information and advice is available on the Council's website at www.liverpool.gov.uk

4 Repair and Maintenance

4.1 A dwelling including the exterior and structural elements of the building should be maintained in a reasonable condition including load-bearing elements as well as all the elements which give the dwelling its appearance, shape and stability in addition to weather-proofing capacity. These can include means of access, amenity space, foundations, walls, roof, structural elements, chimneys and doors. Services, such as drainage and space for refuse storage should all be maintained in good condition and functionality for the individual services.

4.2 Key building components are those which, if in poor condition, could have an immediate impact on the integrity of the building and cause further deterioration in other components. The list below contains some, but not all of those components you will need to assess and maintain in good condition at your property individually.

- external walls;
- roof structure and covering;
- windows/doors;
- chimneys;
- central heating boilers;
- gas fires;
- storage heaters;
- plumbing; and electrics;
- rainwater goods.
- Fire Safety Systems.

4.3 This standard can affect the assessment of all HHSRS hazards under Part 1 of the Housing Act 2004.

5 Basic amenities

The Housing Act 2004 defines basic amenities as being the bathroom, the WC and the kitchen facilities.

5.1 Bathroom

- 5.1.1 The adequate provision of bathroom and WC amenities is as defined in “The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. These regulations set out the provision of such amenities based on the number of persons in occupation as shown in Table 1 below.
- 5.1.2 In assessing the suitability of bathroom and toilet facilities, consideration will be given to various hazards including Hazard 17 - Personal Hygiene, Sanitation and Drainage. All baths and wash hand basins must be equipped with taps providing an adequate supply of potable cold water and a constant supply of hot water and be properly connected to the drainage system.
- 5.1.3 All bathrooms must be situated in a proper room, must be suitably and adequately heated and ventilated and must be of an adequate size and layout to accommodate all the facilities.
- 5.1.4 Adequate electric lighting, that is appropriately Index Protection (IP) rated in accordance with
- 5.1.5 IEE regulations, must be provided and walls and floors must have a non-porous and easily-cleanable finish.
- 5.1.6 Suitable locking mechanisms must be fitted to the access doors of bathrooms and W/Cs to ensure privacy.
- 5.1.7 Where a bathroom is in a house likely to be occupied by children five years of age or under, the facilities must include a bath.

5.2 WC's

- 5.2.1 Toilet compartments must be located within 30 metres of the furthest occupancy using it, preferably on the same floor. Where this is not possible, the WC should be no more than one floor and no more than 30m distance from the users.
- 5.2.2 The room should be provided with adequate ventilation and electric lighting and a suitable locking mechanism must be fitted to the access door to ensure privacy.
- 5.2.3 All foul waste within the building must be adequately connected to the drainage system, with provision of rodding eye and inspection chamber.
- 5.2.4 A separate w/c must contain:
- 5.2.5 1) A fixed w/c with water supply to the cistern, and foul drainage to the external foul drainage system.

5.2.6 2) A fixed wash hand basin with constant hot and cold running water, properly connected to the drainage system.

5.2.7 In bedsit type accommodation or shared houses, the bathroom and W.C. facilities may be shared between the occupants. There must be an adequate number of bathrooms and W.C.s provided for the number of persons occupying the dwelling. The table below shows the permitted sharing ratios.

5.3 Wash Hand Basins

5.3.1 A wash hand basin (WHB) with a tiled splash back and satisfactory supply of cold and constant hot water properly connected to the drainage system must be situated in a bathroom or shower room containing a w/c.

5.3.2 A wash hand basin as described above must also be provided in a separate w/c compartment.

Table 1 - Bathroom and WC Sharing Ratio

Number of occupants	Permitted sharing ratio
Up to 5 persons	1 bath/shower, 1 WC (+WHB in the same room as the WC, the WCs may be contained within the bathroom or a separate closet).
6-10 persons	2 bath/shower rooms and 2 WCs (+WHB in the same room as the WC, the WCs may be contained within the bathroom or a separate closet).
11-15 persons	3 bath/shower rooms and 3 WCs (+WHB in the same room as the WC, the WCs may be contained within the bathroom or a separate closet).

6 Shared Kitchen Facilities

6.1 If meals are *provided* for 4 or more residents you are required to register with environmental health service's commercial unit.

6.2 In assessing the provision of kitchen facilities it should be of satisfactory layout and design for provision for hygienic storage, preparation and cooking of food, so preventing the risk of infection to the occupants.

6.3 The occupants should not be exposed by reason of layout, size, design or other feature to risk from hot surfaces or risk from burns or scalds caused by contact with flames or hot liquids.

6.4 There should be adequate provision of Kitchen units and appliances for the number of occupants that should be free from defects and in good working order.

6.5 There should be adequate provision of refuse/waste disposal and storage for kitchen waste.

6.6 Where shared kitchens are provided they must contain the following facilities:
For up to 5 persons:

- A suitable fixed worktop, not including the draining board, no less than 2m by 0.6m for food preparation that does not include space for small electrical appliances.
- Four cooking rings, oven and grill (whether integrated into one appliance or separates).
- Four twin 13amp power socket outlets above the work surface height in addition to any sockets serving major electrical appliances. They must be adjacent to the work surface and at a suitable safe distance of minimum 500mm, from any sink/wash basin.
- A standard 1m sink unit and integral draining board fixed within a base unit, together with an adequate supply of constant hot water and wholesome cold drinking water, and tiled splash back. The sink unit must be properly plumbed into the water supply and drainage systems.
- A suitable storage cupboard with a minimum capacity equivalent to a 500mm wall unit per person (1000mm wall unit = 2 persons).
- Suitable storage cupboards for crockery and cooking utensils.
- A refrigerator with an adequate freezer compartment of not less than 5 cu ft capacity (0.15m³).

6.7 Kitchens should not normally be shared by more than 5 persons. The kitchen or kitchen area should have a total floor area not less than **7m²** (measured wall to wall), and should be not less than **1.8m** across at the narrowest point.

6.8 However, if a kitchen is to be shared by more than five persons, an additional **1.0 m²** of floor space for each additional person will be required, up to a maximum of ten persons, (i.e. 10m² is deemed adequate for 8-10 persons) and an adjacent dining area of suitable size must be provided.

6.9 Where a kitchen is of suitable size and layout for up to the maximum of 10 persons, it will require 2 sets of the above facilities in 6.1.6

6.10 Where the minimum kitchen size described above for 6-10 persons is not practicable, additional kitchens must be provided, in the following ratio:

- 6 - 10 persons 2 kitchens
- 11 - 15 persons 3 kitchens

6.11 Additional facilities for 6-10 persons sharing a single kitchen must include the following:

- A suitable fixed worktop, not including the draining board, of no less than 3m by 0.6m, instead of the 2m worktop for a single set of kitchen facilities.
- Fridge/freezer to approximately 9 cu ft capacity 0.27m³, instead of 5 cu ft as above.
- Additional sink drainer with constant supply of hot water and cold drinking water or alternatively a dishwasher plumbed into the water supply and drainage systems.
- Additional cooker with 4 ring hob, oven and grill
- Additional food storage cupboards equivalent to 500mm unit per person.

6.12 No kitchen must have more than two sets of facilities or be used by more than ten persons. Additional food storage, cooking facilities, sink/drainers or alternative arrangements should be agreed with the council prior to installation.

6.13 Consideration may be given to the provision of a dishwasher in place of one of the additional sinks/drainers.

6.14 The maximum number of persons per kitchen facilities is set out in the table below;

Table 2 - Kitchen Sharing Ratios

Number of occupants	Permitted sharing ratio
Up to 5 persons	1 x 7m ² kitchen with 1 set of facilities
6-10 persons	2 x 7m ² kitchens with one set of facilities in each or; 1 x 7m ² plus 1.0 m ² per additional person sharing with 2 sets of facilities
11-15 persons	3 x 7m ² kitchens or 1 x 7m ² kitchen and 1 x 12m ² with 2 sets of facilities

6.15 Shared kitchens should ideally be sited no more than 30 metres distant from any letting using it, and on the same floor. Where this is not possible, a kitchen no more than one floor distant from any letting using it and preferably with an adequately-sized adjacent dining area may suffice.

6.16 Where more than one kitchen is provided, these should normally be on separate floors.

6.17 All kitchens must have a suitable layout which is safe and practical, taking account of the location of cooking appliances and food preparation areas to reduce the risk of health and safety hazards. In particular:-

- Cooking appliances should, wherever practicable, have an adjacent work surface;
- No soft furnishings are to be within 600 mm of the cooking appliance;
- Other than an extractor hood, no fixtures or fittings are to be sited directly above cooking appliances.
- There should be no collision and entrapment hazards, particularly risks associated with hot surfaces.

7 Individual Facilities

7.1 In bedsit type accommodation where the units of accommodation have their own kitchen facilities or in self-contained flats, each unit of accommodation must contain the following:

- A suitably sized sink and drainer provided with a supply of wholesome cold drinking water and constant hot water, properly connected to the drainage system.
- A cooker with two cooking rings, oven and grill (four ring cooker with two persons sharing).
- A twin 13amp power socket outlet in addition to any sockets serving major electrical appliances. The must be adjacent to the work surface and at a suitable safe distance minimum 500mm from any sink/wash basin.
- A suitable worktop, not including the draining board, no less than 1m by 0.6m.
- A storage cupboard which must be suitable and of a minimum capacity equivalent to a 500mm wide wall unit per person.
- A storage cupboard for crockery and utensils.
- A refrigerator of not less than 5 cu ft capacity (0.15m³).

7.2 The kitchen facilities should be situated in a distinct kitchen area and this area should, where practicable, be located as far from the exit door as possible. Where it is not practicable for the cooking appliance to be located remotely from the door, a fire-resisting screen of suitable height should be constructed to shield the door from flames in the event of a fire occurring in the kitchen area.

8 Bin Storage

8.1 In order to prevent pest infestations or the contamination of food or food preparation areas there should be suitable and sufficient provision for the storage of household waste prior to removal to refuse storage area (see **Refuse Storage & Disposal** guidance notes).

9 Water Supply

9.1 It is important that drinking water supplies are wholesome as disease can spread from contaminated sources e.g. storage tanks.

9.2 All dwellings should have at least one tap providing a potable water supply. This will usually be located in the kitchen.

9.3 The water supply to the premises should be separately supplied, of potable quality and satisfactory for drinking and domestic purposes such as cooking and washing, located in the kitchen.

9.4 Water supplies including all associated pipe work, fittings and water pressure should be adequately maintained to ensure a good supply at an adequate pressure.

9.5 An easily accessible and properly functioning stop cock to isolate the water supply should be provided to the mains water supply within the dwelling.

9.6 Water storage tanks should be properly housed and supported, secured, insulated and covered.

9.7 The water supply must not be unreasonably interrupted.

10 Lighting

10.1 There should be sufficient natural light during daylight hours to habitable rooms to enable normal domestic tasks to be carried out without eyestrain. Sufficient artificial lighting to all habitable rooms, kitchens, bathrooms, WCs, stairways, circulation spaces and common parts. (External obstructions to natural light must be taken into consideration).

10.2 Windows should be of adequate size, shape and position to allow daylight to penetrate into rooms. The minimum level of natural light can be achieved by providing windows of one tenth (1/10th) of the room floor area.

10.3 Artificial light to habitable rooms should be sufficient to enable domestic and recreational activities to be carried out without eyestrain.

10.4 Adequate artificial lighting should be provided to common parts such as hallways and staircases. This should be adequately sited and provide sufficient level of control. Time switches in common parts are generally acceptable provided there are adequate time intervals to allow occupants to pass safely between illuminated areas.

10.5 Two way control of artificial lighting should be provided to long corridors and lighting covering staircases to allow safe passage.

10.6 Adequate external lighting should be provided to all means of access and egress.

11 Space Heating

11.1 The provision of adequate heating throughout a property is considered under Hazard 2 (excess cold) and Hazard 3 (excess heat) of the operational guidance of the HHSRS. In assessing the deficiencies that may give rise to such hazards, an inspection of the property will examine the thermal efficiency of the building taking account of the thermal capacity and performance of the structure. Regard should be had to heat loss through the external walls and roof; the size, extent and design of any fixed heating and ventilation systems; and any disrepair that may contribute to these hazards.

11.2 The heating system should comprise of either full gas central heating or electric storage heaters at off peak or low cost rates (such as economy 7 or economy 10). A heating system comprising of programmable fixed electric room heaters may also be acceptable in modern homes provided with a high level of thermal insulation.

11.3 Where the house is not provided with central heating to the whole of the dwelling, it must be adequately and efficiently heated with the provision of permanent, fixed heating appliances or space heaters. Any heating system should be appropriate to the design, layout and construction of the building and provide adequate heat output to efficiently heat the whole of the property.

11.4 Wall mounted gas fires must be connected to a suitable flue and terminal outlet and be adequately serviced and gas safety checked annually in accordance with The Gas Safety (installation & Use) Regulations 1998.

11.5 The heating should be properly installed and regularly maintained by a Gas Safe registered engineer or competent registered electrical engineer. Copies of their certificates should be provided on demand.

11.6 The use of paraffin, oil filled radiators, or liquefied petroleum gas heaters (LPG) (bottled gas heaters) shall **NOT** be acceptable under any circumstances, whether provided by the landlord or tenant.

11.7 Fixed Electric converter type heating is generally not accepted as a suitable form of fixed space heating as it is generally not an efficient and affordable source of fixed space heating. However consideration will be given for the use of such heating system where there is adequate provision of cavity/solid wall insulation, double glazing and roof insulation, also taking account of a adequately sized heaters for the volume of each room. Each property would be assessed on its own merits for such a type of heating system.

11.8 In addition to the above consideration will be given for the use of electric converter heating where the cost of the heating is included in the rental without additional costs to the occupiers, provided there is sufficient amount of annual Kwh usage to the

occupier. While taking account of the appropriately size heating appliances to each room and other energy saving factors.

11.9 Any heating system should be **economical** and capable of achieving a healthy indoor temperature of **21°C** for each habitable letting room, and **18°C** in all other rooms and common areas.

11.10 Any form of heating must be **controllable by the occupier** and safely and properly installed and **maintained**.

11.11 Unless there is evidence of high level of thermal insulation of the property convector electric wall mounted heaters are a secondary source of heating and **NOT** the primary source of fixed space heating.

11.12 Effective insulation should consist of a minimum 200mm loft insulation or equivalent to achieve the performance above. All hot water cylinders should be properly insulated.

11.13 In properties where the heating is centrally controlled, such systems should be operated to ensure that occupants are not exposed to extreme indoor temperatures, and should be provided with controls to allow the occupants to regulate the temperature within their dwelling.

11.14 Premises should be improved over time to meet an aspirational minimum standard of an EPC Band C as part of the Government's commitment to reduce greenhouse gas emissions by 80% by 2050, compared to 1990 levels. The Council recognises the difficulty in achieving the high levels of energy efficiency represented by EPC bands A, B and C in older properties; it will work with landlords to provide advice and details of possible grant funding opportunities to improve the energy efficiency of such properties.

11.15 No properties should be let as residential accommodation with an EPC rating of less than an E.

11.16 Coin-operated heating and/or hot water systems in habitable rooms, common rooms and common parts are **NOT** acceptable.

11.17 All occupants should have access to their gas meters and emergency isolation valve to isolate the gas supply.

11.18 All occupants should have access to their mains electrical distribution board to isolate the electrical supply or reset fuses.

12 Ventilation

12.1 Adequate ventilation removes excess moisture that can contribute to condensation and pollutants. Inappropriate and or inadequate ventilation can contribute to the hazards damp and mould, excess cold, excess heat and pollutants. The dwelling should be able to cope with normal occupant activities that may produce excess moisture, without persistently high relative humidity. There should be provision for the safe removal of moisture-laden air during peak production.

12.2 The dwelling should be adequately ventilated, insulated and screened so that the occupants do not suffer from excessive heat.

12.3 This should include extraction during cooking or bathing, either by mechanical means, passive stack ventilation, or a combination of both, and direct venting of clothes drying facilities (whether tumble driers or drying cabinets) to the exterior.

There should be sufficient and appropriate means of ventilation to deal with moisture generated by normal domestic activities without the need to open windows.

12.4 Opening windows can result in heat loss, noise, and may be a security risk.

12.5 Background ventilation should be provided to window frames (trickle vents) or external walls (air bricks) with an area of 8000mm². All such vents must be controllable by the occupier. Alternatively by use of a passive stack or MHRV system.

12.6 The flues of all permanently closed fireplaces should be fitted with adequate ventilation to stop condensation.

12.7 Ventilation of basements and suspended sub floors spaces should be provided with air bricks or wall vents to prevent moisture to structural elements of these spaces. These vents must be unobstructed and prevent access by rodents.

12.8 Such ventilation problems that contribute to hazards for excess cold and excess heat can be reduced or eliminated as follows:

12.1 Kitchens and Bathrooms

- Mechanical extract ventilation should be provided in kitchens and bathrooms in accordance with Approved Document F of the Building Regulations.

- By the provision of mechanical extract ventilation that is automatically humidistat controlled.
- Extraction fan wired to the lighting switch with a minimum 15 minute overrun facility and capable of giving a minimum of 4 air changes per hour.
- Mechanical extraction fans should provide a minimum extraction rate of 60 litres of air per second for kitchens and 15 litres per second for bathrooms.
- Mechanical ventilation **MUST** be provided in bathrooms and kitchens where there is no natural ventilation.

12.2 Living Rooms and Bedrooms

- Adequate permanent rapid ventilation, i.e. opening windows must have openings of no less than one twentieth (1/20th) of the floor area.
- Background ventilation to window frames (trickle vents) or external walls (air bricks) with an area of 8000mm². All such vents must be controllable by the occupier.
- In habitable rooms where the ventilation is naturally restricted (e.g. basements), a minimum floor to ceiling height of 2.13m (7ft) is required. In all habitable rooms the opening window and other ventilation openings should normally extend to 1.75m above the floor level.

13 Crowding and Space Standards

13.1 Space standards and overcrowding are addressed by Hazard 11 (crowding and space) of HHSRS.

Shortage of space and overcrowding can increase the risks associated with other hazards, i.e. falls, collisions, burns and scalds, and fire. Therefore sufficient space is required to enable the household to safely utilise all facilities within the dwelling.

13.2 The minimum space standards for a mandatory licensed House in Multiple Occupation is defined in “The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licenses) (England) Regulations 2018. Table 3 below sets out the minimum space standard requirements in licensed HMO’s.

13.3 When calculating the floor area of a sleeping room regard should be had for a sloping ceiling, any floor to ceiling height of less than 1.5metres this area shall not be taken into account when determining the floor area of the room.

13.4 Additionally the shape and usable space afforded by a room should be considered alongside its gross floor area. Floor space should be discounted where it does not contribute practically to the spaciousness of a given room, For example, the area taken up by a solid chimney breast should be discounted, as should narrow

entrance lobbies to rooms as this is not usable space. The area taken up by en-suite amenities should also be discounted. Rooms should have a minimum ceiling height of 2.14m over not less than 75% of the room.

Table 3 - Bedroom Sizes

Number of People	Minimum size of sleeping room
One person (over 10 years)	6.51m ²
Two persons (over 10 years)	10.22m ²
One person (under 10 years)	4.64m ²

13.5 The space standards in table 3 above are a Mandatory condition for licensed HMO's.

13.6 Where the minimum requirements for space standards in a licensed HMO is less than the standard in the above table, you will be required to comply with the above standard on expiry of the current contractual tenancy period or within 18 months of a notification of the breach of the regulations, whichever is the sooner.

13.7 The HMO must not be overcrowded. Sleeping accommodation must ensure adequate privacy. Any sharing of the sleeping accommodation will be dependent on the size of the room and the relationship of those sharing.

13.8 Children over the age of 10 years of age can share a sleeping room only with other child/children of the same sex.

13.9 Sleeping accommodation will be in the form of single or double rooms and each room must be occupied by a single household i.e. related persons such as husband, wife, son, daughter, brother, sister etc. This also includes co-habiting couples and same sex couples.

13.10 This means that a landlord cannot place two unrelated persons in a room unless those persons have agreed between themselves, and without coercion, to share a room which is large enough for two persons. Typically, friends might choose a property with this sharing in mind but, should one of them choose to leave, the landlord **cannot** place another person to share the room with the remaining person from the original sharers.

13.11 Uninhabitable rooms intended for use as bedrooms will not be permitted towards the total numbers within the dwelling. Examples of such rooms might include poorly converted attic or bedroom spaces without adequate lighting/ventilation or sufficient ceiling height and bedrooms “inner room” entered via second bedroom.

13.12 Every room used as a sleeping room should be at least capable of accommodating together with activity space for each room:

- A bed
- A wardrobe, which may be built-in, or cupboard of adequate size.
- A chest of drawers

14 Usable Space

14.1 Useable space is space that can be used for everyday activities, such as dressing, eating and recreation. The amount of useable space required will depend on whether or not communal living space is available. Where no communal living space is available via a Lounge/Living room, additional size requirements are to be provided in sleeping rooms to take account of the recreational space required.

14.2 Certain areas of the floor space may not be counted for the purposes of calculating useable space e.g. the space occupied by the alcoves either side of a chimney breast or the space needed to open a door in a narrow corridor.

14.3 Any floor area which does not have a minimum floor to ceiling height of **1.5m** such as with a sloping ceiling will normally be discounted from the room area calculation.

15 Guidance on Space Standards for Student Houses and Bedsits (without communal lounge)

Note: The following tables 4-8 are guidance only on minimum space standards with residential premises. Table 3 above is a Statutory Legal requirement for space standards.

15.1 Guidance – Non-statutory space standards

Table 4 - Minimum bedroom sizes with shared kitchen/bathroom amenities

Type of Premises	Minimum bedroom size
No Additional Separate Living Space – 1 person	10.21m ²
No Additional Separate Living Space – 2 persons	14m ²

15.2 - Bedroom Sizes with Kitchen Facilities Included

Table 5 - Minimum Bedroom sizes with Kitchen facilities

Type of premises	Minimum bedroom size
No additional Separate Living Space/kitchen – 1 person	13.5m ²
Separate Living Space provided & NO Separate kitchen – 1 person	10m ²
No additional Separate Living Space/kitchen – 2 persons	18.5m ²
Separate Living Space provided & NO Separate kitchen – 2 persons	14.5m ²

15.3 Guidance - Communal Shared Lounge/Living Room Sizes

Table 6 - Minimum Communal Lounge/Living Space Sizes

Number of persons occupying the dwelling	Minimum lounge/living room size
1	11m ²
2	12m ²
3	13m ²
4	14m ²
5	15m ²
6	16.5m ²
7	17.5m ²

15.4 Space Standards for Self-Contained Flats

Table 7 - Minimum Non-Sleeping Room Sizes

Number of persons occupying the dwelling	Minimum lounge/living room size	Minimum Kitchen size
1	11m ²	5.5m ²
2	12m ²	6.5m ²
3	13m ²	6.5m ²
4	14m ²	7m ²
5	15m ²	8m ²
6	16.5m ²	8m ²
7	17.5m ²	9m ²

Table 8 - Flat Minimum Bedroom Sizes

Bedroom type	Minimum size
Double Bedroom (2 Persons)	10m ²
Single Bedroom (1 Person)	6.51m ²

16 Gas and Electricity Supplies

16.1 Gas Installations

16.1 All gas supplies, distribution pipe-work and gas fired appliances must comply with the relevant Gas Safety (installation & Use) Regulations 1998.

16.2 All gas appliances should be properly fixed and ventilated, Gas Safe approved and should be certified as safe by a Gas Safe registered engineer on an annual basis. There should be no evidence of the production of Carbon Monoxide, Nitrogen Dioxide, Sulphur Dioxide or un-combusted fuel gas.

16.3 All gas appliances must have an annual gas safety check undertaken by a GAS SAFE registered engineer. A copy of the gas safety record must be made available to the occupier(s) and any change of tenant in accordance with the gas safety regulations.

16.4 All gas appliances should be serviced and maintained regularly in accordance with the Gas Safety (Installation & Use) Regulations 1998 and or the manufacturer's instructions (usually every 12 months).

16.5 Occupants should not be exposed to the risk of explosion from gas appliances and installations or other heating systems

16.6 In the case of a property divided into individual self-contained Flats, a separate gas meter should be provided for each unit of accommodation (Flat). Meters should be readily accessible and the gas isolation valve should be within 500mm of the gas meter.

16.7 The property manager **MUST** keep the previous two years gas safety records for all privately rented residential property types available for inspection upon request.

16.8 All work to any gas appliances must be carried out by a suitably qualified gas engineer.

16.9 Where occupants need to operate controls for gas fired central heating or hot water systems, simple and precise instructions for their safe and efficient use must be available.

16.10 An emergency control isolation valve must be provided within 500mm of the gas meter that all occupants can easily access.

16.11 Further guidance on provision and control of heating systems can be found in section on space heating.

16.12 Legislation introduced in October 2015 (amended in 2022), requires landlords of private rented properties in England to fit a carbon monoxide detector in any room that contains a fixed combustion appliance other than a gas cooker. It is also considered best practice to install a carbon monoxide detector in any room which contains a gas appliance.

16.2 Electrical Installations

16.13 In HMOs the increased number of occupants can impose a significant extra load on the power and lighting circuits. The capacity of these circuits must therefore be sufficient to maintain safe use.

16.14 All electrical installations including fixed equipment must be installed and maintained in accordance with the most recent version of the Institute of Engineering and Technology (IET) Regulations.

16.15 Any new installations or alterations to existing installations must be done in accordance with Document P of the current Building Regulations.

16.16 All electrical installations must be inspected and tested in accordance with the IET Regulations, currently at least every 5 years, and the results recorded in an appropriate register. It is recommended that each system is fully checked on the commencement of a new tenancy. Any Code 1 or 2 defects identified on an installation and inspection report MUST be rectified and suitable certification provided of the works undertaken.

16.17 Any electrical installation and condition report must be made available to Liverpool City Council on demand in writing within 14 days.

16.18 Any electrical installation and or alterations must be carried out by a suitably qualified electrical engineer (Registered with a UKAS approved competent persons scheme).

16.19 Landlords who provide electrical appliances (cookers, washing machine, fridge freezer, tumble dryers, immersion heaters, microwaves, kettle, toaster) as part of the tenancy, the Electrical Equipment (Safety) Regulations 1994 and the HMO Management Regulations 2006 & 2007, will require that such appliances are safe to use.

17 Fire Precautions

17.1 In accordance with section 10 of the Housing Act 2004, Liverpool City Council will consult with Merseyside Fire & Rescue Service, on the provision of suitable fire safety measures in HMO's. To ensure the fire safety measures are suitable, effective and appropriate for the type and layout of the HMO to protect the occupiers from fire.

17.2 The risk of a fire occurring and the harm a fire could cause is increased in multiple occupied dwellings, which may be due to a number of factors such as but not limited to, increased number of occupants, their behaviour, accidents, misuse of equipment or appliances, structural defects/disrepair. Therefore measures must be taken to reduce the likelihood of fire occurring and the levels of risk to occupiers in the event of fire.

17.3 Under the Regulatory Reform (Fire Safety) Order 2005, there is a requirement to have a fire risk assessment carried out to the communal parts of a HMO. This must be completed by a competent person with sufficient knowledge and experience of fire risk assessments, such as a certified fire risk assessor. The fire risk assessment of the common parts is a "Type 1" fire risk assessment and only covers the common parts. It is recommended that any such fire risk assessment should include the units of accommodation which is a "Type 3" fire risk assessment.

17.4 The strategy to reduce the risk of harm to the occupiers in the event of a fire has two main components. The first is to give the occupants early warning in the event of a fire occurring and the second is to provide a safe means of escaping from any room in the house (**Protected Route**) to a place of safety

17.5 There is no one size fits all approach to fire safety in HMO's. The vast number of variations in the layout, type of building, the occupants etc. means that a risk based approach is required. There are of course some general guidelines for some categories of property which will be discussed in this document, but to determine the finer details of the levels of protection required, the risks associated with each individual will need to be assessed on its own merits in accordance with Document B of the Building Regulations and the relevant British Standards for fire safety BS5839.

17.6 We stress again that the following information is not a schedule of works; it is a guide on the general requirements. You will need to carry out more in-depth research that should include a fire risk assessment by a competent person and in the back of this guide you will find links to useful sources of information. The Council may be able to advise you but please be aware that we cannot make advisory visits to the property.

17.7 Be as accurate as possible in your assessment of the property and try to avoid categorizing the risks lower than they are, in order to save costs. This may end up costing more in the long run if the Council finds that the risks are not adequately reduced.

17.8 Regular checks are required of HMO properties to ensure fire safety standards are maintained throughout the course of a tenancy. These checks as recommended in BS5839 for fire alarm systems and BS8214 for fire doors in addition to the requirements of the Regulatory Reform (Fire Safety) Order 2005, should be at minimum frequency of monthly intervals for fire alarm systems and regular intervals for fire doors and frames.

17.9 All such maintenance and testing of fire safety measures should be recorded and kept for your records. These records to be made available to the local authority on demand.

18 General Fire Safety Information

18.1 Should the property have been converted and meet with the full requirements of **Document B** of Building Regulations, post 1991 for structural separation, compartmentation and early warning fire alarm systems (all of which is completed with relevant certificates), then no further fire precaution works will be required. However if there are any material changes to the original conversion further fire safety matters may be applicable.

18.2 Below is a guide to various general fire safety standards required for HMO's. This is not intended to cover all fire safety matters required and you should carry out a fire risk assessment by a suitably qualified and competent person to determine the level of fire safety matters:

- An automatic fire detection system conforming to the requirements of the British Standard **BS5839; Part 6:**
- A non-maintained Emergency Lighting system conforming to **BS5266 Part 1**
- Alterations and conversions to be carried out in accordance with the minimum standards of Document B of the Building Regulations.
- Protection of the internal structure to provide Half-hour fire resistant separation between each floor level, adjoining units of accommodation and the protected escape route (i.e. communal hallway, landings, staircase).
- In order to achieve the above 30 minute fire resistance throughout, walls, ceilings, floors (**including basement ceilings**), and between units of accommodation and compartmentation must be of 30 minute fire resisting construction.
- Doors that open onto the protected route (i.e. kitchen, lounge, dining room and bedroom doors) to be Fire Doors installed and maintained in accordance with the manufacturer's instructions, displaying the appropriate fire labelling and capable of achieving the appropriate fire resistance in conjunction with their frames.
- Fire doors installed without the appropriate labelling and certification **MUST** be compliant with the minimum British Standards for fire door installation and maintenance **BS8214.**

- All Fire Doors and frames displaying evidence of non-compliance will require an inspection from a certified fire door inspector, to produce a report on the condition of the fire doors and remedial works for compliance with **BS8214**.
- All fire door components and ironmongery must comply with **BS476**:
- Fire blankets in containers to **BS6575**: in the kitchens. These should be positioned approximately 1.5m above floor level.
- Gas and electricity distribution panels, meters and fuse boxes in the common parts must be enclosed to give half hour fire resistant cupboard, and provided with a lockable door. Affix a standard blue disc '**FIRE DOOR KEEP SHUT**' signs.
- Occupants must be able to exit the house from any main or secondary means of exit **without the need to use a key**.
- All habitable rooms that open onto the protected route must be capable of exiting the room without the use of a key.
- Additionally, fire extinguishers *may* be provided if tenants are to be instructed on their correct use; in which case they should be nine-litre water type, 13A rating, to BS EN3: 1996 and placed on every landing on the common staircase. They should be mounted on wall brackets, with the top of each extinguisher approximately one metre above floor level.

18.3 The types of fire alarm systems required in HMO's with the appropriate level of coverage throughout a property, will differ depending on the type and use of the HMO. Information on the appropriate fire alarm system for an HMO can be found in **BS5839 Part 6**.

18.4 It is important to note that the installation of any fire alarm system in a HMO with sleeping rooms, must take account of the requirement to arouse persons from sleep during an alarm. Therefore when deciding the type of fire alarm system you should have regard to the audibility as mentioned in **BS5839**.

18.5 Guidance is also available in the LACORS Fire Safety Guide on fire safety matters, however in all cases the level of fire safety must be assessed for each HMO on its own merits taking account among other things such as, layout and design, number of storeys, use of the HMO, vulnerability of occupiers, etc.

19 Emergency Escape Windows

19.1 A room from which the only escape route is through another room is called an inner room. The room through which you have to pass is the access room. Inner rooms should not be used as bedrooms because there is a much greater risk to the occupants should a fire start in the access room, which could result in the occupant of the inner room becoming trapped with no means of exit to a place of safety. This situation could arise, for example, where a bedroom is accessed from a living room.

19.2 An inner room situation can be overcome by the provision of an emergency escape window or door leading to an alternative escape route to a place of safety away from the building. Escape windows must enable a person to reach a place of

safety free from danger from the fire and are therefore generally provided to ground floor windows only. However escape windows may be provided to first floor rooms, provided that the distance from the windowsill to external ground level does not exceed 4.5 metres. Such rooms should only be occupied by persons physically capable of escaping via this route.

19.3 The escape window should have an unobstructed openable area that is at least 0.33m² and at least 450mm high and 450mm wide (the route through the window may be at an angle rather than straight through). The bottom of the openable area should be not more than 1100mm above the internal finished floor.

19.4 Keys for escape windows MUST always be kept either in the lock or in a specially designated and clearly-signed location as close as possible to the window itself.

19.5 Where there is an inner room with an approved escape window to a place of safety, a hard-wired smoke/heat detector must be located in the access room, which is interlinked with the appropriate fire alarm system in the building.

20 Security

20.1 This covers keeping a dwelling secure against unauthorised access and the deterrence of intruders by considering the use of window locks or deadlocks, burglar alarms, security lighting etc.

20.2 In particular all ground floor and other accessible windows should be protected by the provision of suitable window locks or other appropriate security measures. In the case of key operated window locks, such keys must be so located as to be readily available at all times.

20.3 The front and rear doors must be of sound construction and be well maintained. Outward-opening doors must have hinge bolts fitted.

20.4 The front door must be fitted with a suitable viewer where the door is not fitted with a vision panel.

20.5 The front door should be provided with a suitable safety chain.

20.6 Front and rear final exit doors must be provided with a secure lock. Those doors fitted with a lock, including final exit doors forming part of the means of escape, must be capable of being opened from the inside without the use of a key. In addition, the rear door is to be provided with a barrel bolt (200mm min) unless the door is fitted with a shoot bolt locking mechanism (3 or 5 point locking).

20.7 Where electronic door entry systems are provided, these must be in good working order and regularly maintained.

20.8 Where necessary or appropriate, pedestrian routes to the main entrance of the property should be fitted with adequate security lighting.

20.9 Where the property is fitted with an alarm, key holder details should be notified to the Council's Public Protection Division.

21 Refuse Storage and Disposal

21.1 Poorly stored food and other household waste will attract pests which could contaminate other food sources and pose a risk to the health and safety of the occupants. In order to minimise the hazards posed by household refuse, there must be suitable and sufficient provision for the storage and disposal of household waste awaiting collection.

21.2 There should be refuse storage within the dwelling that is readily accessible to the occupants and sited so as not to be a danger to children, or cause problems with hygiene and attract pests.

21.3 There should be adequate provision of external refuse storage areas which should be adequately ventilated and capable of being readily cleansed. Any such areas must be sited so as not to allow air from the store to enter any living space.

21.4 Notices with all appropriate information on the refuse collection arrangements should be placed in the common areas of the property including information relating to the colour coding of bins for each type of household waste.

21.5 Each HMO must be provided with a suitable number of refuse bins for general waste and recycle waste, taking account the numbers of persons in occupation.

22 Anti-Social Behaviour

22.1 HMO landlords have a duty to tackle anti-social behaviour (ASB) within their properties, in particular it is a condition of a mandatory HMO licence to address such anti-social behaviour.

22.2 The landlord/licence holder must effectively address all problems of anti-social behaviour resulting from the conduct on the part of their tenants, occupiers, or visitors to the premises. Some of the steps to deal with ASB are mentioned below amongst other steps that may be appropriate:

- a) The Landlord must provide the tenants with information regarding Anti-Social Behaviour.

- b) The Landlord must affectively deal with all reported incidents of anti-social behaviour.
- c) The Landlord must continue to monitor any alleged reports anti-social behaviour.
- d) Where anti-social behaviour is continuing, the Landlord, or his/her agent, must provide appropriate warning in writing to the tenants and advise of the possibility of eviction.
- e) Continued anti-social behaviour the landlord must take appropriate steps to enforce the terms of the tenancy or to terminate it, including, where necessary, by taking legal proceedings against the occupier(s).
- f) The landlord must, on written request provide the Local Authority in writing a plan setting out the steps he/she proposes to take to resolve the ASB.
- g) Anti-social behaviour resulting in criminal activity must be reported to the appropriate authorities.

23 Management

23.1 The management regulations are a set of statutory requirements that describe the minimum standards managers of certain HMO's must adhere to. The table below sets out the type of HMO's to which the management regulations apply. Where such regulations apply it is a statutory requirement to comply with these regulations. All HMO property managers are advised to obtain a copy of these regulations which can be downloaded from www.legislation.gov.uk

Table 9- HMO Management Regulations

Property type	Applicable legislation
Bedsits, Student Houses with 3 or more occupants, a dwelling that contains both bedsits and self-contained flats	Statutory Instrument No. 372 (2006) The Management of Houses in Multiple Occupation (England) Regulations 2006
Self-contained flats that were converted prior to 1992 or were converted with Building Control Approval	Statutory Instrument No. 1903 (2007) The Licensing and Management of Houses in Multiple Occupation (Additional Provisions)(England) Regulations 2007

23.2 Below is a summary of the main requirements of the management regulations, however it is recommended that you read the regulations and make yourself aware of the requirements.

23.3 There are no statutory enforcement notices attached to the management regulations, a person who fails to comply with any duty under the regulations commits an offence. Therefore it is at the Council's discretion whether or not to take enforcement action for breaches of the requirements. Any such enforcement action may include legal proceedings.

- Landlords name, address and contact details displayed within the property.
- Ensure provision and maintenance of appropriate Fire Safety Matters
- Ensure that water and drainage systems are maintained and in good working condition at all times.
- Gas and Electrical installations are certified and maintained by competent persons at required intervals.
- Maintain and keep in good working order the common parts, fixtures, fittings and appliances.
- Maintain and keep in good working order the living accommodation.
- Provision of adequate waste disposal.

Also, as part of the Council's intention to drive up standards in the private sector, we have the Liverpool Healthy Homes who deal with fuel poverty and energy efficiency in the home. The Healthy Homes Team can offer advice to people struggling to pay their energy bills and heat their home and can offer a Green Homes Grant to qualifying eligible tenants to make your home warmer and reduce energy bills. Thus improving the standard of accommodation, details on any of the assistance available can be found on the linked webpages below and related pages.

The Liverpool Healthy Homes Improvements can be found at;
<https://liverpool.gov.uk/housing/fuel-poverty-and-energy-efficiency/>

24 References

1. The Housing Act 2004
2. Housing Health and Safety Rating System Operating Guidance, 2006
3. The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions)(England) Regulations 2006, SI 2006:373
4. The Management of Houses in Multiple Occupation (England) Regulations 2006, SI 2006:372
5. The Licensing and Management of Houses in Multiple Occupation (Additional Provisions)(England) Regulations 2007, SI 2007:1903
6. Guidance for Landlords and property related professionals on Housing Health and Safety: <https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-guidance-for-landlords-and-property-related-professionals>
7. The Metric Handbook Planning and Design Data, 2nd Edition – Houses and Flats
8. The Metric Handbook Planning and Design Data, 2nd Edition – Student Housing and Housing for Young People
9. Housing - Fire Safety Guidance on fire Safety Provisions for Certain types of Existing Housing, LACORS: 2008
10. Regulation of Crowding and Space in Residential Premises, LACORS: 2009
11. The Gas Safety (Installation and Use) Regulations 1998
12. British Standards Institution (1990) BS 8214:1990: Code of Practice for Fire Door Assemblies with Non-Metallic Leaves.
13. British Standards Institution BS 5839-1:2002 Fire detection and fire alarm systems for buildings — Part 1: Code of practice for system design, installation, commissioning and maintenance (as amended)
14. British Standards Institution BS 5839-6:2004 Fire detection and fire alarm systems for buildings — Part 6: Code of practice for the design, installation and maintenance of fire detection and fire alarm systems in dwellings (as amended)
15. British Standards Institution (1999)
16. Circular 12/92 Department of the Environment.