

Bristol City Council Room Size and Amenity Standards for Licensable Houses in Multiple Occupation (HMOs) under Part 2 of the Housing Act 2004 (November 2018)

Contents:

- i. Amenity standards for HMOs or parts of HMOs either occupied by a socially interactive group (shared houses or shared flats normally subject to a joint tenancy) or by individual households living independently who either share facilities (some shared houses and bedsits) or have exclusive use of facilities (self-contained flats).
- ii. Room size standards for properties occupied as above. Please contact us for specific standards for HMOs where some board is provided – these properties are referred to as 'hostels'.

Notes:

- iii. The amenity standards include those prescribed by The Licensing and Management of Houses in Multiple Occupation and Other (Miscellaneous Provisions) (England) Regulations 2006 (SI 2006 No. 373).
- iv. The additional amenity standards indicate how the WoE local authorities will regard how the 'Tests as to suitability for multiple occupation' can be met under Section 65 Housing Act 2004.
- v. The room size standards indicate how the WoE local authorities will decide on the maximum occupation of the property under Section 64 Housing Act 2004; this is known as the 'permitted number'.
- vi. The above standards need not necessarily be met on the date a licence becomes operative. Where this is not the case the licence will be issued with conditions requiring compliance with the standards within a required time period.
- vii. The standards do not apply to non licensable HMOs. Instead, the housing health and safety rating system under Part 1 Housing Act 2004 will be used to assess the suitability of amenity standards and living space.
- viii. All licensed HMOs will be subject to an assessment using the housing health and safety rating system under Part 1 Housing Act 2004. As result, it is possible that there will be additional requirements to be met.

Application:

- ix. Where reasonably practicable all HMO licensing standards must be complied with. However, every case must be considered on its own merits as Councils cannot apply a blanket set of standards for all HMOs in its district taking no account of the individual circumstances of the HMO in question. This will particularly be in respect of those standards that are not prescribed by legislation.

**LICENSING STANDARDS FOR HOUSES IN MULTIPLE OCCUPATION
FOR FACILITIES PROVIDED FOR SHARED AND EXCLUSIVE USE**

Personal washing and toilet facilities

Location, size and condition	General	<p>All facilities should be located in rooms of an adequate size and layout within 2 floors of any bedroom and accessible from communal areas unless provided as en-suite facilities for the exclusive use of that occupant. Facilities should be inside the building.</p> <p>All baths or showers, toilets and wash hand basins should be of an adequate size and be provided with an adequate water supply, necessary fittings, drainage and be in a satisfactory condition to enable thorough cleaning. Constant hot water at a suitable temperature to be provided to baths / showers and wash basins. Baths or showers and wash hand basins should be properly sealed into wall surfaces and have 300mm of tiled splash back (or equivalent). Bathrooms and toilet compartments should be of an adequate size and layout.</p>
	Shared use	<p>To be provided either within each individual unit of accommodation or within each shared bathroom and compartment containing a toilet.</p> <p>Within each room and compartment containing a toilet.</p>
Wash hand basins	Exclusive use	Within each room and compartment containing a toilet.
	Shared use	<p>Where there are four or fewer occupiers sharing there must be at least one fixed bath or shower and a toilet (which may be situated in the bathroom). Where there are five or more occupiers sharing there must be at least a fixed bath or shower for every 5 occupants (or part of) and at least one toilet separate to the bathroom for every 5 occupants (or part of), a further complete bathroom would be acceptable in place of a separate toilet. If it is not reasonably practical to do this we will be happy to discuss alternatives with you . See table below as to how this standard can be met.</p> <p>In hostels where children are accommodated at least one bath should be provided.</p>
Baths or showers and toilets	Exclusive use	A fixed bath or shower and a toilet.
	General	<p>Bathrooms to have mechanical ventilation to the outside air at a minimum extraction rate of 15 litres/second in addition to any window(s).</p> <p>Each toilet in a separate compartment is required to have a window equivalent to 1/20th of the floor area or mechanical ventilation extracting at a minimum extraction rate of 6 litres/second.</p> <p>Ventilation should not be obstructed externally.</p>
Ventilation		

Heating	General	A fixed heating appliance in each bath or shower room sufficient to minimise condensation and provide thermal comfort.
Kitchens		
Location, size and condition	General	<p>If kitchens do not have a suitable dining area this facility must be provided within one floor distant (this may be a living room, bedsit or bedroom of suitable size - see standards for room sizes).</p> <p>If hostels provide all main meals the kitchen facilities below are to be provided for every 10 occupants and the cooker can be replaced with a microwave. If hostels have a commercial kitchen where access is not available at all times a separate kitchen must be provided to the standards below.</p> <p>Kitchens must have a safe and efficient layout and be of a suitable size - see standards for room sizes.</p> <p>All facilities and equipment must be fit for purpose.</p>
Sinks	Shared use	A sink with constant hot and cold water, a draining board and tiled splash back for up to 5 occupants (a dishwasher will be acceptable as a second sink) or within an individual unit of accommodation.
	Exclusive use	A sink with constant hot and cold water, tiled splash back and a draining board.
Cookers	Shared use	A cooker with a 4 ring hob, oven and a grill for up to 5 occupants or within an individual unit of accommodation (a 27 litre microwave with oven and grill will be acceptable as a second cooker).
	Exclusive use	<p>A cooker with a 4 ring hob, oven and grill.</p> <p>A cooker with a 4 ring hob, oven and grill or a 2 ring hob, oven and grill together (positioned so that hobs are at worktop level) with a microwave will be acceptable in accommodation occupied by a single person.</p>
Electrical Sockets	General	Four suitably positioned electric sockets are required plus one per major appliance (ie a cooker microwave, refrigerator/freezer, washing machine etc.).
Worktop	Shared use	Fixed worktop(s) with a smooth impervious surface for food preparation, minimum size 500mm x 1000mm for up to 5 occupants or within an individual unit of accommodation.
	Exclusive use	Fixed worktop(s) with a smooth impervious surface for food preparation, minimum size 500mm x 1000mm.

Storage	Shared use	A 0.3m ³ dry goods storage cupboard other than a sink base unit per occupier either in each occupant's room or in a shared kitchen.
	Exclusive use	A 0.6m ³ dry goods storage cupboard other than a sink base unit.
Refrigerators	Shared use	Two worktop height refrigerators with freezer compartments or 1 worktop height fridge and 1 worktop height freezer per 5 occupiers or a worktop height refrigerator with a freezer compartment within each individual unit of accommodation.
	Exclusive use	A worktop height refrigerator with a freezer compartment.
Refuse	General	Suitable and sufficient provision for household waste and recycling disposal both within the unit of accommodation and outside.
Ventilation	Shared use	Mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second or 30 litres/second if the fan is sited within 300mm of the centre of the hob. This is in addition to any windows.

Heating

Fixed heating	General	A fixed and efficient heating appliance(s) capable of maintaining a temperature of 21°C with an outside temp of -1°C in each unit of living accommodation (electrical appliances must have a dedicated socket). Heating should be available at all times and be under the control of the occupier.
---------------	---------	--

Access

All facilities are to be available at all times and be internally accessed from all bedrooms and bedsitting rooms.

Definitions

Shared use	Where one or more basic amenities (personal washing, toilet or kitchen) are shared by two or more households.
Exclusive use	Where a basic amenity is provided for the use of a single household.
Bedsit accommodation	Accommodation occupied by person(s) living independently of others in the HMO. Individual bedsits will provide the facilities for living, sleeping and cooking/eating.
Single household	Person(s) of the same family group, this includes an individual living on their own, an individual living in a group is also regarded as a single household.
Family	Includes husband, wife, partner, child, stepchild, step parent, grandchild, grandparent, brother, sister, half-brother, half-sister, aunt, uncle, niece, cousin, foster child.
Unit of living accommodation	Part of the HMO occupied by a single household, this includes bedrooms in shared houses or flats, bedsitting rooms, self contained flats (all basic amenities provided for exclusive use of that household).
Hostel	Where board is provided as part of the occupation and it constitutes a persons only or main place of residence. Hostel includes bed and breakfast and hotel accommodation used by persons as their only and main residence which is a house in multiple occupation.

Mandatory and Additional Licensing - Table to explain how the standards for baths/showers and toilets can be met

No. of persons sharing	Total no. of baths/showers and toilets* required	No. of toilets* that need to be separate	Or, no. of complete bathrooms accepted (bath/shwr toilet and whb)
1	1	0	-
2	1	0	-
3	1	0	-
4	1	0	-
5	1	1**	2
6	2	1**	3
7	2	1**	3
8	2	1	3
9	2	1	3
10	2	1	3
11	3	1	4
12	3	1	4
13	3	1	4
14	3	1	4
15	3	1	4
20	4	2	6 or (5 + 1 sep toilet)

* excluding outside toilets, a wash hand basin (whb) is to be provided within each room or compartment containing a toilet.

**only if reasonably practicable to provide ie there must be a suitable room (includes creating an en suite facility within a suitably sized bedroom) or space to install a toilet (with whb) from which a connection can be made into the foul drainage system without the need for a pumped system; alternatively, a bathroom could be partitioned off without the need to make an opening in a structural wall, the resultant layout should leave reasonable space for changing, drying etc.

LICENSABLE HMO MINIMUM ROOM SIZES

Please note when calculating the size of a bedroom any area of the room in which the distance between the lowest part of the floor and the ceiling is less than 1.5m cannot be counted towards the minimum room size.

ACCOMMODATION WITH FACILITIES SHARED BY OCCUPIERS

These standards apply where there is sharing of some or all facilities i.e. HMOs where:

- I. occupiers live independently of others e.g. single room lettings or bedsit accommodation (kitchen facilities within own room);
- II. occupiers forming a group e.g. students, professional persons and others who interact socially.

Room sizes where the room is for the sole use of occupier(s)

	Number of Persons		
	1 person under the age of 10	1	2
Kitchen	N/A	4 m ²	5 m ²
Combined kitchen and living room	N/A	11 m ²	15 m ²
Bedroom	4.64 m ²	6.51 m ²	10.22 m ²
Combined bed and living room	N/A	9 m ²	14 m ²
Combined bedroom, living room & kitchen	N/A	13 m ²	19 m ²

Room sizes where the room is shared by occupiers

	Number of Persons							
	1-3	4	5	6	7	8	9	10 ⁱ
Kitchen ⁱⁱ	5 m ²	6 m ²	7 m ²	9 m ²	10 m ²	10 m ²	11 m ²	11 m ²
Total communal living space ⁱⁱⁱ	13.5 m ²	17 m ²	18 m ²	20 m ²	22 m ²	24 m ²	26 m ²	27.5 m ²

ⁱ For more than 10 persons, please contact the Private Housing Team to discuss proposed room sizes

ⁱⁱ Independent living only

ⁱⁱⁱ occupiers forming a group (includes kitchens, dining rooms and living rooms - the kitchen must be at least the minimum size specified above)



West of England - Code of Good Management Practice

It is a requirement of your licence conditions to comply with this code. Failure to comply without reasonable excuse could lead to a formal investigation and result in prosecution or a financial penalty of up to £30 000.

1. Conduct

The licence holder agrees to: conduct business with regard to the property and the tenancy in a reasonable and equitable manner and; to answer reasonable queries and issues raised by the tenants in a timely manner (in any event to respond within 5 working days of the query or issue being raised, emergencies should be replied to within 24 hours).

2. Inventories

Licence holders to ensure that an inventory is signed by both parties at the beginning of the tenancy (or as soon as practicable afterwards) and to give the tenant the opportunity both to carry out a joint inventory inspection at the outset and to discuss the inventory at the end of the tenancy.

3. Deposits

The Licence holder must comply with all statutory obligations regarding tenancy deposit protection if a deposit is taken.

4. Repairs and maintenance

The Licence holder must carry out repairs within a time period appropriate to the severity of the problem, keeping as far as is reasonably practicable to the following timescales:

- *Emergency repairs: 24 hours* (Affecting health or safety e.g. dangerous electrical fault, blocked WC, no hot water, etc.)
- *Urgent repairs: 5 working days* (Affecting material comfort e.g. no heating or fridge failure, serious roof leak, etc.)
- *Other non-urgent repairs: 20 working days*.

5. Landlord and tenant matters

The licence holder must comply with all statutory obligations under housing and landlord & tenant legislation, in particular the landlord shall not harass or threaten a tenant. Any eviction process must be carried out in accordance with legal requirements.

Access to the property (for inspection, repairs, monitoring or other reasons) should only be by prior arrangement with the tenant and on having given 24 hours notice (except in emergencies).

6. Property Management

The licence holder must ensure that they comply with current statutory requirements relating to the safe management of the property including duties relating any asbestos containing materials, *Legionella* risks and to carry out a Fire Risk Assessment on the common parts of the property. Further information on minimum requirements are available in the West of England Rent with Confidence Scheme standards www.westofenglandrentalstandard.co.uk/standard.

7. Pest Control

Where there is an infestation of pests in a licensed house in multiple occupation the licence holder must employ a competent pest control contractor to carry out appropriate treatments to eradicate any recognised pest species infesting the property.

8. Neighbours

The Licence holder must take reasonable steps to minimise any nuisance, alarm, harassment or distress that may be caused to neighbours by the way the property is used. The licence holder will provide occupiers of the immediately neighbouring properties a contact telephone number, address or e-mail address to report any problems and will ensure that "To Let" or "Let" boards are not left up as long-term advertising features (over 28 days); and to keep the external appearance of the property in a condition taking into account its age of the property, character and locality.