

Strategy and Development

Amenity Standards for Licensable and Non-licensable Houses in Multiple Occupation

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**WELWYN
HATFIELD**
BOROUGH COUNCIL



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INTRODUCTION

This document gives advice to anyone involved with letting out a House in Multiple Occupation (HMO). Higher-risk HMOs require licences, and these amenity standards may form the basis of conditions attached to a licence. See Welwyn Hatfield Council booklet “Houses in Multiple Occupation – Licensing Guide for Landlords” for what is required.

This document sets out the legal framework and the standards required for living space, amenities, fire safety and management adopted by Welwyn Hatfield Borough Council. It is not meant to explain the detail of the law; if this is needed you should seek legal advice or refer to the specific part of legislation.

Legislative Background

Under the Housing Act 2004, The Management of Houses in Multiple Occupation (England) Regulations 2006 set out the responsibilities of the manager of an HMO. Section 17 of this guide gives further information. A copy of the regulations can be found in Appendix A.

The standards prescribed in these regulations must be adhered to in all HMOs and are the main legislation used by Welwyn Hatfield Borough Council in ensuring standards.

Part 2 of the Housing Act 2004 requires the licensing of higher risk HMOs. When considering an application, the authority must be satisfied that the property is suitable for occupation by the number of people that are proposed to live there. Some of the standards are prescribed in:

- The Licensing and Management of Houses in Multiple Occupation (Miscellaneous Provisions) (England) Regulations 2006.
- The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations, 2007.
- The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Amendment) (England) Regulations 2012.

Section 67 of the Housing Act 2004 enables a local authority to issue an HMO licence subject to conditions.

Part 1 of the Housing Act 2004 introduced a method of assessing whether housing conditions are a risk to the health of the occupiers. This is known as the Housing Health & Safety Rating System, or ‘HHSRS’. The system looks at 29 hazards such as ‘falls on stairs’. It assesses the likelihood of an incident occurring within a 12 month period that causes harm and the likely severity of that harm. If the Local Authority assesses a hazard as Category 1 or severe, the authority has a duty to take action to reduce the hazard to an acceptable level. In less severe cases, referred to as Category 2, the authority has the power to take action, rather than a duty. The range of actions available include the authority requiring the owner of a property to carry out improvements, prohibiting the use of parts of a property, the authority taking emergency action itself, or where appropriate prohibiting the use of part (or all) of a property.

Welwyn Hatfield uses the HHSRS in combination with the requirements under the Management of Houses in Multiple Occupation (England) Regulations 2006.

Local authorities also have powers to specify other standards which are outlined in this document.

The standards within this document are based on those recommended by the Chartered Institute of Environmental Health and have subsequently been amended following changes in the law and guidance.

The standards within this document are the minimum standards required for existing Houses in Multiple Occupation. Where possible, landlords should seek to exceed these minimum requirements.

Partnership Accreditation for Landlords

Welwyn Hatfield Borough Council (WHBC) recognise the important role of the private rented sector in providing accommodation for a diverse range of households. The Partnership Accreditation for Landlords (PAL) scheme was launched in January 2012 with an aim to raise the physical and management standards of the private rented sector within the Welwyn Hatfield district.

The PAL scheme is governed by a Code of Standards which stipulates best property management practice in the private rented sector. The PAL Code is consistent with the AFS/Unipol national scheme and has been developed with landlords and other stakeholders including the Fire Service, the police, Shelter, Welwyn Hatfield Community Housing Trust and the Citizens Advice Bureau. It is also consistent with national guidance and the Accreditation Network UK's (ANUK) model code.

PAL membership is voluntary and open to landlords and property letting/managing agents with residential property in Welwyn Hatfield. We also work with individuals, organisations, trades and businesses that have an interest in housing and property. On joining, all members agree to abide by the Code of Standards. PAL provides support, incentives and actively works with landlords and agents to achieve PAL 'accredited' or 'Supporter of the Code' status.

We publicly recommend Landlords, Managing and Letting Agents who achieve 'Accredited' or 'Supporter of the Code' status or are working towards such a status. PAL members are recognised for providing quality accommodation and good practice. Tenants are more likely to want to rent properties from landlords or agents who are PAL recommended.

For further information or to apply for accreditation please visit the PAL website at:

www.pal-online.org.uk

Hatfield Article 4 Direction

Changes to planning rules were implemented in January 2012, requiring planning permission for all new Houses of Multiple Occupation (HMO) in Hatfield from 12th January 2012.

An Article 4 Direction covers the whole of Hatfield and means that planning permission is now required when owners intend to turn a dwelling house into an HMO for three to six occupants.

Large Houses in Multiple Occupation, those with more than six people sharing, already require planning permission.

The change will not result in a blanket restriction on the creation of new HMOs in Hatfield - it will, however, require planning permission to be obtained.

The Council has a 'Houses in Multiple Occupation Supplementary Planning Document' (SPD) which sets out the Council's approach to planning applications for Houses in Multiple Occupation. There is currently no fee for a planning application required due to the Article 4 Direction.

The Direction does not affect Houses in Multiple Occupation in existence prior to 12th January 2012.

The decision follows changes to planning legislation which introduced the new House in Multiple Occupation classification and the substantial growth and concentration in the number of HMOs in Hatfield. A HMO is a shared house or flat occupied by unrelated individuals who share basic amenities for example a bathroom or a kitchen.

The requirements for licensing Houses in Multiple Occupation are separate from requirements for planning permission and remain unchanged by the Article 4 Direction.

These standards were reviewed in August 2013 and take effect from 11th November 2013. The information in this document supersedes all previous versions.

Welwyn Hatfield Borough Council has considered the local needs before adopting these standards for use.

For ease of use, the document is structured as follows:

Legal requirements are set out in bold type.

Adopted standards which give greater explanation of what is required, are set out following each legal requirement.

DEFINITIONS AND CATEGORIES OF PROPERTY

House	'House' is not conclusively defined in legislation but includes flats, blocks of flats, and the grounds, outbuildings and boundaries.
Household	Each of these is a single household: <ul style="list-style-type: none">• a single person;• co-habiting couples whether or not of the opposite sex;• a family of related people.
House in Multiple Occupation	A house (or flat) that is let to three or more unrelated tenants (or 2 or more households) who share a kitchen, bathroom or toilet.
Licensable HMO	An HMO that is <ul style="list-style-type: none">• 3 or more storeys high including habitable basements, attics, and any commercial property, and• is occupied by 5 or more people, and• is occupied by people as their only or main home.

FURTHER ADVICE AND INFORMATION

If you need help in applying these standards to your own situation, or you have an alternative proposal for meeting a particular standard, please contact the Private Sector Housing Team at:

Private Sector Housing
Welwyn Hatfield Borough Council
Council Offices
The Campus
Welwyn Garden City
Hertfordshire
AL8 6AE
Tel: 01707 357 672

Email: housingandcommunity@welhat.gov.uk

Planning permission may be required if an owner is considering:

- Using their property as an HMO for a 'large HMO' – seven or more tenants.
- Changing the use from a single family home to an HMO – Hatfield is covered by an 'Article 4 Direction' requiring planning permission in this situation.
- Major conversions or extensions.

For enquires please contact:

Development Management
Welwyn Hatfield Borough Council
Council Offices
The Campus
Welwyn Garden City
Hertfordshire
AL8 6AE

Tel: 01707 375 000

Email: planning@welhat.gov.uk

Please ask for the 'Duty Planner'

Building Regulation approval may be required if an owner is considering:

- conversion
- adaptation
- structural alterations

For enquiries please contact:

Building Control
Welwyn Hatfield Borough Council
Council Offices
The Campus
Welwyn Garden City
Hertfordshire
AL8 6AE
Tel: 01707 357 391

Email: buildingcontrol@welhat.gov.uk

1. HEATING

1.1 Each unit of living accommodation in an HMO must be equipped with adequate means of space heating.

- i. Fixed heating shall be provided in every habitable room, and bathroom. The means of heating shall be capable of maintaining the following internal temperatures when the outside temperature is -1°C .
 - Living room 21°C
 - Bedrooms 18°C
 - Kitchen 18°C
 - Bathroom 22°C
 - Hall/Passage 18°C

The provision of insulation can assist in meeting this standard. See Section 14.

- ii. The heating appliances must be capable of being safely used at any time, and be suitably guarded. All such appliances shall be maintained by a competent person. Gas appliances shall be inspected annually and certificated in accordance with the Gas Safety (Installation & Use) Regulations 1998.
- iii. A Carbon Monoxide detector should be installed in any bedroom or living room where there is a combustion appliance.
- iv. The use of portable paraffin, electric fan or liquefied petroleum gas (LPG) (bottled gas) heaters is unacceptable under any circumstances, whether provided by the landlord or the tenant.
- v. Heating may be provided by means of:
 - A. **Central Heating**
 - a) Central heating controls should be located in a communal area and be easily accessible to all tenants.
 - b) Radiators should be provided with Thermostatic Radiator Valves (TRVs).
 - B. **Electricity**
 - a) Should include the provision of an electric point for that exclusive purpose.
 - b) The installation must run on 'off peak' electricity using 'Economy 7'.
 - c) If storage heaters are used, they must have a built in 'boost' convector heater function in order to ensure that additional heat can be provided where necessary.
- vi. Wherever practicable, heaters (including radiators) should be fixed to an existing chimney breast or be positioned so as to direct heat towards the centre of the room, such as under a window.

2. WASHING FACILITIES, SANITARY CONVENIENCES (Shared)

1.1 Where all or some of the units of living accommodation in an HMO do not contain bathing and toilet facilities for the exclusive use of each individual household:

- a) there must be an adequate number of bathrooms, toilets, and wash-hand basins, suitable for personal washing, for the number of persons sharing those facilities;**

Washing Facilities

Number of Occupiers Sharing	Washing Facilities
Up to 5 people	One bathroom with wash basin and bath or shower
6 to 10 people	Two bathrooms
10 + people	An additional bathroom for each additional 5 persons

Wash Basins

- i. One standard sized wash hand basin, (approx. 550mm x 400mm).
- ii. 300mm high waterproof splash back.
- iii. Constant supply of hot and cold running water.

The above shall be supplied in each shared bath/shower room serving a maximum of five occupiers. The wash basin shall be connected to the drainage system via a suitable trap and provided with a plug.

- iv. In licensed HMOs, wash basins with hot and cold water are required (where reasonably practicable) in all bedrooms.

Bath and Shower Facilities

Where practicable, each unit of accommodation shall be provided with a bath or shower, located in a separate room.

Otherwise, a readily accessible standard sized bath in a bathroom, or a standard sized shower, together with adequate drying and changing space, shall be provided.

A 300mm waterproof splash back to the bath is to be provided.

In the case of a shower (whether it is over a bath or in its own compartment):

- v. The splash back shall be 150mm above the shower head and at least to the edge of a fixed shower screen.
- vi. Where a shower curtain is used the splash back should extend 300mm beyond the shower curtain.

All joints shall be adequately sealed.

Toilet Facilities

Number of Occupiers Sharing	Toilet Facilities Required
1-5 occupiers	- 1 toilet - can be sited within the bathroom
6-8 occupiers	- 2 toilets - can be sited within separate bathrooms
9-10 occupiers	- 2 toilets - 1 of which must be separate from any bathrooms
11-16 occupiers	- 3 toilets - 1 of which must be separate from any bathrooms

Each separate toilet compartment shall be provided with a suitable wash basin with constant hot and cold water and a 300mm tiled splash back.

External toilets shall be ignored.

2.1 b) Where reasonably practicable there must be a wash hand basin with appropriate splash back in each unit other than a unit in which a sink has been provided, having regard to the age and character of the HMO, the size and layout of each unit and the existing provision for wash hand basins, toilets and bathrooms.

The splash back to a wash hand basin shall be a minimum of 300mm high and at least equal to the width of the wash basin and all joints shall be adequately sealed.

2.2 All baths, showers and wash hand basins in an HMO must be equipped with taps providing an adequate supply of cold and constant hot water.

2.3 All bathrooms in an HMO must be suitably and adequately heated and ventilated.

Heating provisions are detailed previously in Section 1 and the ventilation provisions are detailed in Section 7.

2.4 All bathrooms and toilets in an HMO must be of an adequate size and layout.

2.5 All baths, toilets and wash hand basins in an HMO must be fit for the purpose.

- i. The walls and floor of any toilet, bathroom or shower room must be reasonably smooth and non-absorbent and capable of being readily cleansed.
- ii. All bathroom furniture must be of non-absorbent material and capable of being easily cleaned.
- iii. All bathroom furniture must be located at an appropriate height and with sufficient free user space to facilitate use.

2.6 All bathrooms and toilets in an HMO must be suitably located in or in relation to the living accommodation in the HMO.

- i. A bathroom shall be no more than one floor distant in relation to the bedroom, where practicable.
- ii. A toilet shall be no more than one floor distant from living rooms and bedrooms.

3. SHARED KITCHENS

3.1 Where all or some of the units of accommodation within the HMO do not contain any facilities for the cooking of food:

- a) there must be a kitchen, suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food;
- b) the kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in sufficient quantity for the number of those sharing the facilities:

i. Sinks with draining boards.

A metal or ceramic sink and drainer in good condition and of minimum dimensions of 500mm x 600mm, set on a stable base or support shall be supplied at the ratio of one sink for every 5 occupiers.

Where a house is occupied by 6 occupiers, either the provision of a double bowled sink, or a dishwasher in addition to a single sink may be treated as meeting this standard, where the Council considers that such a provision adequately meets the occupiers' needs.

A wash basin shall not be used in place of a sink.

- ii. **An adequate supply of cold and constant hot water to each sink supplied.**
- iii. **Installations, or equipment, for the cooking of food;**

Minimum Kitchen Requirements

- i) The requirements for kitchen facilities within a HMO are for a full set of facilities for every five occupants. Welwyn Hatfield Council have discretion to allow certain alternatives of facilities for properties occupied by six tenants. The table below outlines minimum requirements for different numbers of occupants.

Number of Occupants	Minimum Facilities Required
1-5 occupants	<ul style="list-style-type: none"> • 1 full sized cooker (comprising a minimum of 4 ring burners, a standard sized oven and a grill) • 1 sink (min 500mm X 600mm) with drainer unit • 1 fridge/freezer
6 occupants	As for 1 – 5 occupants, plus: <ul style="list-style-type: none"> • 1 combination microwave oven • 1 full size dishwasher or double bowled sink
7-10 occupants	<ul style="list-style-type: none"> • 2 full sized cookers positioned away from each other (each comprising a minimum of 4 ring burners, a standard sized oven and a grill) • 2 separate sinks with drainer units • 2 fridge/freezers <u>or</u> 2 fridges and 2 freezers
All appliances must be properly connected to the gas or electricity supply and must be working correctly. All gas appliances shall be maintained by a competent person.	

iv. Electrical sockets;

- i) Six power outlets per five occupiers sharing the kitchen shall be provided and sited above the worktops. Plus, one power outlet for each major appliance set at a convenient height and safe position.
- ii) Electric cookers shall be provided with a dedicated cooker point outlet suitable for the rating of the cooker.
- iii) Fixed electric space or water heating appliances sited in the kitchen shall be provided with a separate, dedicated point.

v. Worktops for the preparation of food;

Provide a fixed worktop made of smooth, impervious material of a minimum 600 mm depth x 500 mm length per occupier. It should be suitably located and is to be in addition to any space taken up by any large appliance, sink unit or cooker.

vii. Cupboards for the storage of food and kitchen or cooking utensils;

- i) Each household shall be provided with dry goods storage space either within the kitchen, or in an adjacent and readily accessible position. One standard size wall cupboard or base unit (minimum 400mm x 400mm) is required per occupant for the storage of dry goods and utensils.
- ii) If located in a communal kitchen, the dry goods storage may need to be lockable or otherwise secure.
- iii) The space in a sink unit below the sink will not be accepted for the above purposes.

viii. Refrigerators with an adequate freezer compartment (or where the freezer compartment is not adequate, sufficient separate freezers);

If possible, separate fridges should be provided per household.

Each separate household shall be provided with refrigerator space either within the kitchen, or in an adjacent and readily accessible position. Adequate freezer space shall also be provided.

ix. Appropriate refuse disposal facilities (see Section 9); and

x. Appropriate extractor fans, fire blankets and fire doors (for fire precautions see Section 5).

All kitchens shall be ventilated by means of a suitably sited extractor fan compliant with Part F of the Building Regulations.

4. UNITS OF LIVING ACCOMMODATION WITHOUT SHARED BASIC AMENITIES

4.1 Where a unit of living accommodation contains kitchen facilities for the exclusive use of the individual household, and there are no other kitchen facilities available for that household, that unit must be provided with:

a. adequate appliances and equipment for the cooking of food

The minimum requirements are:

- i. Four rings/hot plates
- ii. Minimum 28 litre oven and a grill

All appliances must be properly connected to the gas or electricity supply and must be working correctly. All gas appliances shall be maintained by a competent person.

b. a sink with an adequate supply of cold and constant hot water;

The minimum requirements are:

- i. A metal or ceramic sink and drainer in good condition and with minimum dimensions of 500 mm x 600 mm, set on a stable base or support.
- ii. A waterproof splash back should be provided to the sink and draining board and all joints shall be adequately sealed.
- iii. The sink shall be connected to the drainage system via a suitable trap and provided with a plug.
- iv. A wash basin shall not be used in place of a sink.

c. a work top for the preparation of food;

Provide a fixed worktop made of smooth, impervious material of a minimum 600 mm depth x 500 mm length per occupier. It should be suitably located and is to be in addition to any space taken up by any large appliance, sink unit or cooker.

d. sufficient electrical sockets;

A minimum of four power sockets in addition to any serving major appliances set at a convenient height and safe position above the work surface.

e. a cupboard for the storage of kitchen utensils and crockery; and

The unit shall be provided with dry goods storage space either within the kitchen or in an adjacent and readily accessible position.

- i. One standard size wall cupboard or base unit (minimum 400mm x 400mm) is required per occupant for the storage of dry goods and utensils.
- ii. Where the room is occupied by more than one individual it will require additional space.

The space in a sink unit below the sink will not be accepted for the above purposes.

f. a refrigerator.

Each separate unit shall be provided with refrigerator space either within its kitchen or in an adjacent and readily accessible position. Adequate freezer space shall also be provided.

4.2 The standards referred to in a. and f. of sub-paragraph 4.1 shall not apply where the landlord is not contractually bound to provide such appliances or equipment, the occupier of the unit is entitled to remove such appliances or equipment or the appliances or equipment are otherwise outside the control of the landlord.

4.3 Where there are no adequate shared washing facilities provided for a unit of living accommodation an enclosed and adequately laid out and ventilated room with a toilet and bath or fixed shower supplying adequate cold and constant hot water must be provided for the exclusive use of the occupiers of that unit either-

- a. within the living accommodation; or**
- b. within reasonable proximity to the living accommodation.**

- i. "Reasonable proximity to the living accommodation" shall mean no more than one floor away from the living accommodation.
- ii. Each unit of accommodation shall be provided, where practicable, with a separate bathroom or shower room, to include:
 - a) A readily accessible standard sized bath or standard sized shower in a suitable room with adequate drying and changing space.
 - b) A 300mm waterproof splash back to the bath.
 - c) In the case of a shower whether it is over a bath or in its own compartment, the splash back shall be 150mm above the shower head and up to at least the edge of a fixed shower screen.
 - d) Where a shower curtain is used the splash back should extend 300mm beyond the shower curtain.
 - e) All joints shall be adequately sealed.
 - f) Any shower shall have fully tiled walls or a complete self standing cubicle.
- iii. One standard sized wash basin, (approx 550mm x 400mm) with a 300mm waterproof splash back with constant hot and cold water shall be supplied in the bath/shower room.
- iv. The bath/shower shall be provided with an adequate supply of constant hot and cold water at all times.
- v. The walls and floor of any toilet, bathroom or shower room must be smooth and made of non-absorbent materials that are readily cleansable.
- vi. All bathroom furniture must be made of non-absorbent material and be capable of being easily cleaned.
- vii. Each separate toilet compartment shall be provided with a suitable wash hand basin with constant hot and cold water and a 300mm tiled splash back.

External toilets shall be ignored.

5. FIRE PRECAUTIONARY FACILITIES

5.1 Appropriate fire precaution facilities and equipment must be provided of such type, number and location as is considered necessary.
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All HMOs require additional fire precautions above and beyond those required for single occupancy dwellings. This is because HMOs are known to present a higher risk of fire.

The manager of an HMO has responsibility for ensuring appropriate fire precautions are in place. This responsibility is placed on the manager by the Management of Houses in Multiple Occupation (England) Regulations 2006, Regulation 4.

All HMOs shall be provided with an adequate protected means of escape from fire, together with other fire precautions including so far as necessary, a fire detection and warning system with emergency lighting to the satisfaction of the inspecting officer.

- i. Ensure that there are self closing fire doors that provide 30 minutes fire and smoke protection (FD30S) on all bedrooms, kitchens and living rooms.
 - a) All fire doors should have combined cold smoke seals and intumescent strips.
 - b) All bedroom fire doors and final exit doors (front and back door) must have locks that are capable of being opened from the inside without the use of a key (e.g. Yale type or thumb turn locks). All locks are to comply with BS 3621 or BS 1303 for cylinder locks.
- ii. Provide a fire blanket to BS 6575 (or equivalent) in the kitchen. The blanket must be mounted on the wall 1.5m high adjacent to an exit door away from the cooking facility.
- iii. All glazing panels that are above doors that open on to the fire escape route or are in walls in the escape route should be upgraded to provide at least 30 minutes fire resistance. This can either be done by replacing existing glazing with fire resistant glazing or over boarding with suitable fire resistant material.
- iv. The use of fire extinguishers is not recommended in HMOs, however if they are provided they must be:
 - a) Checked and serviced annually with records kept.
 - b) All tenants must be trained in how to use the extinguishers properly and safely.

5.2 Fire Alarm Systems

All HMOs must have automatic fire alarm systems installed. The requirements are different for two storey HMOs and for three (or more) storey HMOs. The requirements are given below and further technical guidance is available in a separate document compiled by the Hertfordshire Fire and Rescue Service entitled '**Guide to Fire Protection in Houses in Multiple Occupation – Guide for Owners, Agents and Managers of HMOs**'.

All automatic fire alarm systems (AFD) must be checked annually by a qualified person and an inspection and test certificate obtained. The AFD system and sounders should be checked monthly to ensure they are in good working order.

Two Storey HMO

Provide a Fire Alarm System to include smoke detectors in every bedroom, throughout the escape route and in communal living rooms. A heat detector in the kitchen. The detectors must be hard wired to the mains and interlinked with integral battery back-up. The system must comply with the current British Standard 5839 part 6: **Grade D**, LD2 (or equivalent). On completion you should submit a certificate from the installer to confirm that the system has been designed and installed in accordance with the relevant British Standard.

Three Storey HMO

Provide a Fire Alarm System to include smoke detectors in every bedroom, throughout the escape route and in communal living rooms. A heat detector in the kitchen. The detectors must be hard wired to the mains and interlinked with integral battery back-up. The system must comply with the current British Standard 5839 part 6: **Grade A** LD2 (or equivalent). On completion you should submit a certificate from the installer to confirm that the system has been designed and installed in accordance with the relevant British Standard.

Emergency Lighting

Arrange for the installation of suitable and sufficient emergency lighting to provide adequate coverage to the protected fire escape route. The number and position of any luminaries should be determined by your fire risk assessment. On completion you should submit a certificate to confirm that the arrangements comply with BS 5266.

Pre-payment Meters

It is not acceptable to provide power to the fire precautions via pre-payment or coin operated electric meters.

The manager is required to maintain the electric supply to the fire precaution system. Ideally this should be achieved by the installation of a dedicated electric meter that is under the control of the manager. Alternatively the contract to supply electricity should be under the control of the manager or owner of the property.

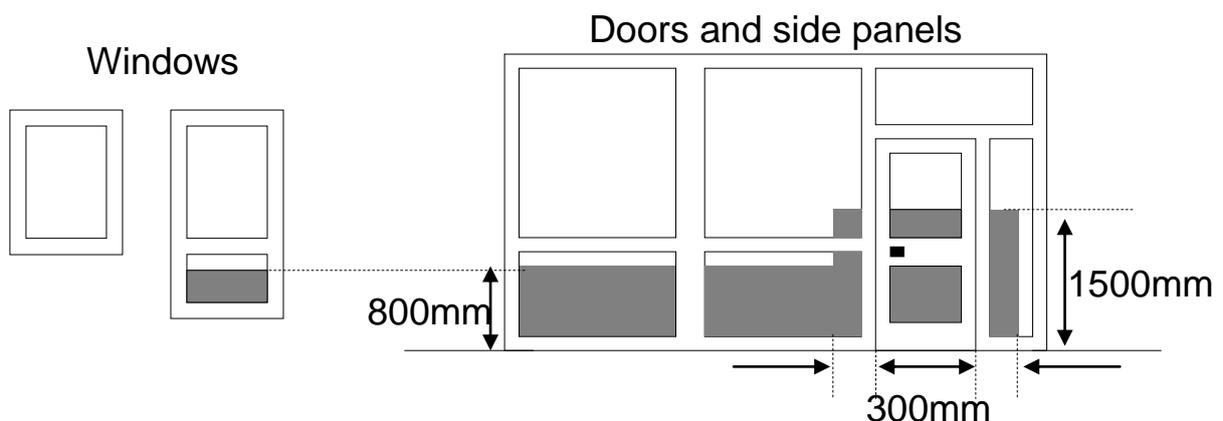
The following matters are not covered specifically in The Licensing and Management of Houses in Multiple Occupation (Miscellaneous Provisions) (England) 2006 but must be considered in regard to the Housing Health and Safety Rating System (HHSRS).

6. NATURAL AND ARTIFICIAL LIGHTING

- i. All habitable rooms shall have an adequate level of natural lighting, provided via a clear glazed window, or combined windows and/or door(s). The glazed area is to be equivalent to at least 1/10th of the floor area and to extend normally to a point 1.75m above floor level. The window shall be positioned so that the light from the window is able to illuminate most of the room.
- ii. Windows to bathrooms and toilets are to be glazed with obscured glass.
- iii. Adequate electric lighting points are to be provided to all habitable rooms, staircases, landings, passages, kitchens, bathrooms and toilets.
- iv. Glazing in critical locations (i.e. where there is a danger of falling through or of lacerations) should meet both fire resistance and safety standards i.e. the use of fire resisting safety glazing complying with current British Standard 6206: 1981 and Part N of the Building Regulations (or equivalent). See diagram below for critical locations of safety glazing. Glazing directly adjacent to staircases must also meet this standard.
- v. Windows from the First Floor and above should have window restrictors installed.

Safety Glazing Diagram

Critical locations of glazing in internal and external walls.



7. VENTILATION

- i. All habitable rooms shall be ventilated directly to the external air by a window that has an openable area not less than 1/20th of the floor area of that room.
- ii. All bathrooms and toilet compartments shall have mechanical ventilation compliant with Part F of the Building Regulations. Such an installation shall be fitted with an adequate overrun device. In the case of bathrooms, this can be connected to the lighting circuit of the room; however we recommend humidistat style fans in order to reduce the chances of tenants turning extractor fans off due to noise disturbance.
- iii. A kitchen shall have extract ventilation compliant with Part F of the Building Regulations.

Ground Floor Bedrooms

Many Ground Floor rooms which are used as bedrooms were originally designed as a living room and as such, the only ventilation is by a sliding patio door.

This arrangement is not suitable for a Ground Floor bedroom because it does not provide suitable ventilation as it cannot be effectively secured against entry. It would therefore not be possible for a tenant to satisfactorily ventilate the room at night in a secure way.

There are two options available in these circumstances.

Either

Replace the patio door with a suitable double glazed unit which provides both a secure way of ventilating the room. This could be by means of a door and window combination, the glazed area should be equivalent to at least 1/10th of the floor area with a window that has an openable area not less than 1/20th of the floor area.

It is recommended that a proposal is submitted for agreement before carrying out such works.

Or

Revert the use of the Ground Floor room back to a communal living area as originally designed.

8. DRAINAGE

- i. All new drainage shall comply with current Building Regulations.
- ii. The whole house shall be provided with an effective system, both above and below ground for the drainage of foul, waste and surface water.

9. REFUSE, STORAGE AND DISPOSAL

- i. Refuse and recycling bins or containers shall be provided in sufficient numbers to meet the needs of the house.
- ii. A suitable, easily accessible space for wheelie bins should be provided. All refuse containers should be located away from habitable rooms and wherever practicable, at the rear of the premises. All bins should be positioned so that they do not cause obstruction of footways or access ways and do not obscure natural lighting from windows below bin height.
- iii. Tenants should be provided with information on how to use their bins correctly.
- iv. For further help and advice please call the Council's Contact Centre on: 01707 357 000 or visit www.welhat.gov.uk

10. ELECTRICITY SUPPLY

1.2 The Management of Houses in Multiple Occupation (England) Regulations 2006, Regulation 6(4)

'The manager must not unreasonably cause the gas or electric supply that is used by any occupied within the HMO to be interrupted.'

- i. Electrical socket outlets shall be provided to individual rooms or lettings to a minimum standard as shown in the table. If evidence of extension leads and/or overloading of sockets is found additional sockets should be provided.

Location	Number of Sockets
Living room	4 sockets
Bedroom/study	4 sockets
Bedroom within a letting, comprising more than one room	4 sockets
Bedsits containing cooking facilities	4 sockets in kitchen area, plus 4 elsewhere

- ii. Where there is no communal living room in a property, it may be necessary to install additional sockets as tenants are likely to have more electrical devices in their bedroom.
- iii. In the kitchen area of a bedsit, at least 4 socket outlets shall be located above the work surface for the use of portable appliances.
- iv. All socket outlets shall be located in positions which permit safe, convenient and proper use at all times, having regard to the room layout. They shall not be positioned where the appliance cables are likely to pose a safety hazard.
- v. All new electrical installations shall comply with current Building Regulations and be suitably certified.
- vi. Installations must be checked at a minimum of 5 yearly intervals by a qualified electrician and an electrical safety certificate, known as an Electrical Installation Condition Report (EICR), obtained. Visual checks should be carried out during routine visits.
- vii. Portable Appliance Testing (PAT) must be carried out annually. A PAT certificate should be obtained. For portable electrical appliances less than one year old, receipts should be kept.

11. GAS SAFETY

11.1 The Management of Houses in Multiple Occupation (England) Regulations 2006, Regulation 6(4)

'The manager must not unreasonably cause the gas or electric supply that is used by any occupied within the HMO to be interrupted.'

- i. Landlords are required to ensure that gas appliances, fittings and flues provided for tenants' use are safe.
- ii. An annual safety check must be carried out and records kept for 2 years.
- iii. A copy of the Gas Safety Certificate must be provided to each tenant at the start of the tenancy.

12. FURNITURE SAFETY

- i. The Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended) set down levels of fire resistance for items of domestic upholstered furniture, furnishings and other products containing upholstery. They require that certain furniture included in rented accommodation complies with the fire safety requirements detailed in the regulations.
- ii. Any relevant furniture supplied as part of the letting will need to comply.
- iii. For licensable HMOs, the furniture safety requirements form part of the licence conditions.
- iv. Further information can be obtained from the local Trading Standards Department.

13. PERSONAL SAFETY AND SECURITY

- i. Sufficient measures must be in place to provide a secure environment for the occupiers, including appropriate locks to external doors and bedrooms to prevent unauthorised access but permit safe egress in case of fire (see Section 5).
- ii. Vulnerable windows must also be capable of being effectively secured against entry without compromising the means of escape in case of fire.
- iii. All windows on the First Floor and above should have window restrictors fitted.
- iv. Appropriate arrangements must be in place to control the issue and return of house keys on changes of tenancy, or the changing of locks. Any advice on crime prevention measures provided by the Crime Reduction Officer must be acted on. Contactable on the Police Non-Emergency number 101.
- v. Simple locks must be provided to communal bathrooms and toilets to provide privacy.
- vi. Where necessary, the installation of external security lights is recommended. This can be by means of a sensor or by using a 'dawn till dusk' light.

14. THERMAL EFFICIENCY

- i. Where possible, every property should have cavity wall insulation and loft insulation installed to current standards. At the time of review the minimum depth of loft insulation is 270mm.
- ii. Heating should be properly installed and the controls should be easily accessible by each occupant.
- iii. There should be means of providing low level background ventilation without excessive heat loss or draughts. Such as trickle vents and secondary opening in windows that can be locked.
- iv. All properties should have an up to date Energy Performance Certificate (EPC). Any additional works to improve the energy efficiency of a property recommended on the EPC by the assessor should be acted upon where possible.

15. ASBESTOS

- i. Landlords have a duty to identify and manage any asbestos containing materials in their property.
- ii. Management of asbestos containing materials involves identifying its location and condition, ensuring it is effectively sealed and making it inaccessible to prevent damage, labeling it and keeping a record of its location in the building.
- iii. If the material is in good condition and not liable to damage or disruption, for example, during work or alteration, then it is normally appropriate to leave it alone. Where the asbestos is damaged or is likely to be damaged or disturbed, an assessment needs to be made and action taken to repair, seal, enclose or remove it.
- iv. If you are aware of any asbestos containing materials you should keep a record of the location and type of material and confirm that it is in a sound condition. You should then check every 6 months to see there has been no damage and date and sign the record to show that you have done this.
- v. Any contractors must be advised of the location of possible asbestos containing materials before commencing work.
- vi. There are specific requirements for working with asbestos material and you should seek further advice from a qualified asbestos surveyor if you suspect asbestos is present in your property.

16. SPACE STANDARDS

The standards for room sizes and communal rooms outlined in this document are the minimum sizes for existing HMOs. For properties falling under the Article 4 Direction, different requirements are required as outlined in the 'Houses in Multiple Occupation Supplementary Planning Document' (SPD).

Please note: some of the minimum standards required for new HMOs under the Article 4 Direction are greater than the minimum standards required for existing HMOs. The Planning Department should be contacted as soon as possible once it is clear that planning permission under Article 4 is required.

- i. Rooms used for sleeping are not suitable for occupation by more than two people. No persons should share a room unless:
 - they are married or living together as if married.
 - they are a parent or close relative and child (as long as the child is the same sex as the parent, or the child is under 10 years of age if opposite sex).
 - they are related children of the same family and are both of the same sex, e.g. two brothers (if under 10 years of age, opposite sexes can share a room).
- ii. Close relative means: parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin.
- iii. All rooms, including: kitchens, bathrooms and toilet compartments shall have a minimum floor to ceiling height of 2.13m. In the case of rooms with sloping ceilings, there shall be a minimum height of 2.13m over half of the floor area of the room. Measurements shall be taken on a plane, 1.5m above the floor. Any floor area where the ceiling height is less than 1.5m high shall be disregarded.

16.1 Accommodation for One Person

All rooms used as bedrooms must be of a minimum size, the requirements for which depend on the communal facilities available.

The room sizes outlined in the table are minimum sizes. Only usable space may count towards the room size. If a room is of an unusual shape, it has a sloped ceiling or a ceiling height of less than 1.5m some of the floor area may not be counted. The space directly behind the door may not be counted.

One Room Units

Room Arrangement	<u>Minimum</u> Bedroom Size
Communal living room or large kitchen/diner in property	6.5m ² (70ft ²)
No communal living room or kitchen/diner	8m ² (86ft ²)
Kitchen within bedroom unit	11m ² (118ft ²)

In order for a bedroom of 6.5m² to be accepted, a member of the Private Sector Housing Team must determine that suitable communal space is available to tenants.

Two (or More) Room Units

Where an individual has the use of two rooms for their private use, the following room standards should be met.

Room Arrangement	<u>Minimum</u> Room Size
Kitchen/diner	10m ² (108ft ²)
Living room	8.5m ² (91ft ²)
Bedroom	6.5m ² (70ft ²)

Note: Trade off between room sizes in a two or more roomed unit may be acceptable at the discretion of the inspecting officer, providing the proposed layout is acceptable and the aggregate habitable floor area of the rooms is not less than 15m².

A staircase, landing, or any room which has been appointed as a kitchen or bathroom, shall not be used as sleeping accommodation.

16.2 Accommodation for Two People

The room sizes outlined in the table are minimum sizes. Only usable space may count towards the room size. If a room is of an unusual shape, it has a sloped ceiling or a ceiling height of less than 1.5m some of the floor area may not be counted. The space directly behind the door may not be counted.

One Room Units

Room Arrangement	<u>Minimum</u> Bedroom Size
Communal living room or large kitchen/Diner in property	11m ² (118ft ²)
No communal living room or kitchen/diner	13m ² (140ft ²)
Kitchen within bedroom unit	16m ² (172ft ²)

In order for a bedroom of 11m² to be accepted, a member of the Private Sector Housing Team must determine that suitable communal space is available to tenants.

Note: Two person units are only suitable for occupation as outlined in section 16.i.

Two (or More) Room Units

Where an individual has the use of two rooms for their private use, the following room standards should be met.

Room Arrangement	<u>Minimum</u> Room Size
Kitchen/diner	10m ² (108ft ²)
Living room	8.5m ² (91ft ²)
Bedroom	11m ² (118ft ²)

Note: Trade off between room sizes in a two or more roomed unit may be acceptable at the discretion of the inspecting officer, providing the proposed layout is acceptable and the aggregate habitable floor area of the rooms is not less than 19.5m².

16.3 Communal Rooms

Number of Occupants Sharing	Minimum Floor Area
Kitchens	
Used by 1-5 occupiers	6m ² (65ft ²)
Used by 6-10 occupiers	11m ² (118ft ²)
Dining/Kitchens	
Used by 1-5 occupiers	8.5m ² (91ft ²)
Used by 6-10 occupiers	12.5m ² (135ft ²)
Living Rooms or Dining Rooms	
Used by 1-5 occupiers	8.5m ² (91ft ²)
Used by 6-10 occupiers	12.5m ² (135ft ²)

The kitchen must be sited no more than one floor distant from the bedroom or living/dining room where practicable.

If more than five occupants share a kitchen, additional facilities are required. See Section 3.

The minimum sizes are based on optimum shape and layout; it may be necessary to have a larger space standard to ensure that there is sufficient space to fit in all the facilities required and provide a circulation area which permits safe use of the kitchen for the number of users.

17. MANAGEMENT

17.1 Management Requirements

Management of Houses in Multiple Occupation (England) Regulations 2006

The manager of an HMO must comply with the above regulations. A copy of the regulations can be found in Appendix A.

The manager of the property may or may not be the owner of the property. The manager is ultimately responsible for maintaining the standards within an HMO. There may be more than one person who has responsibility for complying with the regulations.

If you are unsure as to who has responsibility under the management regulations, please contact the Private Sector Housing Team on 01707 357 672 to discuss the property in question.

In order to fulfil their duties, managers must undertake regular inspections of the property either personally or via a representative; to ensure standards are maintained and where necessary, improved. Tenants must be given at least 24 hours notice of a visit and should be advised of the reason for the visit. In the event of an emergency, 24 hours notice may not be possible, e.g. in the event of a fire.

Management checks should be carried out monthly and written records of the checks carried out and any action taken must be kept and should be available on request.

All landlords and managers should maintain a good standard of management.

In particular, managers have a duty to:

- Provide information to occupiers.
- Take safety measures.
- Maintain water supply and drainage.
- Supply and maintain gas and electricity.
- Maintain common parts, fixtures, fittings and appliances.
- Maintain living accommodation.
- Provide waste disposal facilities.

Certification

There are a number of safety checks and certificates which must be provided for houses rented out as HMOs. The certificates which are required and the regularity at which they are required are outlined in the table.

For all HMOs

Type of Certificate	How Often it is Needed
Fire Alarm Test Certificate	Annual
Emergency Lighting Test Certificate	Annual
Gas Safety Certificate	Annual
Portable Appliance Test Certificate (PAT)	Annual
Electrical Installation Condition Report (EICR)	5 yearly
Energy Performance Certificate (EPC)	10 yearly (or when additional energy efficiency measures are installed)

For licensable HMOs, a Fire Risk Assessment is also required. It should be reviewed annually or at change of tenancy, whichever is soonest.

Deposits

Where deposits are taken, they must be placed in a Government backed tenancy deposit scheme within 30 days. The tenants must be provided with certain information as to where their deposit is held and how to get it back at the end of the tenancy period. The specific details will vary dependant on which scheme is used.

Priority of Repairs

It is recommended that the following timescales for 'priority of repairs' are followed.

Priority One – Emergency Repairs (24 hours)

Any repairs required in order to avoid a danger to health, risk to the safety of residents or serious damage to buildings or internal contents – within 24 hours of report of defect. In circumstances where this is not practicable, managers will make best temporary arrangements.

Examples include:

- Damage that puts people or building at serious risk.
- Fire alarm system not working.
- Fire precautions not in good working order.
- Obstructed escape route.
- Total loss of heating in winter months.
- Total loss of gas supply.
- Total loss of electrical power.
- Loss of water supply or a burst water main.
- Serious water leaks/flooding.
- Insecure outside doors or windows.
- Blocked or leaking foul drain or soil stack.
- Blocked or non-flushing toilet (if the only toilet in the property).

Priority Two – Urgent Repairs (3 days)

Repairs to defects, which materially affect the comfort or convenience of the residents – within three working days of report of defect.

Examples include:

- Blocked drains, sinks, basins and toilets (where there is another one working in the property).
- Total loss of hot water in summer months (except vulnerable households).
- Minor plumbing leaks.
- Minor electrical faults.
- Defective flooring or stair treads if causing trip hazard.

Priority Three – Non Urgent Day-to-Day Repairs (30 days)

Reactive repairs not falling within the above categories – within 30 working days of report of defect.

Examples include:

- General joinery repairs.
- Non-urgent electrical work not listed above.

17.2 Enforcement

The Council endeavour to work closely with owners and managers to ensure they are able to comply with their legal obligations by providing information, advice and support.

If owners or managers are unwilling to meet their obligations or where failures are significant, the Council may undertake more formal enforcement action in accordance with their enforcement policy to protect the health, safety and well-being of occupiers and others affected.

Where necessary, the Council will seek to prosecute owners or managers who fail to comply with the Housing Act 2004 or any of the associated regulations, in particular the Management of Houses in Multiple Occupation (England) Regulations 2006 and The Licensing and Management of Houses in Multiple Occupation (Miscellaneous Provisions) (England) Regulations, 2006.

Where formal enforcement action is taken, it would be taken into account and may affect future decisions as to whether someone associated with a licence or property is a 'fit and proper person'.

APPENDIX A

The Management of Houses in Multiple Occupation (England) Regulations 2006

(S.I. 2006 No. 372)

STATUTORY INSTRUMENTS

2006 No. 372

HOUSING, ENGLAND

The Management of Houses in Multiple Occupation (England) Regulations 2006

Made 15th February 2006

Laid before Parliament 22nd February 2006

Coming into force 6th April 2006

The Secretary of State, in exercise of the powers conferred by section 234 of the Housing Act 2004 makes the following Regulations:

Citation, Commencement and Application

1. 1) These Regulations may be cited as The Management of Houses in Multiple Occupation (England) Regulations 2006 and shall come into force on 6th April 2006.
- 2) These Regulations apply to any HMO in England other than a converted block of flats to which section 257 of the Act applies.

Interpretation

2. In these Regulations-

- a) "the Act" means the Housing Act 2004;
- b) "fixtures, fittings or appliances" are-
 - i. lighting, space heating or water heating appliances;
 - ii. toilets, baths, showers, sinks, or wash basins or any cupboards, shelving or fittings supplied in a bathroom or lavatory;
 - iv. cupboards, shelving or appliances used for the storage, preparation or cooking of food; and
 - v. washing machines or other laundry appliances; and
- c) "the manager", in relation to an HMO, means the person managing^[3] the HMO.

Duty of manager to provide information to occupier

3. The manager must ensure that-
 - a) his name, address and any telephone contact number are made available to each household in the HMO; and
 - b) such details are clearly displayed in a prominent position in the HMO.

Duty of manager to take safety measures

4. 1) The manager must ensure that all means of escape from fire in the HMO are-
 - a) kept free from obstruction; and
 - b) maintained in good order and repair.
- 2) The manager must ensure that any fire fighting equipment and fire alarms are maintained in good working order.
- 3) Subject to paragraph (6), the manager must ensure that all notices indicating the location of means of escape from fire are displayed in positions within the HMO that enable them to be clearly visible to the occupiers.
- 4) The manager must take all such measures as are reasonably required to protect the occupiers of the HMO from injury, having regard to-
 - a) the design of the HMO;
 - b) the structural conditions in the HMO; and
 - c) the number of occupiers in the HMO.
- 5) In performing the duty imposed by paragraph (4) the manager must in particular-
 - a) in relation to any roof or balcony that is unsafe, either ensure that it is made safe or take all reasonable measures to prevent access to it for so long as it remains unsafe; and
 - b) in relation to any window the sill of which is at or near floor level, ensure that bars or other such safeguards as may be necessary are provided to protect the occupiers against the danger of accidents which may be caused in connection with such windows.
- 6) The duty imposed by paragraph (3) does not apply where the HMO has four or fewer occupiers.

Duty of manager to maintain water supply and drainage

5. 1) The manager must ensure that the water supply and drainage system serving the HMO is maintained in good, clean and working condition and in particular he must ensure that-
 - a) any tank, cistern or similar receptacle used for the storage of water for drinking or other domestic purposes is kept in a good, clean and working condition, with a cover kept over it to keep the water in a clean and proper condition; and
 - b) any water fitting which is liable to damage by frost is protected from frost damage.
- 2) The manager must not unreasonably cause or permit the water or drainage supply that is used by any occupier at the HMO to be interrupted.
- 3) In this regulation "water fitting" means a pipe, tap, cock, valve, ferrule, meter, cistern, bath, water closet or soil pan used in connection with the supply or use of water, but the reference in this definition to a pipe does not include an overflow pipe or the mains supply pipe.

Duty of manager to supply and maintain gas and electricity

6. 1) The manager must supply to the local housing authority within 7 days of receiving a request in writing from that authority the latest gas appliance test certificate it has received in relation to the testing of any gas appliance at the HMO by a recognised engineer.
- 2) In paragraph (1), "recognised engineer" means an engineer recognised by the Council of Registered Gas Installers as being competent to undertake such testing.
- 3) The manager must-
 - a) ensure that every fixed electrical installation is inspected and tested at intervals not exceeding five years by a person qualified to undertake such inspection and testing;
 - b) obtain a certificate from the person conducting that test, specifying the results of the test; and
 - c) supply that certificate to the local housing authority within 7 days of receiving a request in writing for it from that authority.
- 4) The manager must not unreasonably cause the gas or electricity supply that is used by any occupier within the HMO to be interrupted.

Duty of manager to maintain common parts, fixtures, fittings and appliances

7. 1) The manager must ensure that all common parts of the HMO are-
 - a) maintained in good and clean decorative repair;
 - b) maintained in a safe and working condition; and
 - c) kept reasonably clear from obstruction.
- 2) In performing the duty imposed by paragraph (1), the manager must in particular ensure that-
 - a) all handrails and banisters are at all times kept in good repair;
 - b) such additional handrails or banisters as are necessary for the safety of the occupiers of the HMO are provided;
 - c) any stair coverings are safely fixed and kept in good repair;
 - d) all windows and other means of ventilation within the common parts are kept in good repair;
 - e) the common parts are fitted with adequate light fittings that are available for use at all times by every occupier of the HMO; and
 - f) subject to paragraph (3), fixtures, fittings or appliances used in common by two or more households within the HMO are maintained in good and safe repair and in clean working order.
- 3) The duty imposed by paragraph (2)(f) does not apply in relation to fixtures, fittings or appliances that the occupier is entitled to remove from the HMO or which are otherwise outside the control of the manager.
- 4) The manager must ensure that-
 - a) outbuildings, yards and forecourts which are used in common by two or more households living within the HMO are maintained in repair, clean condition and good order;
 - b) any garden belonging to the HMO is kept in a safe and tidy condition; and
 - c) boundary walls, fences and railings (including any basement area railings), in so far as they belong to the HMO, are kept and maintained in good and safe repair so as not to constitute a danger to occupiers.
- 5) If any part of the HMO is not in use the manager shall ensure that such part, including any passage and staircase directly giving access to it, is kept reasonably clean and free from refuse and litter.

- 6) In this regulation-
- a) "common parts" means-
 - i. the entrance door to the HMO and the entrance doors leading to each unit of living accommodation within the HMO;
 - ii. all such parts of the HMO as comprise staircases, passageways, corridors, halls, lobbies, entrances, balconies, porches and steps that are used by the occupiers of the units of living accommodation within the HMO to gain access to the entrance doors of their respective unit of living accommodation; and
 - iii. any other part of an HMO the use of which is shared by two or more households living in the HMO, with the knowledge of the landlord.

Duty of manager to maintain living accommodation

8. 1) Subject to paragraph (4), the manager must ensure that each unit of living accommodation within the HMO and any furniture supplied with it are in clean condition at the beginning of a person's occupation of it.
- 2) Subject to paragraphs (3) and (4), the manager must ensure, in relation to each part of the HMO that is used as living accommodation, that-
- a) the internal structure is maintained in good repair;
 - b) any fixtures, fittings or appliances within the part are maintained in good repair and in clean working order; and
 - c) every window and other means of ventilation are kept in good repair.
- 3) The duties imposed under paragraph (2) do not require the manager to carry out any repair the need for which arises in consequence of use by the occupier of his living accommodation otherwise than in a tenant-like manner.
- 4) The duties imposed under paragraphs (1) and (2) (b) do not apply in relation to furniture, fixtures, fittings or appliances that the occupier is entitled to remove from the HMO or which are otherwise outside the control of the manager.
- 5) For the purpose of this regulation a person shall be regarded as using his living accommodation otherwise than in a tenant-like manner where he fails to treat the property in accordance with the covenants or conditions contained in his lease or licence or otherwise fails to conduct himself as a reasonable tenant or licensee would do.

Duty to provide waste disposal facilities

9. The manager must-
- a) ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal; and
 - b) make such further arrangements for the disposal of refuse and litter from the HMO as may be necessary, having regard to any service for such disposal provided by the local authority.

Duties of occupiers of HMOs

10. Every occupier of the HMO must-
- a) conduct himself in a way that will not hinder or frustrate the manager in the performance of his duties;
 - b) allow the manager, for any purpose connected with the carrying out of any duty imposed on him by these Regulations, at all reasonable times to enter any living accommodation or other place occupied by that person;
 - c) provide the manager, at his request, with any such information as he may reasonably require for the purpose of carrying out any such duty;
 - d) take reasonable care to avoid causing damage to anything which the manager is under a duty to supply, maintain or repair under these Regulations;
 - e) store and dispose of litter in accordance with the arrangements made by the manager under regulation 9; and
 - f) comply with the reasonable instructions of the manager in respect of any means of escape from fire, the prevention of fire and the use of fire equipment.

General

11. Nothing in these Regulations shall-
- a) require or authorise anything to be done in connection with the water supply or drainage or the supply of gas or electricity otherwise than in accordance with any enactment; or
 - b) oblige the manager to take, in connection with those matters, any action which is the responsibility of a local authority or any other person, other than such action as may be necessary to bring the matter promptly to the attention of the authority or person concerned.

- 2) Any duty imposed by these Regulations to maintain or keep in repair are to be construed as requiring a standard of maintenance or repair that is reasonable in all the circumstances, taking account of the age, character and prospective life of the house and the locality in which it is situated.

Signed by authority of the First Secretary of State

Kay Andrews

Parliamentary Under Secretary of State Office of the Deputy Prime Minister

15th February 2006