



EAST RIDING
OF YORKSHIRE COUNCIL

**Houses in Multiple Occupation Guidance
and Amenity Standards**

East Riding of Yorkshire Council: Houses in Multiple Occupation Guidance and Amenity Standards

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Introduction

This document sets out East Riding of Yorkshire Council's standards for Houses in Multiple Occupation (HMO) operating within the area. These standards are based on legislative requirements, and relevant guidance as well as East Riding of Yorkshire Council's expectations of HMOs.

These standards are intended to provide landlords and tenants with guidance on the Authority's expectations and its interpretation of legislation. If you are in any doubt about any of these standards, please contact East Riding of Yorkshire Council and we will be happy to discuss them with you.

The accompanying document *Houses in Multiple Occupation Conditions* sets out the conditions applicable for Licensable HMO properties and would form part of all HMO licences. Licensed HMO properties are required to comply with all conditions. These conditions are good practice guide for landlords with non-licensable HMOs to follow.

It may be that you wish to vary one of more of the standards because your property's circumstances mean a different solution would work better. Providing the solution is within the legislative framework and provides tenants with a safe home and a better quality product, wherever we can East Riding of Yorkshire Council may adopt a flexible approach in discussions with a landlord, providing discussions take place ahead of any licensing inspection.

Enquiries about HMOs can be made to:

East Riding of Yorkshire Council
Private Sector Housing
County Hall
Cross Street
Beverley
HU17 9BA

Tel: 01482 393939

Email: H.Licensing@eastriding.gov.uk

Web: www.eastriding.gov.uk/housing

Specific HMO and HMO Licensing pages:

<https://www.eastriding.gov.uk/housing/private-housing-landlords/houses-multiple-occupation/>

<https://www.eastriding.gov.uk/hmolicensing>

Definitions

Meaning of “house in multiple occupation” under the Housing Act 2004

The Housing Act defines a building, or a part of a building is a “house in multiple occupation” if it meets one of the following tests as set out in section 254 of the Housing

Act-

“The standard test”.

“The self-contained flat test”.

“The converted building test”; an HMO declaration is in force.

it is a converted block of flats

A building or a part of a building meets the standard test if:

1. it consists of one or more units of living accommodation not consisting of a self-contained flat or flats.
2. the living accommodation is occupied by persons who do not form a single household (*see section 258 of the Housing Act for a definition of persons not forming a single household*).
3. the living accommodation is occupied by those persons as their only or main residence, or they are to be treated as so occupying it (*see section 259 of the Housing Act for a definition of persons treated as occupying premises as only or main residence*).
4. their occupation of the living accommodation constitutes the only use of that accommodation.
5. rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation; and
6. two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities.

A part of a building meets the self-contained flat test if:

1. it consists of a self-contained flat; and
2. paragraphs 2 to 6 of above section apply (reading references to the living accommodation concerned as references to the flat).

A building or a part of a building meets the converted building test if:

1. it is a converted building.
2. it contains one or more units of living accommodation that do not consist of a self-contained flat or flats (whether it also contains any such flat or flats).

3. the living accommodation is occupied by persons who do not form a single household (*see section 258 of the Housing Act for a definition of persons not forming a single household*).
4. the living accommodation is occupied by those persons as their only or main residence, or they are to be treated as so occupying it (*see section 259 of the Housing Act for a definition of persons treated as occupying premises as only or main residence*).
5. their occupation of the living accommodation constitutes the only use of that accommodation; and
6. rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation.

HMO declarations:

Where the local authority is satisfied that a building or part of a building meets one of the above tests, they may serve a notice under section 255 of the Housing Act “an HMO Declaration” declaring that the building or part to be a house in multiple occupation.

(Also See Section 255 of the Housing Act)

Converted blocks of flats:

Properties that have been converted into self-contained flats will be required to provide evidence that the standard of conversion meets as a minimum the standards required by the Building Regulations 1991, i.e., Certificate of Completion. For the purposes of this section a converted block of flats means a building or part of a building:

1. On which building work was completed before 1st June 1992 or which is dealt with by regulation 20 of the Building Regulations 1991 (S.I. 1991/2768), and
2. Which would not have been exempt under those Regulations, building standards equivalent to those imposed, in relation to a building or part of a building to which those Regulations applied, by those Regulations as they had effect on 1st June 1992; and
3. In the case of any other converted block of flats, the requirements imposed at the time in relation to it by regulations under section 1 of the Building Act 1984.

(Also see Section 257 of the Housing Act)

Definition of a Bed and Breakfast House in Multiple Occupation:

In Bed and Breakfast establishments, residents usually occupy as "contractual licensees". Occupiers will have no right to "exclusive occupation" and will receive a service as part of their continued occupation such as, "a prepared breakfast".

Definition of a Student Hall House in Multiple Occupation:

This is a large unit or clusters of smaller units of accommodation incorporated into a main building exclusively occupied by full time students for part or all of the duration of their education. The make-up of these properties can vary from:

- The traditional halls e.g., bedrooms along wings with large communal areas and shared facilities on each storey.
- To the more recent purpose built 4 – 6-bedroom self-contained clusters.

Definition of a Bedsit:

These are houses occupied as individual rooms where there is some exclusive occupation (usually bedroom/living room) and some sharing of amenities (bathrooms and / or toilets). Cooking and food preparation facilities are usually provided within the individual units of accommodation, but some occupants may share a communal kitchen. There is usually no communal living room, and each occupant lives otherwise independently of all others.

Basic amenities mean:

A toilet,
Personal washing facilities, or
Cooking facilities

General Housing Conditions Applicable to All Houses in Multiple Occupation

Housing Health and Safety Rating System

The Housing Act 2004 introduced the Housing Health and Safety Rating System (HHSRS) which provides a risk-based methodology for assessing hazards in dwelling houses. The assessment considers the type of hazard, severity, potential of harm etc. The HHSRS is not a standard but a system to enable the hazards to be identified and the risks minimised or removed. This replaced the previous Fitness Standard.

As a standard East Riding of Yorkshire Council would expect any private rented dwelling house including HMOs to be free from serious or Category 1 hazards and high Category 2 hazards. Upon receipt of a complaint or upon the authority's own initiative the council will carry out an HHSRS risk assessment at an HMO/Block of flats and may choose to employ enforcement powers to remedy the hazards where the landlord is not co-operative or remedies forthcoming.

The HHSRS consists of 29 hazards including:

1. Damp and mould growth
2. Excess Cold
3. Excess Heat
4. Asbestos and Manufacture Mineral Fibres – MMF
5. Biocides
6. Carbon monoxide and fuel combustion products
7. Lead
8. Radiation
9. Uncombusted fuel gas
10. Volatile organic compounds
11. Crowding and space
12. Entry by intruders
13. Lighting
14. Noise
15. Domestic hygiene, pests, and refuse
16. Food Safety
17. Personal hygiene, sanitation, and drainage
18. Water supply for domestic purposes
19. Falls associated with baths etc
20. Falls on the level
21. Falls associated with stairs and steps
22. Falls between levels
23. Electrical hazards
24. Fire
25. Hot surfaces and materials
26. Collision and entrapment
27. Explosions
28. Ergonomics
29. Structural collapse and falling elements

Guidance for Landlord and Property Related Professionals on HHSRS can be obtained from:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/9425/150940.pdf

Standards Applicable to Houses in Multiple Occupation

Natural and artificial lighting

All habitable rooms should have an adequate level of natural light, provided via a clear glazed window or windows. (It is advisable that the glazed area is to be equivalent to at least one-tenth of the floor area). Where practicable, all staircases, landings, passages, kitchens, bathrooms, and toilets should be provided, with a window. Windows to bathrooms and toilets should be glazed with obscured glass.

Artificial Lighting: - All rooms and circulations areas within the property should have provision for electric lighting and should be controlled from suitable located switch points.

Lighting on stairs should be capable of being switched on and off from both upstairs and downstairs.

Ventilation

All habitable rooms require adequate ventilation.

Either directly to external air by a window, with an openable area equivalent to at least 1/20th floor area of room.

Or if there is no natural ventilation in kitchens, bathrooms, WC mechanical ventilation should be provided to allow an adequate number of air changes per hour.

Habitable rooms need suitable and adequate floor to ceiling height to allow proper circulation of air.

Space heating

Premises and each unit of accommodation should be provided with an adequate controlled fixed form of heating system capable of maintaining reasonable temperature in all parts of premises.

Portable heating appliances and appliances dependent upon liquid fuel or liquid fuel gas under pressure are not acceptable.

Security

All entrances to property should be well lit, especially ground floor/basement rooms/external staircases.

External flat entrance doors to communal area should be self closing.

Ensure security devices/locks do not hinder means of escape in case of fire.

Water supply

An adequate supply of cold drinking water under adequate mains pressure should be available from the kitchen sink.

Bathrooms and sanitary conveniences

Baths, showers, wash hand basins must be located within reasonably sized compartments and constructed to maintain privacy.

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

“Suitably located bathrooms” means that they are not more than two floors distant in relation to the sleeping accommodation.

“Suitably located water-closet (WC)” facilities shall be not more than one floor distant from living and sleeping accommodation and have a wash hand basin within the WC.

Self-catering kitchen facilities

To include suitable and sufficient:

- Sink and draining board with hot/cold water.
- Storage for food, kitchen utensils and crockery.
- Refrigerator and freezer of adequate capacity (may be combined).
- Work top area impervious for food preparation.
- Proper cooking appliance with rings/grill/oven.
- Appliances dependent on liquid fuel or liquefied gas under pressure not acceptable.
- Storage for internal waste and recycling where there are communal street bins.

Refuse

- Sufficient refuse and recycling receptacles must be provided for tenants use.
- An external hard standing area with suitable and convenient access for use by tenants for storage of receptacles.
- Area should be kept clean.
- All refuse should be removed from the property.
- Tenants to be made aware of refuse and recycling collection systems, including advising tenants that receptacles should be returned to the boundary of the property on collection day.

Recycling containers can be requested and provided according to need. For information go to <https://www.eastriding.gov.uk/environment/bins-rubbish-recycling/bins-and-collections/>

Antisocial Behaviour

Antisocial behaviour covers a wide range of problems and includes any behaviour that can cause nuisance or annoyance to an individual(s) or the wider community. This type of behaviour can include:

Harassment and intimidating behaviour.

Hate crime, for example racist or homophobic abuse.

Behaviour that creates alarm and fear noisy neighbours and loud parties.

Problems associated with people supplying, dealing, or using drugs.

People acting in a manner which is likely to cause distress or nuisance to others, due to the consumption of alcohol.

Vandalism, graffiti, and other deliberate damage to property.

Rubbish or litter lying around, abandoned cars etc.

Anti-social behaviour may or may not constitute criminal activity. The key determinant in deciding whether particular behaviour is anti-social or not should be the impact of the behaviour on others.

Landlords have a duty to take reasonable steps to ensure that tenants and their visitors are not causing problems within the boundaries of the property through anti-social behaviour.

East Riding of Yorkshire Council where appropriate will support landlords who are working towards tackling any issues of anti-social behaviour and engage with the council. See: <https://www.eastriding.gov.uk/living/crime-and-community-safety/anti-social-behaviour/>

General

Room divisions must provide adequate sound insulation. Each letting where divided into separate lettings must have a separate supply gas/electricity.

All works must be completed in accordance with;

Gas Safety (Installation & Use) Regulations 1998

IEE (Institute of Electrical Engineers) Wiring Regulations

Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended 1989 & 1993).

The Council takes a serious view of the disconnection of Electricity, Gas or Water services. In appropriate cases they will utilise Section 33, Local Government (Miscellaneous Provisions) Act 1976 to sequester rents or recover costs direct from owners in order to pay outstanding accounts.

In addition to (or instead of) utilising Section 33, owners and/or agents may be prosecuted for causing or allowing a disconnection in circumstances, which constitute an offence under any appropriate legislation (e.g., Breaches of Management Regulations, Protection from Eviction Act 1977 etc.)

If you wish to deviate from any of the above standards you must discuss this with the Council. East Riding of Yorkshire Council encourages quality accommodation and adopts a flexible approach to discussions with landlords. If you can provide an alternative solution that works for your property that is within the legislative framework this will be considered by the Council.

Space and Layout

The council must consider whether the accommodation is suitable for the number and type of persons likely to occupy it. The council will not just consider the number and sizes of rooms but also the layout and shape in considering what represents an adequate standard. Consideration must be given to the proposed number of persons occupying the building including usability and safety to ensure that there are sufficient bedrooms, communal living areas and suitably located amenities appropriate to the occupiers' needs, including a suitable eating area (not a bed) and to avoid overcrowding.

The calculation of room size only takes into consideration the floor space where the ceiling height is greater than 1.5 metres and assumes the majority of the room to be of a minimum height of 2.14 metres and free of potential harmful obstructions e.g., low beams. It also excludes projecting chimney breasts, space immediately behind the door where it is no wider than the door itself and in the case of bedrooms, the floor space of any en suite bathroom or WC.

Every bedroom is expected to be capable of accommodating; a bed, wardrobe (except where a built-in wardrobe of equal size is provided) and chest of drawers. Each bedroom must also have adequate activity and circulation space around the furniture and fittings.

Any room with a floor area of less than 6.51 m² for an adult or 4.64m² for a child must not be used as sleeping accommodation.

Rooms which are not provided with natural light or ventilation are not suitable for use as living or bedroom accommodation regardless of size.

The council do not consider a bedroom to be suitable for more than two persons.

There must be no obligation on occupiers to share a bedroom.

Kitchens and dining rooms should be on the same storey. Shared kitchens without an adjacent dining space should not be situated more than one storey from any living accommodation. Where the landlord provides a catering service, through a communal kitchen, a separate dining space must be provided. Any deviation to this arrangement needs to be agreed with the Council.

The following are recommended as the minimum room sizes:

Accommodation with facilities shared by the occupiers

These standards apply where there is sharing of some or all amenities i.e., kitchen or bathroom and include HMOs where:

- occupiers live independently of each other, e.g., single room lettings or bedsit accommodation (kitchen facilities within their individual room).
- occupiers forming a defined group e.g., students.

Bedrooms within shared houses	Number of persons	
	1	2
Bedroom (where there is a communal living or dining room within the house)	6.51m ²	11m ²
Bedroom (where there is no communal living or dining room within the house)	10m ²	15m ²

Rooms shared by the occupiers	Number of persons	
	3 to 6	7 to 10
Kitchen (where a separate living or dining room is provided)	7m ²	11m ²
Living or dining room (on same floor as kitchen)	11m ²	16m ²
Combined kitchen and living room	18m ²	24m ²
Combined kitchen and dining room (where no separate living room is provided)	13m ² (unless all bedrooms are within 1 floor distance of kitchen)	16m ² (unless all bedrooms are within 1 floor distance of kitchen)
Combined kitchen, living and dining room	18m ²	24m ²

Bedsits

Where the room is for the sole use of the occupier(s)	Number of persons	
	1	2
Bedroom	6.51m ²	11m ²
Kitchen	4m ²	5m ²
Combined kitchen and living room	11m ²	15m ²
Combined bedroom and living room	9m ²	14m ²
Combined bedroom, living room and kitchen	13m ²	19m ²

Amenity Standards

Bathroom and sanitary conveniences

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:

- 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; and
- 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 flat and its existing provision for wash hand basins, toilets, and bathrooms.

Number of persons	Shared bathroom/WC amenity provisions
3 to 4	At least 1 bathroom and 1 WC with wash-hand basin (the bathroom and WC may be combined)
5	1 bathroom AND 1 separate WC with wash-hand basin but the WC can be contained within a second bathroom
6	Either a) the standards for 7 to 10 persons OR b) two bathrooms each containing a WC, wash-hand basin and a Bath or Shower.
7 to 10	2 bathrooms AND 2 WCs with wash-hand basins one of which must be separate. The other WC can be contained within one of the bathrooms)
11 to 15	3 bathrooms AND 3 WCs with wash-hand basins one of which must be separate. 2 of the WC's can be contained within 2 of the bathrooms

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.

Hot water may be provided by any of the following methods:

- Piped from storage and boiler
- Immersion Heater
- Fixed gas appliance, e.g., multipoint Instantaneous heaters (only to wash hand basins and electric showers) having a minimum rating of 6KW.

Wash hand basins and baths must be provided with a two-course tiled splash back.

In the case of a shower whether in its own compartment or over a bath, the splash-back shall be 150mm above the height of the shower head and up to the edge of a fixed shower screen. Where a shower curtain is used the splash back should extend 300mm beyond the shower curtain. All joints shall be adequately sealed.

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

Heating should be provided in every habitable room and bathroom which can maintain a 21 degrees Celsius (°C) temperature difference with the external air when the outside temperature is -1°C. (The provision of insulation can assist in meeting this standard.)

Heating should be controllable, safely, and properly installed and maintained. It should be appropriate to the design, layout, and construction, such that the whole dwelling can be adequately and efficiently heated.

All bathrooms shall be provided with adequate ventilation, which can be by an openable window of a minimum 1/20 of the floor area or fitted with an extractor fan capable of achieving 3 air changes per hour. A permanent means of ventilation in the form of a flue, airbrick or trickle vent shall also be provided in the bathroom.

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

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

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

Suitably located bathrooms mean that there shall be bathroom facilities not more than one floors distant in relation to the sleeping accommodation.

Suitably located water closet facilities shall be not more than one floor distant from living and sleeping accommodation.

The standard for bathroom/WC facilities in Section 257 HMO's (poorly converted block of flats) is contained in SI 373 2006, Regulation 8, as amended by SI 1903, 2007, Regulation 12 is that all bathrooms and toilets contained in each flat must be of an adequate size and layout, and all wash-hand basins must be suitably located and be fit for purpose, having regard to the age and character of the HMO, the size and layout of each flat and its existing provision for wash-hand basins, toilets and bathrooms.

In consideration of the suitability of bathroom/WC facilities in Section 257 HMO's the facilities shall comply with standards detailed above.

Kitchens

Shared houses

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

There must be a kitchen, suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities to adequately enable those sharing the facilities to store, prepare and cook food.

The kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in a sufficient quantity for the number of those sharing the facilities.

Number of persons	Sinks	Cooking facilities	Refrigerators/Freezers	Food Storage
1 to 5	1 sink with draining board	1 cooker with four ring hob and grill	Minimum of 1 cubic foot (28 litres) refrigerator space per person with additional freezer space	One 500mm wide base unit or wall cupboard per person (the space below the sink will not be acceptable).
6	1 double bowled sink with draining board OR 1 sink with draining board and a dishwasher.	1 cooker with four ring hob and grill AND Combination microwave with grill.	Minimum of 1 cubic foot (28 litres) refrigerator space per person with additional freezer space	One 500mm wide base unit or wall cupboard per person (the space below the sink will not be acceptable).
7 to 10	2 separate sinks with draining boards	2 separate cookers with four ring hobs and grills	Minimum of 1 cubic foot (28 litres) refrigerator space per person with additional freezer space	One 500mm wide base unit or wall cupboard per person (the space below the sink will not be acceptable).

No more than two sets of cooking facilities shall be allowed in one kitchen.

Sinks shall be at the ratio of one sink for 5 persons. Where a house is occupied by 6 persons, the provision of a double-bowled sink, or a dishwasher (in addition to a sink) may be treated as meeting this standard where the Council considers that such provisions adequately meet the occupier's needs.

A suitable two course tiled splash back should be provided to the sink and draining board, and all joints shall be adequately sealed.

An adequate supply of cold and constant hot water to each sink supplied. Hot water may be provided by any of the following methods:

- Piped from storage and boiler
- Immersion heater
- Fixed gas appliance, e.g., multipoint
- 3KW heater with a 10-litre storage reservoir

Kitchens shall be equipped with cookers with a minimum of 4 rings, a standard sized oven, and a grill. They shall be usually provided at a ratio of one per 5 persons sharing the kitchen. Where an HMO is occupied by 6 persons the provision of a cooker with more than 4 rings and more than one oven, or a combination microwave oven (in addition to a cooker with 4 rings, an oven, and a grill) may be treated as meeting this standard where the Council considers such provision adequately meets the occupiers needs.

In addition to sockets provided for appliances required by these standards, a minimum of 4 sockets (e.g., 2 double sockets) should be provided and located in a safe position. This provision is for up to 5 persons. For kitchens for more persons a further double socket is required for each additional three persons or part of three persons using the kitchen to be sited above worktop height.

Worktops shall be a minimum of 500mm depth and a length of 0.5m plus 0.5m per person, in addition to any work surface taken by an appliance, sink unit or cooker required satisfy the standards set out above. Where a 600mm deep worktop is fitted there shall be a minimum length of 0.4m plus 0.4m per person. Reductions to the specified standard may be treated as meeting the standard where the Council considers the room adequately meets the occupiers needs, that the reduction in size is not more than 15% of the full standard, and that there is still work surface available in sufficient quantity and location to allow the safe preparation and cooking of food. The provision of two separate runs of accessible worktop will be a key factor in deciding lower provision is acceptable

A suitable two course splash-back should be provided to any work surface that abuts a wall and all joints shall be adequately sealed.

Food cupboards shall be the equivalent of a minimum of one 500mm wide base unit or wall cupboard per person. The space in a sink unit below the sink will not be acceptable.

Refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezers). Fridge space shall be a minimum one cubic foot of space (28 litres) per person in addition to the freezer compartment.

There must be appropriate refuse disposal and recycling facilities.

Kitchens shall be fitted with an appropriate extractor fan. This shall be capable of achieving 6 air changes per hour.

Where the landlord provides some catering services and additional services are required to comply with The Food Hygiene (England) Regulations 2006 the landlord must provide these services. Where all meals are provided by the landlord some self-catering facilities will need to be provided. The Council will consider the circumstances of each case and decide the self-catering services that are required to adequately meet the occupiers needs.

Bedsits

Adequate kitchen facilities must be provided to allow the storage, preparation and cooking of food in a safe and hygienic manner to the following minimum standard:

Two rings/hot plates together with a minimum of 1 cu. ft. (28 litres) oven and a grill. For occupancies of two persons, the minimum requirement is three rings/hot plates together with a full-sized oven and grill. For occupancies of three or more persons a full-size cooker is required. Cookers shall be positioned at a location and height to allow safe use.

A sink with an adequate supply of cold and constant hot water.

A suitable work surface with a minimum 0.5m deep and a length of 0.9m plus 0.5m per additional person using the facility shall be provided. An appropriate table in the kitchen area of suitable size and type may be considered an acceptable alternative for half of the requirement.

Sufficient electrical sockets: a minimum of 3 single socket outlets shall be located above the work surface for the use of portable appliances in addition to any sockets for appliances required by these standards, situated in convenient positions for the user.

Cupboards for the storage of kitchen utensils, crockery and food shall be required a minimum of one 500mm wide base unit or wall cupboard per person. The space located below the sink should not be treated as a food cupboard for the purpose of this standard.

A refrigerator. (Fridge space shall be a minimum 1 cu. ft. (28 litres) of space per person plus a freezer compartment). The fridge shall be capable of maintaining an internal temperature of 5°C.

The standards referred to above regarding appliances do not apply where:

- the landlord is not contractually bound to provide such appliances or equipment.
- the occupier of accommodation is entitled to remove such appliances or equipment from the HMO; or
- the appliances or equipment are otherwise outside the control of the landlord

Self-contained flats

Each aspect for a self-contained flat shall be based on the Housing, Health and Safety Rating System (HHSRS) and relevant guidance.

Standards Specific to Hostels and Bed and Breakfast Establishments

Kitchen facilities used by the management to provide meals for residents must comply with the Food Safety Act are to be separate from the self-catering facilities.

The sharing of bedrooms is not permitted unless:

- They are married or living together as if married.
- They are parent and child (if the child is the same sex as the parent, or the child is under 10 years of age if they are the opposite sex).
- They are members of the same family and are both of the same sex. For example, 2 brothers, (if below 10 years of age, opposite sexes can share a room).

Note: There may be exceptions to the above sharing rule in bona fide hostels and similar establishments. Advice should be sought from the Council in these cases and any exceptions to the above sharing rule must be formally agreed.

Suitable office accommodation for the staff is to be provided according to the needs of the establishment.

In the event of living accommodation being provided for staff the accommodation must afford all amenities necessary to ensure reasonable comfort.

Adequate staff supervision is to be provided according to the needs of the establishment.

Where necessary the council may require the continuous presence of a member of staff 24 Hours per day.

Means of Escape in case of Fire/ Fire Standards

Please see the Local Authorities Coordinators of Regulatory Services (LACORS) Guidance on Fire Safety at <http://www2.eastriding.gov.uk/housing/private-housing-landlords/houses-multiple-occupation>

The Council primarily enforce fire safety issues using the Housing Health and Safety Rating System (HHSRS), which requires officers to assess the level of risk at residential premises. East Riding of Yorkshire Council will follow the LACORS guidance wherever possible and works closely with Humberside Fire and Rescue Service.

Certain requirements may be more than what is needed following a fire risk assessment and, in some cases, additional fire provisions may be needed, any deviation from the LACORS guidance should be discussed and agreed with the council in the first instance.

Landlords of Houses in Multiple Occupation (HMO) must ensure that a fire risk assessment is made of the common areas, by a competent person. This is a legal requirement, enforced by the Fire Authority, under the Regulatory Reform (Fire Safety) Order 2005.

Please note: The case studies in Part D of the LACORS guidance are based on several assumptions and should not be interpreted as a standard that must be followed in every premises that match the basic descriptions given. In practice there are relatively few premises that will match these case studies exactly. The guidance must be read in full.

Certification

Gas Safety (Installation and Use) Regulations 1998

As a landlord, you are responsible for the safety of your tenants. The Gas Safety (Installation and Use) Regulations 1998 specifically deal with the duties of landlords to ensure that gas appliances, fittings and flues provided for tenants' use are safe.

As a landlord, you have a duty to ensure:

- Gas fittings (appliances, pipework) and flues are maintained in a safe condition,
- All installation, maintenance and safety checks are carried out by a Gas Safe Registered Installer,
- An annual safety check is carried out on each gas appliance/flue by a Gas Safe registered Installer. Checks need to have taken place within one year of the start of the tenancy/lease date, unless the appliances have been installed for less than 12 months, in which case they should be checked within 12 months of their installation date,
- A record of each safety check is kept for two years,
- A copy of the current safety check record is issued to each existing tenant within 28 days of the check being completed, or to any new tenant before they move in (in certain cases the record can be displayed).

Electrical Safety

The electrical installation to the property should be installed and maintained in accordance with a recognised standard, such as the current edition of the IEE (Institute of Electrical Engineers) Wiring Regulations and certification should be provided as prescribed under the current British Standard to confirm that the whole installation is to a safe and satisfactory standard.

The installation should be retested and certified, as described every five years, or following any alterations or extensions to the system or advice from the competent electrician.

All work to the electrical installation should be carried out and certified by a member of an approved body or competent person.

All electrical work must be carried out in accordance with Part P of the Building Regulations.

The Electrical safety Standards in the Private Rented Sector (England) Regulations 2020

These Regulations impose duties on private landlords of residential premises in England in respect of electrical safety standards. The duties do not apply to landlords of social housing. The Regulations require local housing authorities to enforce the duties and include a power to arrange remedial action. See: <https://www.legislation.gov.uk/ukdsi/2020/9780111191934>

Fire Safety

It is recommended that all detectors should be tested at least once a year to ensure that they respond to smoke. The test is usually carried out by a specialist alarm engineer under a maintenance contract and should be recorded in the logbook, with a periodic inspection and test certificate issued.

Where fire extinguishers are provided, these should be checked periodically to make sure they are in place and available to use. Extinguisher must be tested and maintained on an annual basis in accordance with the current British Standard and with the manufacturer's instructions.

Any emergency escape lighting present should be serviced and maintained in accordance with the current British Standard for Emergency escape lighting systems. The requirements of the current British Standard, require the annual test to be carried out by a competent person, usually a lighting engineer under a maintenance contract. The results of the test should be recorded in the logbook with a periodic inspection and test certificate issued.

Energy Efficiency

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

These Regulations introduce measures to improve the energy efficiency of certain private rented property in England and Wales. see:

<https://www.legislation.gov.uk/ukdsi/2015/9780111132432/note>

Furniture Safety

All furniture provided with the accommodation must comply with the Furniture and Furnishings (Fire) (Safety) Regulations. You are required to sign a declaration on the HMO licensing application form to the effect that the above condition is met.

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