



THE LONDON BOROUGH OF BROMLEY

Adopted Standards Houses in Multiple Occupation

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INTRODUCTION

These standards apply to Houses in Multiple Occupation (HMO's) located within the London Borough of Bromley and provide guidance in determining whether a property is: -

- (i) Suitable for the current/proposed number of occupiers, or
- (ii) Overcrowded, through excessive numbers of persons being accommodated or likely to be accommodated having regard to the sizes and number of rooms and amenities available.
- (iii) Satisfactory to the requirements set out within 'The Management of Houses in Multiple Occupation (England) Regulations 2006' and other relevant legislation and guidance.

Some HMO standards are prescribed in the Licensing and Management of Houses in Multiple Occupation (Miscellaneous Provisions) (England) Regulations 2006. These standards include the provision of basic amenities in accordance with national standards for Houses in Multiple Occupation, in addition to other issues regarding room sizes, overcrowding, fire safety and health and safety hazards in accordance with the Housing Health and Safety Rating System and/or as locally adopted.

HOUSING ACT 2004

The local housing authority cannot be satisfied that the house is reasonably suitable for occupation by a particular maximum number of households or persons if they consider that it fails to meet prescribed standards for occupation by that number of households or persons.

The nationally prescribed standards are stated in Schedule 3 of the Licensing and Management of Houses in Multiple Occupation Regulations 2006 (Statutory instrument 2006 No. 373).

This document is the locally adopted standard derived from the nationally prescribed standards and gives additional detail to assist owners and officers to determine whether the standards are/will be met.

WHAT IS A HOUSE IN MULTIPLE OCCUPATION?

A house in multiple occupation (HMO) is a house or flat that is occupied by three or more persons in two or more households where one or more amenity, for example the bathroom, is shared.

A household can be an individual, couple or family.

An example of an HMO is a house occupied by three unrelated individuals who each have their own bedroom or bedsit whilst sharing the kitchen and/or bathroom facilities within the house.

A house or flat occupied by a resident landlord, their family and three or more lodgers or tenants will also be an HMO.

LICENSING OF HOUSES IN MULTIPLE OCCUPATION

Under Part 2 of the Housing Act 2004 all local authorities are required to operate the mandatory HMO licensing scheme. The London Borough of Bromley currently only operates the mandatory HMO licensing scheme. Unless exempt, HMOs with five or more residents require an HMO licence from the local authority.

To apply for an HMO licence, you should complete an HMO licence application form, which can be found, along with guidance notes, on the [local authority's website](#).

WHY HMOs HAVE THEIR OWN STANDARDS AND REGULATIONS

HMOs are not typical family homes, which is why they have their own standards and regulations, that protect the health and safety of the residents and any visitors.

HMOs must be properly managed, The Management of Houses in Multiple Occupation (England) Regulations identifies specific duties and responsibilities for the manager of an HMO, as well as for residents.

HMOs which do not comply with standards and regulations are more at risk from overcrowding, being poorly managed, poorly maintained and having unhygienic conditions in their shared areas including kitchens and bathrooms.

The following standards have been adopted by the London Borough of Bromley for houses and flats in multiple occupation (HMOs) and for certain buildings that have been converted into self-contained flats, to protect the health and safety of residents.

HMO TYPE

There are four main types of HMO – bedsit accommodation, shared houses, temporary accommodation (hostels, guesthouses and bed and breakfasts), and some buildings converted into self-contained flats.

Bedsit Accommodation

These HMOs contain bedsit accommodation where the tenants rent a room, or rooms, for their exclusive use whilst sharing one or more amenities with the other tenants.

Shared Houses

Occupiers of a shared house or flat will have their own bedroom and a shared kitchen and common room(s). Bathrooms may also be shared.

Hostels, Guesthouses and Bed & Breakfast

Accommodation that is provided on a non-fixed term basis, for people who have no other permanent place of residence.

They are distinct from hotels, which provide accommodation for temporary visitors who have a permanent residence elsewhere.

When a hotel is used to provide temporary accommodation, the rooms used as temporary accommodation fall into this category for HMO standards.

Section 257 HMOs

Under Section 257 of the Housing Act 2004, buildings that have been converted into self-contained flats prior to 1991 or without building control approval (either before or after 1991) and where less than 2/3rds of the flats are owner-occupied, are considered to be HMOs.

ROOM SIZES FOR BEDSITS AND SHARED HOUSES

Bedrooms

The minimum room sizes, based on useable floor area in m², are shown in Table 1.

HMOs have varying layouts and facilities. The minimum sizes in Table 1 are for bedrooms where the tenant has exclusive use of the bedroom/bedsit and shares a kitchen and a common room.

1 person	7
2 persons	11

Table 1 – Minimum useable floor areas of a bedroom/bedsit in an HMO where the kitchens and common rooms are shared.

Where cooking facilities are provided solely within the bedroom or bedsit, the minimum room size shall increase by a further 5m². The cooking facilities need to be located away from the entrance to the bedsit.

Where a room does not meet the size requirement for cooking facilities and contains kitchen facilities which can include a kitchen sink, dishwasher, washing machine, fridge/freezer and a worktop these will not be included in the useable floor area of the room.

Where an HMO has no shared common room, the bedroom or bedsit size shall increase by a further 4m².

Example

A bedroom within an HMO occupied by 1 person, where there is a shared kitchen and shared common room, shall be a minimum of 7m². For 2 persons in 1 bedroom = 11m²

A bedroom within an HMO occupied by 1 person, where the kitchen facilities are in the bedroom and there is a shared common room, shall be a minimum of 7m² + 5m² = 12m². For 2 persons in 1 bedroom = 16m².

A bedroom within an HMO occupied by 1 person, where the kitchen facilities are in the bedsit and there is no shared common room, shall be a minimum of 7m² + 5m² + 4m² = 16m². For 2 persons in 1 bedsit = 20m².

Shared Kitchens

Kitchens in a shared house with up to 5 people shall be a minimum of 7m². For each additional person, a further 1.5m² is added.

The criteria for kitchen facilities are detailed below in Table 2: Minimum requirements for kitchen facilities.

Shared Common Rooms

Common rooms shall be a minimum of 11m² for up to 5 people. For each additional person a further 1m² is added.

Where the kitchen and common room are combined, for example, a kitchen-diner or open plan kitchen/living room, the minimum useable floor area shall be 18m² for 5 people. For each additional person a further 1m² is added

A minimum of 3 double sockets must be provided in any shared common room/s.

ROOM SIZES FOR HOSTELS

The minimum bedroom sizes in Table 1 apply. For each additional person sharing a bedroom a further 4m² shall be added. Shared kitchen and common room sizes apply as above.

Where cooking facilities are provided in the bedroom, for up to 3 persons a further 5m² shall be added, for each additional person a further 1m² shall be added.

Examples

- A bedroom within a hostel occupied by 1 person, where there is a shared kitchen, and shared common room, shall be a minimum of 7m². For 2 persons = 11m². For 3 persons = 7m² + 8m² (4m² per additional person) = 15m². A bedroom within a hostel occupied by 1 person, where the kitchen facilities are in the bedroom, and there is a shared common room, the minimum bedroom size shall be a minimum of 7m² + 5m² = 12m². For 2 persons in 1 bedroom = 7m² + 5m² + 4m² = 16m². For 3 persons, 7m² + 5m² + 8m² (4m² per additional person) = 20m²
- A bedroom within a hostel, occupied by 1 person, where the kitchen facilities are in the bedroom, and there is no shared common room, shall be a minimum of 7m² + 5m² + 4m² = 16m². For 2 persons = 7m² + 5m² + 4m² + 4m² = 20m². For 3 persons = 7m² + 5m² + 4m² + 8m² (4m² per additional person) = 24m²

SHARED KITCHEN FACILITIES

Table 2 details the minimum requirements for shared kitchen facilities.

No. of Occupants	All Shared Kitchens					Facility in the room
	3	4 or 5	6	7	10	1 or 2
Kitchen area (m ²)	7	7	8.5	10	14 (7 x 2)	5
Work surface (m) ^{*1}	1	2	2.5	3	4	1
Power sockets above worktop	2 double	3 double	4 double	4 double	5 double	2 double
Hob rings	4	4	5	5	8	2
Ovens	1	1	2	2	2	1 ^{*2}
Grills	1	1	2	2	2	1 ^{*2}
Sinks/ drainers with hot and cold (drinking) water	1	1	2	2	2	1

Table 2 – Minimum requirements for shared kitchen facilities

*1 (600mm standard depth)

*2 or a safely located combination microwave/oven/grill

Kitchens should ideally be located on the ground floor of a property. All units of accommodation must be located no more than one storey from their appointed kitchen. If a property is three or more storeys, then a dining room or a kitchen-diner must be provided alternatively cooking facilities can be provided in the room where appropriately sized.

The layout of a kitchen shall provide adequate circulation space for the safe use of the kitchen and its appliances. Walls, floors and ceilings should be non-porous and reasonably smooth so that they can be effectively cleaned. Floors should be slip resistant.

Where the requirement is for a minimum space of 14m², it is acceptable to achieve this by providing 2 rooms each of 7m² or more.

Where 6 occupants share a kitchen, a safely located combination microwave oven/grill is acceptable in place of an additional conventional oven and grill. A dishwasher is acceptable in place of an additional sink/drainage.

Gas and electrical cooking appliances should be properly fitted, in good working order and subject to regular safety checks in accordance with the relevant regulations.

A suitably located fire blanket in accordance with the current BS EN or equivalent standard shall be available.

There shall be a minimum of:

- 1 x 500mm base unit or 1 x 1000mm wall unit per occupant (for dry food storage)
- 1 good sized refrigerator shelf per occupant (for fresh food storage), and
- 1 good sized freezer shelf per occupant (for frozen food storage)

Electrical power outlet sockets shall be provided in an accessible and safe position for equipment such as refrigerators and washing machines. The sockets for these appliances are required in addition to those required in Table 2.

Recommendation – In HMOs let under separate tenancies, the secure storage of dry, fresh, and frozen food is desirable, either in lockable cupboards, fridge and freezer compartments or through suitable storage provisions provided in the bedrooms.

Recommendation - Where a Kitchen contains a dishwasher or washing machine consideration should be given to standing the appliances on anti-vibration pads to reduce the noise impact to Residents and neighbours

Kitchen Facilities in Hostels

In addition to the above, kitchens used for the preparation, cooking and serving of food by the owner and or manager shall comply with Regulation (EC) No 852/2004 on the hygiene of foodstuffs.

BATHROOM FACILITIES

Table 3 provides the minimum requirements for bathrooms/shower rooms and WCs.

Occupants sharing	Bathrooms*	Separate WC compartment with wash hand basin with H & C
Up to 5	1	0
6 - 10	2	1
En-suite for 1 or 2	1	0

Table 3: Minimum requirements for bathrooms/shower rooms and WCs

* Comprising 1 bath or shower unit with hot and cold water, may contain a WC and wash hand basin.

All bathroom and toilet facilities shall be appropriately heated, lit and ventilated, they should be hygienically designed and constructed rooms, adequate in size and layout, and provided with appropriate surface finishes to enable cleanliness to be maintained.

Each unit of accommodation shall be located within one storey of a bathroom, shower room or a wash hand basin and toilet.

Adequate size and layout – minimum floor area for bathrooms

Bath* ¹ only	2.3m ²
Bath & WHB* ²	2.5m ²
Bath, WC & WHB	2.8m ²
Shower* ³ only	1.7m ²
Shower, WC & WHB	2.5m ²
WC & WHB	1.2m ²

Table 4: Minimum floor area for bathrooms

*¹ Minimum bath size 1700mm x 700mm

*² Minimum WHB size 400mm x 350mm

*³ Minimum shower size 800mm x 800mm

The midpoint of the toilet cistern must be positioned a minimum of 450mm away from walls, and amenities.

Mechanical ventilation is required in all bathrooms and WC compartments which lack natural ventilation i.e. an openable window. Mechanical ventilation will also be required to mitigate damp and mould should natural ventilation be inadequate.

All baths, showers and wash hand basins must, be located to enable ease of use, be securely fitted and fixed so they do not move. They must be fitted with appropriate taps, an adequate and constant supply of cold and hot water, with waste traps and pipes properly connected to the mains drainage system. All toilets must be fitted with seats and lids.

All wash hand basins and baths must be provided with a waterproof splash-back a minimum depth of two courses of standard tiles. All shower cubicles must be fully tiled or be a specifically designed for the purpose self-standing unit.

A wash hand basin must be provided in a bathroom or WC enclosure.

Recommendation – It is strongly recommended that, where possible, mechanical ventilation is provided in all bathrooms and WC compartments to ensure adequate ventilation.

Recommendation – Floor and wall coverings around baths and showers should be designed to minimise the risk of leaks and damp. Correctly installed specialist flooring and wallboards can help to reduce this risk. It is strongly recommended that regular maintenance checks are undertaken, this will ensure that facilities are being used correctly and help to identify any damage to seals, screens, doors and other fittings before further, more expensive, damage is caused.

MEASUREMENT CONSIDERATIONS

All habitable rooms, kitchens, bathrooms and toilet compartments shall have a minimum floor to ceiling height of 2130mm. In the case of rooms with sloping ceilings, there shall be a minimum height of 2130mm over 50% of the room's floor area. Floor area measurements shall be taken on a plane 1500mm above the floor. Any floor area where the ceiling height is less than 1500mm high shall be disregarded from relevant measurements.

The useability of certain space and the suitability for inclusion in measurements is at the discretion of the local authority.

When calculating occupancy rates, children under the age of 1 year are not counted. At the discretion of the local authority room sizes for children under the age of 10 may be smaller than those previously specified, but they shall not be less than 4.64m² in any instance.

INSULATION AND HEATING

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

- Heating shall be provided in every habitable room, and bathroom capable of maintaining 18°C as an internal temperature when the external temperature is –1°C
- The heating provision must be capable of being safely used at any time and be suitably guarded. It must be suitable, affordable to operate, appropriate to the design, layout and construction of the dwelling and be controllable by the occupants
- In the case of gas central heating, a programmable timer clock shall be installed, and all radiators be fitted with thermostatic valves
- An electrical heating system will be acceptable in the form of a combined storage heater/panel heater that can be run on both off peak and standard day rate electricity tariffs, together with a fixed electric fan heater, located in the bathroom, powered from a fused spur. It must be capable of providing instantaneous energy efficient heating and controllability, on the optimum electricity tariff available
- The use of portable paraffin, oil-fired heaters and liquefied petroleum gas heaters (bottled gas heaters) are prohibited at all times, whether provided by the landlord or the tenant.

- All reasonable steps should be taken to insulate HMO accommodation to improve energy efficiency and reduce condensation risk. Particular attention should be paid to basement and attic rooms and conversions must comply with Fire Safety and Building Regulations.

LIGHTING AND VENTILATION

Natural Lighting

Every habitable room shall have adequate natural lighting. The minimum requirement for natural light provided by an unobstructed window or windows is an area of glazing equivalent to at least 1/10th of the floor area of the room.

Bedsit rooms that do not have access to shared communal living space should have some external view/outlook through a window, not just a skylight view.

All glazing to bathrooms and water closets should be obscure.

Artificial Lighting

All habitable rooms, kitchens, bathrooms, water closets, staircases, landings and passages shall be adequately lit. Timed switches may be used for landings, staircases and passages but they must stay on for an adequate time to enable slow and safe passage.

Ventilation

All habitable rooms shall be ventilated directly to the external air by one or more openable window/s. The minimum requirement for natural ventilation is an area of openable window equivalent to at least 1/20th of the floor area of the room.

Mechanical Extract Ventilation

All kitchens, bathrooms and toilet compartments shall be provided with natural ventilation, as detailed previously, but, where impracticable, mechanical ventilation will be acceptable. Mechanical ventilation must operate on suitable systems to remove moist air with minimal noise disturbance. Mechanical ventilation must comply with the Building Regulations that are current at the time of application. Any installation shall be fitted with an overrun device. This is usually connected to the lighting circuit of the room unless the fan is humidity controlled. All rooms must have controllable trickle vents and/or windows that can be securely locked in the night-latch position to provide background ventilation without excessively losing heat.

Recommendation – Positive pressure whole house ventilation systems are becoming increasingly popular with HMO landlords as a way of managing indoor air quality and reducing the risk of condensation and mould growth. All such systems must be installed and serviced in accordance with manufacturers recommendations and have room by room control.

Recommendation – HMOs located where external air pollution levels are likely to not meet the appropriate standards should be designed with air intakes that minimise pollution ingress into the building, having regard to the design principles contained in Appendix D of Building Regulation Approved Document F.

ELECTRICS

HMOs must be designed with adequate electrical power output for their expected loading. The conversion of large, single occupancy buildings into HMOs requires increased electrical supply, new wiring and many more sockets and appliance outlets.

Electrical sockets must be adequate in number and suitably located to minimise the need for use of adaptors and trailing leads which introduce additional hazards to living spaces.

Converting a property into an HMO is likely to result in an increased demand for electrical power, new wiring and many more sockets and appliance outlets to serve the multiple households within the HMO.

An HMO must be designed with an adequate electrical power supply and associated safety measures to meet the electrical power demands of the HMO.

For advice as to the appropriate electrical power supply and associated safety measures for your HMO please contact UK Power Networks.

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

All privately rented accommodation, including HMOs, is required to have a current (no older than five years) satisfactory Electrical Installation Condition Report (EICR) or an Electrical Installation Certificate (for new or fully rewired properties) from an approved electrical engineer.

An approved electrical engineer will be registered with NAPIT, NICEIC or ELECSA. Alternatively, electrical engineers have the option to certify their competence by providing the local authority with an appropriate summary of their experience, insurance and qualifications covering the current Regulations and the periodic inspection, testing and certification of electrical installation.

GAS

Gas Safety (Installation and Use) Regulations 1998 (as amended)

All rented accommodation with one or more gas appliances or services must have a current (no older than one year) satisfactory Landlord's Gas Safety Record from a Gas Safe registered gas engineer.

FIRE PRECAUTIONS

All premises in multiple occupation must be provided with suitable means of escape from fire, adequate structural integrity and other fire precautions e.g. alarms, fire extinguishers, etc. in accordance with the LACORS Fire Safety Guide.

Fire Detection & Alarm Systems

A mains operated or automatic fire detection and alarm system shall be provided to ensure early warning in the event of a fire.

Most of these systems have interlinked smoke and or heat detector/alarms. Some systems also have sounders, manual call points and control panels.

Stand-alone non-interlinked mains powered smoke and or heat detector/alarms may also be required depending on the layout of each building.

Automatic Fire Detection (AFD) systems must comply with BS5839 and should be tested by a competent fire specialist or electrician annually.

Means of Escape in the Event of Fire

In most residential properties the entrance hall and staircase enclosure provide the main safe escape route from the building. In an HMO the escape route needs to have a minimum of 30 minutes fire protection, depending on the number of storeys to the building.

Most internal walls, ceilings and floors in a house or flat will provide 30 minutes fire protection unless they are in poor condition, damaged or holed, e.g. central heating pipework often runs through walls, floors and ceilings reducing the fire containment capacity.

- **Bedsits, Bedrooms, Common Rooms and Kitchens**

Internal doors opening on to a protected route from fire risk rooms must have fire doors and frames which are rated with at least 30 minutes fire protection, be hung on 3 hinges and fitted with a suitable self-closer. They may also require intumescent strips/cold smoke seals.

Where a fire door is between an escape route and a commercial premise the fire door must be rated as having at least 60 minutes fire protection, be hung on 3 hinges and fitted with a suitable self-closer. They may also require combined intumescent strips/cold smoke seals.

- **Cupboards Under Stairs and in Escape Routes**

Where an HMO has a 30-minute fire protected escape route, any cupboards located on the escape route or under stairs or the escape route must also be 30 minutes fire protected.

In some cases, the cupboard may be emptied and locked with the key under the manager's control.

- **Emergency Lighting**

An HMO may require an emergency lighting system to illuminate communal halls, landings and stairs in the event of failure of the main lighting circuits.

Emergency lighting systems must comply with BS5266 and should be tested by a competent fire specialist or electrician at least once a year.

Electrical supplies to AFD and emergency lighting systems should be from a separate landlord's supply.

SECURITY

External Doors

The main entrance doors to an HMO should be fitted with a surface or flush mounted night latch lock release mechanism (e.g. Yale lock) or a high standard electro-magnetic lock. The landlord or manager

must ensure the locks are in working order at all times.

Windows and glazed door panels situated close to the entrance door locking mechanism should have Georgian wired, toughened or laminated glass. All other external doors and frames should be secure, fitted with a secure locking system, maintained in good repair, and be in working order always.

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

Key operated window locks are required to all accessible windows (ground floor, basement and adjacent to external structures such as a fire escape or flat roof). Where the window is an escape window, that is an integral part of the means of escape from fire, then a suitable alternative security feature to enable it to be opened from the inside is required.

Internal Doors to Bedrooms and Bedsits

In all circumstances individual lettings/rooms must be secure. Bedsits and bedrooms with lockable doors should have a surface or flush mounted night latch lock release mechanism (e.g. Yale lock) which can be opened from the outside using a key and locked on the inside without a key.

Thumb-turn internal locks are recommended.

WASTE MANAGEMENT

Adequate waste disposal arrangements must be in place within the HMO. In practice this means the provision of suitable bins/receptacles and on-site waste storage and management arrangements having regard to:

- The number of occupants
- The type and size of HMO accommodation
- The waste collection and recycling arrangements available either through the local council domestic collection service or a commercial waste contract
- There should be one or more clearly defined external refuse storage areas for refuse containers. These should be pest proof, in the open air, and located away from windows and ventilators.

All HMOs must comply with the local authority's storage and waste disposal scheme, details of which can be found on the [local authority's website](#) or by contacting the Waste Management Team.

The adequacy of waste disposal arrangements is also subject to compliance checks under the HMO management regulations.

MANAGEMENT OF HMO

In many cases the residents of an HMO will be unknown to each other which can present problems associated with access to and the use of shared amenities and common rooms. In addition, residents often share responsibility for cleaning and maintaining shared amenities and common rooms, which may become a problem if this process is not carefully managed.

Clear guidelines for tenants as to their responsibilities and those of the management can help avoid many of the problems mentioned.

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

The manager must ensure their name, address and any telephone contact number are made available to each household in the HMO and that their details are clearly displayed in a prominent position in the HMO.

All means of escape from fire in the HMO must be kept free from obstruction and maintained in good order and repair.

Having regard to the design of the HMO, where appropriate, measures should be taken to protect residents from injury, this includes considering the structural conditions in the HMO and the number of occupiers. For example – attention should be given to any roof or balcony. The building owner/manager must either ensure that they are safe or take all reasonable measures to prevent access to any area for so long as it remains unsafe.

Any windowsills at or near floor level should have bars at waist height or other such safeguards as may be necessary to protect the occupiers against the danger of accidents and falls from height.

The water supply and drainage system serving the HMO must be maintained in a clean and working condition. This includes all pipes, tanks, cisterns or receptacles used for the storage of water or wastewater. All tanks must have a well-fitting cover and any water fitting liable to damage by frost must be lagged and protected. The manager must not cause or permit the water or drainage supply that is used by any occupier at the HMO to be unreasonably interrupted.

The manager must ensure gas supplies and appliances in the HMO are properly serviced, maintained, and tested annually by a recognised gas safe registered engineer. See previous section on Gas.

Within 7 days of receiving a request from the local housing authority, the manager/owner must supply the latest gas appliance test certificate, for any gas appliance in the HMO, in writing. The manager/owner must not unreasonably cause the gas or electricity supply to be interrupted. The tenant/s should be in control of their heating at all times.

The common parts of the HMO must be safe, clean and in good decorative repair, and kept clear from obstructions. All handrails and banisters must be well fitted, in good repair and, where necessary, additional handrails or banisters must be provided. Stair coverings must be safely fixed and kept in good repair and all windows or other means of ventilation within the common parts kept in good repair.

The common parts must be fitted with adequate light fittings and be available for use at all times.

Any fixtures, fittings or appliances provided with the accommodation and used in common by two or more households within the HMO must be maintained in good and safe repair and in clean working order.

Outbuildings, yards, forecourts, gardens, boundary walls, fences, gates and railings must be maintained in good order, safe and clean.

Living accommodation within the HMO, and any furniture supplied with it, must be in a safe and clean condition at the beginning of an occupation. The internal structure and any fixtures, fittings, appliances, windows and other means of ventilation within the accommodation must be maintained in good repair.

Housing Health and Safety Rating System (HHSRS)

Where a property has a defect or inadequacy the local authority uses HHSRS to risk assess the defect or inadequacy (the hazard) to decide how serious it is and thus what level of enforcement action to take.

This applies to all residential accommodation.

PLANNING PERMISSION, THE BUILDING REGULATIONS AND COUNCIL TAX

Planning

Prior to using a house as an HMO owners/managers should check whether planning permission is required. Planning officers consider additional matters such as off-street parking, over intensity of conversions, sound insulation, type of property e.g. terraced/ detached etc.

Building owners/managers must ensure they have planning permission to subdivide a house into self-contained units or change it from a single dwelling to an HMO with 7 or more occupiers, or where an Article 4 direction under the Town and Country Planning (General Permitted Development) (England) Order 2015 applies.

Applying for an HMO Licence does not negate the need for planning permission. If planning permission is not applied for or granted you will be committing an offence and the planning department take enforcement action regardless of the granting of an HMO Licence.

Contact Planning Services at:

Email: planning@bromley.gov.uk or Tel: 020 8313 4956

Building Control

The provision of additional facilities or structural alterations may require Building Control approval.

Building Regulation approval is likely to be required for a range of HMO conversion works including:

- Installation of additional kitchen or bathroom facilities that require wastewater connections
- Changes in the building layout e.g. adding or removing walls and or doors and windows

Compliance with Building Regulations is regulated by Local Authority Building Control or alternative private sector providers.

To contact Building Control: Email: buildingcontrol@bromley.gov.uk or Tel: 020 8313 4313

Council Tax

HMOs are not exempt from council tax. Council tax fraud is an offence please check your/your tenants council tax liability with the Council Tax department, for details see the London Borough of Bromley's [website](#).

ENERGY PERFORMANCE CERTIFICATES

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

An Energy Performance Certificate (EPC) sets out the energy efficiency of a property on a traffic light system of A to G, A being the most efficient.

An EPC provides an indication of how much it will cost to heat and power a property. An EPC is not required for an individual room or bedsit within an HMO but the building or part of the building which is the HMO will usually require a current EPC. From 1st April 2020 all privately rented residential accommodation is required to have a current (no older than 10 years) EPC with a minimum level of "E".

A copy of the EPC for the HMO should be provided to each tenant when they start their tenancy.

A landlord in England cannot serve a Section 21 notice under the Housing Act 1988 for possession if they haven't given the tenant a copy of the property's EPC.

CERTAIN BUILDINGS CONVERTED INTO SELF CONTAINED FLATS

Definition of a Section 257 HMO

Under Section 257 of the Housing Act 2004, buildings which have been converted into self-contained flats without building control approval, where less than 2/3rds of the flats are owner-occupied are likely to be determined to be HMOs. **Regulation of Section 257 HMOs**

Local authorities are responsible for regulating fire precautions within Section 257 HMOs.

Section 257 HMOs are subject to the following regulations:

- The Licensing and Management of HMO (Additional Provisions) (England) Regulations 2007.
- The HMO (Certain Converted Blocks of Flats) (Modifications to the Housing Act 2004 and the Transitional Provisions for Section 257 HMOs) (England) Regulations 2007.

Section 257 HMOs do not require a licence from the local authority under the mandatory HMO licensing scheme.

Section 257 HMO Housing Standard

A self-contained flat within a Section 257 HMO is subject to the same housing standards that apply to all single occupation self-contained houses and flats.

A flat, within a Section 257 HMO, that is not entirely self-contained, will be cause the HMO to be considered a bedsit type HMO.