

- Fire fighting equipment and alarms to be maintained in good working order
- To take all such measures as are reasonably required to protect the occupiers of the HMO from injury through the design, structural condition and number of flats and occupiers. Including balconies, roofs and restrictors to any windows which have low sills.
- To maintain the water supply and drainage
- To supply and maintain gas and electricity.
- To maintain common parts, fixtures, fittings and appliances.
- To maintain the living accommodation in good repair and in clean working order.
- To provide waste disposal facilities

Duty of Occupiers:

- Conduct themselves in a way that will not hinder or frustrate the manager in the performance of their duties.
- Allow the manager, for any purpose connected with the carrying out of their duties, at all reasonable times to enter any living accommodation or other place occupied
- Provide the manager at their request information to help him carry out their duties
- Take reasonable care to avoid causing damage to anything which the manager is under duty to supply, maintain or repair.
- Store and dispose of litter in accordance to the managers arrangements
- Comply with the managers reasonable instructions in respect of means of escape from fire, the prevention of fire and use of fire equipment.

Licensing

It is mandatory to licence all HMO's of three or more storeys and which are occupied by 5 or more people forming more than one household. If the HMO meets these criteria or if you are unsure whether it does please contact the Property Standards Officer whose details are at the bottom of this leaflet. Each licence lasts 5 years and it is an offence not to licence a HMO that fits the criteria. The fine for this can be up to £20,000 (Section 257 HMO's do not require licensing).

Useful Contacts

Gas Safe Register – To check that the gas installer is a registered member or business. www.gassaferegister.co.uk 0800 408 5500.

Worcestershire Trading Standards and Environmental Health – 01905 822799
wrsenquiries@wocrsregservices.gov.uk.

Citizens Advice Bureau – General Advice
 0844 111 303 enquiries@wychavoncab.cabnet.org.uk

Hereford and Worcester Fire Service – Advice on Regulatory Reform (Fire Safety) Order 2005 or fire safety in common areas of the property.
 0800 0321155 www.hwfire.org.uk

Further Information

If you would like further information, advice or to make a formal complaint please contact the Property Standards Officer on 01386 565341 or email privatesectorhousing@wychavon.gov.uk.

August 2012

WYCHAVON

Houses in Multiple Occupation



A guide for Tenants and Landlords

www.wychavon.gov.uk

WYCHAVON
 DISTRICT COUNCIL
 good services, good value

Wychavon District Council will inspect Houses in Multiple Occupation (HMO's) to ensure that they are up to the current property standards.

What is a House in Multiple Occupation?

HMO's are defined in Part 7 of the Housing Act 2004. They are buildings, part of buildings or flats that:

- A building in which more than one household shares a basic amenity e.g. a bathroom, toilet or cooking facilities (standards test)
- A flat in which more than one unrelated household shares a basic amenity (all of which are in the flat) e.g. bathroom, toilet or cooking facilities (self-contained flats test)
- A building which has been converted and does not entirely consist of self contained flats (converted building test)
- A building which is comprised of converted self-contained flats and the standards of the conversion does not meet, at the minimum, the standards required by the 1991 Building Regulations, and less than two thirds of the flats are owner occupied (Section 257 HMO).

Exemptions include:

- Properties under the management or control of a local housing authority a registered social landlord or certain other public bodies
- Properties regulated under other enactments such as children's homes, care homes and bail hostels
- Properties where students are studying a full time course of further education and higher education and where the property is managed by a specified education establishment. The specified education establishment must also be subject to an approved Code of Practice.

- Properties occupied for the purpose of a religious community whose main occupation is prayer, contemplation, education or the relief of suffering. The exemption does not apply to section 257 HMO's.
- Properties occupied by a resident landlord, family and not more than 2 unrelated persons
- Properties occupied by only two persons each of who form a separate household.

What is a Household?

Families, related individuals, couples (including co-inhabiting and same sex couples), or a single person who use this property as their main residence would be classed as one household. The definition will also include other relationships such as fostering and carers as well as domestic staff who do not pay rent but live in the same property as the employer.

Fire Safety With in HMO's

- HMO's have a higher risk of fire than single family dwellings due to increased occupancy, multiple ignition sources, vulnerable occupants, poor construction and lack of fire prevention measures.
- Fire safety is included in the Housing Health and Safety Rating System (HHSRS) and is inspected by the Council.
- Basics precautions:
 - remove polystyrene ceiling tiles
 - discourage use of portable gas or liquid heaters
 - Ensure that the electrical wiring is safe
 - Ensure that gas appliances are tested annually by a Gas Safe Engineer
 - Ensure regular maintenance of all fire apparatus, fire alarms and emergency lighting in the line with the current British Standards

- Provide a sensible internal layout, such as fire escape routes from bedrooms which do not pass through a high risk rooms such as living rooms and kitchens.
- Fire resistant surface finishes
- Property regularly inspected for disrepair
- Keep escape routes free from obstruction

Hereford and Worcester Fire Authority also inspect HMO's communal areas under the Regulatory Reform (Fire Safety) Order 2005. The responsible person must carry out a fire risk assessment and as far as reasonably practical make sure that everyone on the premises can escape safely if there was a fire.

Repairs

Where the landlord has been told about the need for repairs and failed to carry them out, a tenant can contact Wychavon District Council, who can offer initial advice, more information and investigate a formal complaint under Part 1 of the Housing Act 2004. Officers can carry out a risk assessment of the property using the Housing, Health and Safety Rating System (HHSRS). Landlords will be advised by the Council of details of the inspection at their property. Please see 'complaints about rented property' leaflet for further information on how to make a complaint.

Management Regulations

The standards in HMO's are also enforceable under the Management of Houses in Multiple Occupation (England) Regulations 2006 and The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007. These Regulations outline the duties of Managers and Occupiers. In brief:

Duty of Managers:

- Ensure that all means of escape are free from obstruction and maintained in good order and repair.