

Houses in Multiple Occupation (HMO) LICENCE CONDITIONS Section 67 Housing Act 2004

SOUTHAMPTON CITY COUNCIL HMO LICENCE CONDITIONS

ADDRESS:

Licence Number:

Date of licence:

Date of issue :

In accordance with section 67 of the Housing Act 2004, a licence to operate an HMO **is granted subject to compliance with certain conditions**. The relevant conditions are listed below. Please note that the conditions are described under two headings:

1. **Specific conditions** – these conditions are listed in Schedule A below and relate only to the above address. These conditions will usually require the landlord to carry out works of improvement to the HMO within a specified timescale. In some cases these conditions may also restrict the use of part of the accommodation.
2. **General conditions** – these conditions are listed in Schedule B below, and are attached to all HMOs licensed with the City Council. All HMO licence holders have to comply with these conditions.

Failure to comply with the specific or general conditions may result in legal enforcement or the variation or revocation of the licence.

Schedule A

Specific Conditions of HMO Licence

These conditions are specific to the property for which the licence is issued.

Space Standards

1. The use of the _____ room for ____ people is prohibited as it is too small to be occupied. One or more of the following steps should be taken.
 - a) Reduce the number of people occupying the _____ room to ____.
The licence holder will be expected to ensure that the numbers are reduced at the earliest opportunity, but in any event, within 9 calendar months of the date of issue of the licence. However, existing tenancies must be allowed to run to their full term, unless the tenants agree to an earlier termination. The termination of any tenancy must comply with any statutory procedure.
 - b) Cease making the _____ room available to let. The licence holder will be expected to ensure that the numbers are reduced at the earliest opportunity, but in any event, within 9 calendar months of the date of issue of the licence. However, existing tenancies must be allowed to run to their full term, unless the tenant(s) agree to an earlier termination. The termination of any tenancy must comply with any statutory procedure.
 - c) Provide a living room of a size no less than _____m², the minimum allowed in the current version of the 'Guidance on Southampton City Council Standards for Houses in Multiple Occupation', by _____ (insert date usually 6 months allowed).
 - d) Provide a kitchen of a size no less than _____m², the minimum allowed in the current version of the 'Guidance on Southampton City Council standards for houses in multiple occupation', by _____ (insert date usually 6 months allowed).
2. Maximum occupancy is set at:-
 - i) (location of room): 1 person
 - ii) (location of room): 1 household (maximum of 2 persons)
 - iii)

N.B. Households must consist of related persons i.e. a co-habiting couple.

The use of the _____ room for sleeping accommodation is prohibited as it is too small to be occupied. However, to continue letting the property to ____ tenants, you can change the current use of the rooms in the property. As indicated above, by changing the room currently used as a lounge into a bedroom, and the _____ bedroom into communal space (i.e. an office), the property would comply with SCC room size requirements.

If the above restrictions result in numbers of occupants having to be reduced, the licence holder will be expected to ensure that the numbers are reduced at the earliest opportunity, but in any event, within 9 calendar months of the date of issue of the licence. However, existing tenancies must be allowed to run to their full term, unless the tenant(s) agree to an earlier termination. The termination of any tenancy must comply with any statutory procedure.

Amenity Standards

3. There are currently inadequate areas for refrigeration, food storage, preparation and cooking provided for the number of tenants. Either:
- Provide _____, _____, _____, as required by the current version of the 'Guidance on Southampton City Council standards for houses in multiple occupation', by _____ (insert date usually 6 months allowed); or
 - Reduce the number of tenants in the property to _____. The licence holder will be expected to ensure that the numbers are reduced at the earliest opportunity, but in any event, within 9 calendar months of the date of issue of the licence. However, existing tenancies must be allowed to run to their full term, unless the tenant(s) agree to an earlier termination. The termination of any tenancy must comply with the correct statutory procedure.
4. There are currently an inadequate number of WCs for the number of tenants. Either;
- Provide _____ additional W.C. facilities to bring the property up to the standard required in the current version of the 'Guidance on Southampton City Council standards for houses in multiple occupation', by the _____ (insert date usually 6 months allowed);
- or
- Reduce the number of tenants in the property to _____. The licence holder will be expected to ensure that the numbers are reduced at the earliest opportunity, but in any event, within 9 calendar months of the date of issue of the licence. However, existing tenancies must be allowed to run to their full term, unless the tenant(s) agree to an earlier termination. The termination of any tenancy must comply with the correct statutory procedure.
5. The property may not be occupied by more than _____ residents having regard to the availability of amenities as described in the current version of the 'Guidance on Southampton City Council standards for houses in multiple occupation'. By the _____ (insert date usually 6 months allowed for items a, b and c) you must;
- Provide a bathroom. The bathroom shall contain a fixed bath or shower, wash hand basin, tiled splash backs and the associated drainage and hot and cold water supplies.
 - Provide an additional wash hand basin in the _____ room.
 - Provide a separate W.C. and wash hand basin in a suitable room.
 - Reduce the number of tenants in the property to _____. The licence holder will be expected to ensure that the numbers are reduced at the earliest opportunity, but in any event, within 9 calendar months of the date of issue of the licence. However, existing tenancies must be allowed to run to their full term, unless the tenant(s) agree to an earlier termination. The termination of any tenancy must comply with the correct statutory procedure.
6. The licence holder shall provide wash hand basins, the associated drainage, hot and cold water supplies with a minimum 15cm high splash back to the following rooms.
-
- by the _____ (insert date usually 5 years allowed)

This must be done where it is reasonably practicable to do so. The onus is placed on the

licence holder to demonstrate that is not reasonably practicable for wash hand basins to be provided in each room. Regard should be had to the age and character of the HMO, the size and layout of each room and its existing provision for wash hand basins, toilets and bathrooms in reaching this decision.

7. The licence holder shall provide the following laundry facilities:

by the _____ (insert date usually 6 months allowed)

8. You are restricted from using the following rooms _____ as you have not provided any living space or dining space and the room/s are located more than one floor distant from the kitchen and cooking facilities. Either;

a) Provide living or dining space no further than one floor distant from the kitchen and cooking facilities, to bring the property up to the standard required in the current version of the 'Guidance on Southampton City Council standards for houses in multiple occupation', within 6 months of the date of this licence; or

b) Cease the use of these rooms for individual letting. The licence holder will be expected to ensure that the numbers are reduced at the earliest opportunity. However, existing tenancies must be allowed to run to their full term, unless the tenant(s) agree to an earlier termination. The termination of any tenancy must comply with the correct statutory procedure.

9. An approved form of mechanical ventilation must be provided to the _____, by _____ (insert date usually 6 months allowed). The required specification is as follows: (delete as applicable)

a) (for a separate wc) - a built in fan unit capable of extracting air at a rate of not less than 3 air changes per hour, which may be operated intermittently with 15 minutes overrun;

b) (for bathroom/shower room) - a built in fan unit capable of extracting air at a rate of 15 litres per second which may be operated intermittently (a low voltage unit should be considered if appropriate to comply with regulations);

c) (for a kitchen) - a built in fan unit capable of extracting at a rate not less than 60 litres per second (or incorporated within a cooker hood, 30 litres per second) which may be operated intermittently during cooking.

If the above rooms are without windows the extractor fan will require, in addition, a 15 minute overrun timer.

All extract fans fitted to a bathroom or shower room should be fitted with both a timer overrun and a humidistat.

All extract fans must be fitted in compliance with Document F 1995 Building regulations and each unit must be fitted as identified in the manufacturer's fitting instructions.

10. Provide and fit a Carbon Monoxide detector (approved to EN50291-1:2010 and kite marked) in line with the manufacturers guidelines to the bedroom containing the boiler, currently located _____. (ONLY TO BE USED IF THE BOILER IS IN A BEDROOM)

Fire Safety

The property currently has some level of fire protection but does not meet the standard for HMOs of this size and type. In order to meet this standard, the following works must be

completed by (insert date usually 2 months allowed)

11. Enclose the electricity/gas meters on the escape route in a fire resistant cupboard to the following specification:

Cupboards should be constructed to a 30-minute fire-resisting standard including the door (FD30). Where the cupboard is sited under the staircase the spandrel and the soffit of the stairs is to be of 30-minute fire resisting standard. [This can be achieved by using 12.5mm Gypsum Wallboard, 15mm Gypsum Wallboard, 12.5mm Fire Resistant Gypsum Wallboard or equivalent, secured to the existing structure]

Alternatively the cupboard may be emptied and sealed up permanently.

12. Upgrade the following cupboards _____, _____, _____ to a 30 minute fire resisting standard as outlined below.

Cupboards should be constructed to a 30-minute fire-resisting standard including the door (FD30). Where the cupboard is sited under the staircase the spandrel and the soffit of the stairs is to be of 30-minute fire resisting standard. [This can be achieved by using 12.5mm Gypsum Wallboard, 15mm Gypsum Wallboard, 12.5mm Fire Resistant Gypsum Wallboard or equivalent. [Alternatively the cupboard may be emptied and sealed up (permanently locked) or removed.]

Alternatively the cupboard may be emptied and sealed up permanently.

13. Upgrade the under stairs cladding on the escape route in a fire resistant material to the following specification:

Under stairs cladding should be constructed to an adequate fire resisting standard and where sited under the staircase the spandrel and the soffit must be protected. This can be achieved by using 12.5mm Gypsum Wallboard, or equivalent, secured to the existing structure.

14. The doors to the following room(s) fail to meet the required fire precautions standards and need to be upgraded / repaired

i)

The following repairs should be undertaken:

- a) Provide and fit a solid close fitting door of sound traditional construction that has a gap of no more than 3mm between the door and its frame.

15. The doors to the following room(s) fail to meet the required fire precautions standards

i)

and need to be upgraded / repaired. The following repairs should be undertaken (delete according to the works needed).

The doors must meet the FD30S fire resisting standard, incorporating the following:

- a) Three x 100mm brass or steel butt hinges;
- b) an intumescent strip rebated into both edges and top, fitted either to the door or frame;
- c) 35 x 12.5mm door stops glued and screwed at 300mm centres;
- d) smoke seals fitted to the door or frame.
- e) The door must be provided with overhead door closers capable of closing the door onto

the latch. The door closers must conform to BS EN 1154: 1997. All door furniture must be metal and the gap between door and frame must not exceed 3mm at any point.

Fire door assembly and maintenance to comply with BS 8214:1990.

16. Any door providing a means of escape and which is required to be kept locked shall be fitted with a type of lock capable of being opened easily and quickly from within without the use of a key in an emergency.
17. The fire alarm system currently serving the property should be repaired / upgraded to include the following:
 - a) Provide and fit an additional smoke / heat detector in the _____. The detector must be mains wired with integral battery back-up and interlinked to the existing system to sound simultaneously.
 - b) Replace the defective smoke/heat detector(s) in the _____
 - c) The fire alarm system should be tested and certified in accordance with British Standard 5839 Part 6:2013 and Part 1:2002 by a competent person.

Any works to the fire alarm system should result in a suitable certificate which is to be provided to the local authority on completion of the works. Photocopies of certificates are not acceptable.

18. The fire alarm system should be tested and certified in accordance with British Standard 5839 Part 6:2013 and Part 1:2002 by a competent person and the original certificate provided to the local authority.
19. Where an LD2 Grade A fire alarm and emergency lighting system has been installed, the licence holder must provide the logbook for inspection by the council. This logbook will need to demonstrate that correct maintenance of the systems has been carried out. Correct maintenance will include periodic tests and checks, in accordance with British Standard 5839 Part 6:2013 and Part 1:2002. A Grade A system must be inspected on a six monthly basis.
20. Replace the locks to the following doors with a type of lock capable of being opened easily and quickly from inside without the use of a key in an emergency.
 - i)
21. Provide a fire blanket to the _____ which complies with BS 7944:1999 or BS EN 1869:1997. The blanket should be provided in a wall-mounted quick release container, which should be positioned at eye level in an unobstructed location.
22. All letting rooms or kitchens containing cooking facilities shall be provided with suitable fire blankets which comply with BS 7944:1999 or BS EN 1869:1997. The blanket(s) should be provided in a wall-mounted quick release container, which should be positioned at eye level in an unobstructed location.
23. The licence holder must ensure that all fire fighting equipment installed in the house is serviced on at least an annual basis by a competent person, and must ensure that the equipment is maintained at all times.
24. Due to the lack of smoke detection in the _____ room(s), remove smoke sealant brushes from the _____ door in order to ensure early activation of smoke alarms.
25. Replace the ball catch latch to the _____ door with a traditional lever latch to ensure the doors close tightly to their frame.

26. The transom lights above the door to the _____ do not provide the appropriate level of fire separation. The following repairs should be undertaken:
- a) Create a small studwork partition in the glass panels place with 12.5 plasterboard either side, well fixed and sealed to the surrounding to ensure adequate fire separation. Or...
 - b) Replace the glass panel(s) with an approved glass component specified in BS3193:1989 or kite marked safety glass to achieve adequate fire protection and safety.
27. The main escape route (stairs) discharges through the current communal living area (risk room).

Erect a stud wall partition and associated door and frame separating the staircase from the risk room to create a protected escape route (corridor).

The door between the risk room and newly created protected escape route should be of solid traditional construction with a gap of no more than 3mm between the door and the frame to ensure it shuts tightly.

Please note, the above works identify the most appropriate option to reduce the risk associated with the escape route discharging through a high risk room. However there may be alternatives, if you wish to explore these other option please contact your case officer. Alternatives may require you to submit a copy of the current Fire Risk Assessment to the Local Authority for consideration. The fire risk assessment must be suitable and sufficient and in line with the Regulatory Reform (Fire Safety) Order 2005.

28. Provide an escape window to the _____. All fire escape windows must have an unobstructed openable area of 0.33m² and have a minimum of 450mm width and height. The bottom of the openable area should be no more than 1.1meters from the internal flooring and 4.5 meters from the external ground and ultimate safety. The escape windows should also not be lockable internally with the use of a key. The final exit door (alternative fire escape door) must be fitted with a lock not capable of being locked with a key internally.
29. Provide an additional double electrical socket, or two single electrical sockets, to the _____ to total at least 4 electrical sockets for the room.
30. Where a payment or credit meter controls the amount of electricity available to the occupants, a separate independent power supply circuit must be provided to the Fire Alarm system. This new supply to the Fire Alarm System must not rely on the credit controlled supply, and must not be interrupted at any time. This must be done by _____ (insert date, usually 1 month allowed)

Electrical Safety

31. Provide a satisfactory periodic electrical survey inspection report for the whole of the electrical installation in accordance with current IEE Wiring Regulations, by the (insert date usually 1 month allowed). The report shall be no more than five years old and shall have been produced by a suitably trained, experienced and competent person. A competent person is deemed to be one accredited by an organisation identified in Part P of the Building Regulations in force at the time of the inspection. Any remedial work relating to the safety of the installation which is identified during this inspection shall be completed within three months of the date of issue of this certificate. The licence holder must make available a copy of the report to tenant(s) in the management logbook held at the property.

Management

32. The licence holder shall attend and complete a training course relating to the management and operation of houses in multiple occupation, as specified by the local authority, by the **(insert date usually 6 months allowed)**. Upon completion proof of attendance and success in passing the course shall be provided to the local authority.

Schedule B

General Conditions of HMO Licence

1. Southampton City Council ("the Council") may at any reasonable time visit and inspect the licensed premises to check for compliance with the conditions of this licence. The licence holder must ensure that all reasonable requests for access to the property are met and such access is gained.

Occupation and Use

2. The licence holder must not permit the house to be occupied in any other way or by more than the number of persons specified in the licence.
3. The licence holder must ensure that a copy of the licence together with a copy of these licence conditions are clearly displayed within the common parts of the house (e.g. the hallway), for the benefit of all tenants.
4. The licence holder must ensure that all occupants are supplied with a tenancy agreement and an agreed statement of the terms on which they occupy the house. This statement should ensure that each occupier is made aware of any conditions imposed by the Council relating to the behaviour of occupants, and that compliance with any such conditions is made a condition of occupancy.

These conditions are that the occupants shall:-

- i) Not use the house or allow others to use the house in a way which causes a nuisance, anti-social behaviour, annoyance or damage to neighbouring, adjoining or adjacent property; or to the owners or occupiers of those properties. This includes any nuisance caused by noise;
 - ii) Not leave the property unoccupied for more than 28 days without providing the licence holder and/manager with reasonable notice;
 - iii) Comply with arrangements made by the manager, owner or licence holder, for the storage and disposal of refuse and household waste;
 - iv) Not cause damage to fixtures, fittings, fire precautions, or premises and if so damaged to make good all damage that may occur during the term of occupation that are the responsibility of the tenant;
 - v) Permit the licence holder and/or manager or their agents or contractors upon giving at least 24 hours notice in writing (except in emergencies) to enter the house at all reasonable times for the purpose of inspection.
 - vi) Not to use common areas, including shared living rooms, kitchens, hallways etc of the house for sleeping, either by tenants or their guests
5. The licence holder must reasonably co-operate with the licensing authority over any action being taken in respect of anti-social behaviour and must invoke appropriate tenancy agreement sanctions where necessary.
 6. The licence holder will ensure that if he is the direct landlord of the occupants that he will take all appropriate legal action to remedy any breach by the occupants of their terms and conditions that apply to their use and occupation of the property. In particular in relation to condition 4 (i) above, and if appropriate, serve appropriate legal notices to terminate the

occupation agreement and to commence within a reasonable period of time possession proceedings. If the licence holder is not the landlord of the house he will ensure that any legal binding agreement he has with a manager of the house ensures that the manager has a similar obligation.

7. The licence holder shall make reasonable provisions to enable the occupiers of the property, the Council and any other persons who may be affected, to contact the licence holder or a representative to report an urgent problem or emergency situation. The licence holder or other nominated person shall have sufficient authority to authorise expenditure on repairs or other emergency actions without delay and should be authorised to deal with any anti social behaviour problems linked to the property.
8. The licence holder must ensure that they conduct their obligations and responsibilities to the occupants in accordance with landlord/tenant law and that:
 - i) Occupants are aware of the obligations and procedures for requesting repairs and of landlord/tenant rights regarding access to carry out repairs;
 - ii) Occupants are aware of their duty to take reasonable care;
 - iii) Occupants are aware of what services rental payment includes, the consequences of non-payment, the procedures relating to deposits and the calculation of refunds at end of tenancy;
 - iv) The licence holder shall ensure that all deposits are handled and processed in compliance with the Tenancy Deposit Guarantee Scheme.
 - v) Legal binding agreements and other documentation relating to the occupants use and occupation of the house are fair, clear and concise and the contents are explained to, and understood by, the occupants;
 - vi) Where documents are to be signed by the occupants, a copy is to be provided to them within 14 days of this signature being obtained;
 - vii) Occupants have quiet enjoyment of their accommodation;
 - viii) Vacant possession is sought only using the appropriate notices and lawful possession procedures.

Management of the Property

9. The responsibility for compliance with these conditions rests solely with the licence holder. Where conditions have a time limit attached, it is the licence holder's responsibility to ensure compliance. Where a time limited condition is imposed there is no obligation placed on the Council to visit to check compliance at the expiry of such time limits and the lack of such a visit does not release the licence holder from their responsibilities.
10. The licence holder must ensure that the house is properly managed at all times. In applying good standards of management the licence holder must comply with: The Management of Houses in Multiple Occupation (England) Regulations 2006 as amended; any relevant Code of Practice approved by the Secretary of State for this purpose which is in force currently or subsequently during the life of the licence. A summary of the main provisions of the current management regulations are attached to these conditions.
11. The licence holder shall ensure that the house is inspected at reasonable intervals. (See condition 4 for service of reasonable notice on occupiers) to carry out assessments and

inspections to ensure the property is well maintained and that any problems are identified and rectified. Occupants should be notified in writing of any proposed visit, except in the case of an emergency situation where reasonable verbal notice should be given. A copy of any written notices and correspondence must be kept by the licence holder and/manager. Copies of the notices and correspondence must be made available to the local authority within 48 hours of a request to see them.

12. The licence holder must display within the common parts of the house his/her contact details together with those of any manager or agent appointed in connection with the running of the house. This must include their:
 - Name
 - Address
 - Daily contact telephone number
 - Emergency contact number for out of hours use.
13. The licence holder shall nominate a representative to act on their behalf on occasions of their holidays, sickness or other temporary absence. The occupiers shall be made aware of any such arrangements and given contact details, updated as necessary.
14. Should the licence holder intend to be absent from the UK for a period of more than 1 month, they should notify the Council, and provide in writing, alternate contact details of a suitable person who will act on their behalf.
15. The licence holder must ensure that any persons involved with the management of the house are to their best knowledge “fit and proper persons” for the purposes of the Act.
16. The Council must be notified immediately if there has been any material change in respect of the licence holder, manager or anyone else involved with the property, the property itself or its management.
17. The licence holder must notify the mortgagee (if any) of the application for an HMO licence for the property. Details of the property concerned, the proposed licence holder, and any other interested party must be provided.

Facilities and Equipment

18. The licence holder must ensure that all amenities, facilities and equipment provided for occupants are adequately maintained and remain available for use at all times.
19. The licence holder must ensure that the house is maintained in good repair and any gardens, forecourts and boundary walls or fences of the property are kept free from overgrowth, litter or other accumulations and is maintained in a clean and tidy condition.
20. The licence holder must comply with the council's storage and waste disposal scheme, ensuring that there are suitable and sufficient facilities and adequate arrangements for the storage and disposal of refuse and recyclable waste generated at the property.
21. If gas is supplied to the property the licence holder must ensure that all gas appliances, flues and equipment are inspected by a Gas Safe registered engineer at intervals of no more than 12 months. A Gas Safety Certificate must be obtained as a result of this inspection and made available to tenants at the beginning of every new tenancy and when a new test is completed i.e. on expiry of the previous test certificate.
22. The licence holder must ensure that all electrical appliances in the house supplied by them are maintained in a safe condition. The licence holder shall supply the local authority on

demand, with a declaration confirming the safety of any such appliances.

23. The licence holder shall hold a periodic electrical survey inspection report for the whole of the electrical installation in accordance with current IEE Wiring Regulations. The report shall be no more than five years old and shall have been produced by a suitably trained, experienced and competent person. A competent person is deemed to be one accredited by an organisation identified in Part P of the Building Regulations in force at the time of the inspection. Any remedial work relating to the safety of the installation which is identified during this inspection shall be completed within three months of the date of issue of this certificate. The licence holder must make available a copy of the report to tenant(s) at the beginning of every new tenancy, and to the Council within 7 days of any request to do so.
24. Where rents are inclusive of gas or electricity the licence holder shall ensure that gas or electricity supplies to units of accommodation are not disconnected or threatened with disconnection due to non-payment of monies owed to the relevant statutory undertaker.
25. The licence holder must ensure that the house is compliant with Southampton City Council's Approved Standards for HMOs and any amended or subsequent replacement standards, according to the type of accommodation offered. These standards will be reviewed periodically to ensure that they remain appropriate to the type of HMO accommodation within the Council's area and needs of residents. A copy of the standards adopted by Southampton City Council at the time of issue of this licence is included with this licence.
26. The licence holder must ensure that all sinks, baths, showers and wash hand basins are equipped, where applicable, with fixed taps and that the hot water system is capable of supplying hot water when required by the occupants.
27. The license holder must consult with the City Council before making any material changes to the layout, amenity provision, fire precautions or mode of occupation of the house.

Fire Safety

28. The licence holder must ensure that all furniture supplied by them in the house is compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended - 2010 No.2205). The licence holder shall supply to the Council, on demand, a declaration relating to the safety of all such appliances and furniture.
29. The licence holder shall produce upon request to the Council, a copy of the current Fire Risk Assessment carried out as required by the Regulatory Reform (Fire Safety) Order 2005.
30. The licence holder shall ensure that, as a minimum, the property is installed with smoke detectors in the entrance hall and landing area on each floor.
31. The licence holder shall ensure that an explanation is given to each tenant at the beginning of their occupancy regarding all fire precaution and facilities provided in the house. This should include, but is not limited to, understanding the alarm, the importance of fire doors and protecting the escape route, keeping the escape route free of obstructions and the use of fire fighting equipment. Following receipt of such instruction, each tenant must sign a declaration of understanding. A copy of this declaration of understanding must be submitted to the council within 7 days of a request being made.
32. The licence holder will ensure that electricity supplies to automatic fire detection and emergency lighting systems (where fitted) are not disconnected or threatened with disconnection due to non-payment of monies owed to the relevant statutory undertaker.

Summary of the Management of Houses in Multiple Occupation (England) Regulations 2006

If the licence holder is also the manager of the property, he/she will be required to comply with the requirements of Regulations 3 to 9 of the Management of Houses in Multiple Occupation (England) Regulations 2006 (*Statutory Instrument 2006 No. 372*). If the licence holder is not also the manager of the property, then the licence holder will be required to ensure that the manager complies with the requirement of the Regulations.

Regulation 3

- The manager must provide the occupiers with details of his/her name, address and contact telephone number and must display such details in a prominent position within the HMO.

Regulation 4

- The manager must ensure that the property has a safe design and construction.

- The manager must also ensure that any means of escape from fire are maintained and free from obstructions, that all fire precautions are maintained, and that any fire notices are clearly visible.

- The licence holder will also be required to provide to the Council copies of annual inspection and test certificates for automatic fire detection systems, and for emergency lighting systems, where provided.

Regulation 5

- The manager must maintain the water supply and drainage system to the property.

- The manager must also ensure that there is no unreasonable interruption to the water supply or drainage.

Regulation 6

- If requested by the Council, the manager must supply, within 7 days, the latest gas safety inspection certificate for the property as carried out by a Gas Safe registered engineer.

- The manager must ensure that the property's electrical installation is inspected and tested at least every five years, and that, if requested, the latest inspection certificate is supplied to the Council within 7 days.

- The manager must also ensure that there is no unreasonable interruption to the gas or electricity supplies used by any occupier.

- The licence holder will be required to ensure that any remedial works identified following inspections of gas and electrical installations and appliances are carried out within a reasonable time period.

- The licence holder will also be required to provide to the Council copies of annual gas safety inspection certificates.

Regulation 7

- The manager must ensure that all common parts, fixtures, fittings and appliances are well maintained.

- The manager must also ensure that outbuildings, yards, gardens, and boundary walls, fences and railings are well-maintained and safe.

Regulation 8

- The manager must ensure that units of accommodation and any furniture supplied are clean and in good repair at the commencement of a tenancy, and that any fixtures, fittings or appliances within the letting are clean and in good working order.

Regulation 9

- The manager must ensure that a sufficient number of rubbish bins are provided for the occupiers, and that, where necessary, arrangements are made for the disposal of refuse and litter.

N.B. If you require full details of the Regulations you can obtain a copy from Stationery Office Ltd or on-line at: www.legislation.gov.uk

Summary of Southampton City Council Amenity and Space Standards

SHARED PERSONAL WASHING & WC FACILITIES

	Bedsits	Shared Houses
Bathroom	1 per 5 occupiers	1 per 5 occupiers
WC	1 per 5 occupiers.	1 per 5 occupiers
Wash hand basin	One to be provided within each letting. (see Note 1 below). This is not a requirement if a sink is provided within the letting A wash hand basin must be provided with every WC	In HMOs where there are 5 or more occupants, 1 wash hand basin to be provided within each letting where reasonably practicable (see Note 1 below) A wash hand basin must be provided with every WC
Heating	Adequate and suitable heating to be provided.	Adequate and suitable heating to be provided.
Ventilation	Adequate and suitable ventilation to be provided	Adequate and suitable ventilation to be provided

Note 1: It will be the responsibility of the landlord to demonstrate that is not reasonably practicable for a wash hand basin to be provided in each room. Regard should be had to the age and character of the HMO, the size and layout of each room and its existing provision for wash hand basins, toilets and bathrooms.

KITCHEN FACILITIES STANDARDS

FACILITY	Bedsits	Shared Houses
Cooker	1 per 3 occupiers/small households	1 for up to 5 occupiers. The addition of a microwave oven will allow the facilities to be used by up to 7 persons. If there are more than 7 occupants, 2 cookers must be provided, for use by up to 10 occupants.
Sink	1 per 3 occupiers/small households.	1 for up to 5 occupiers.
Adequate no. of suitably located electrical power points (adjacent to worktop)	4 single sockets or 2 double sockets are required for every 3 occupiers/small households. Additional sockets are needed for a cooker or refrigerator.	4 single sockets or 2 double sockets per 5 occupiers. Additional sockets are needed for a cooker or refrigerator.
Worktops	2m x 0.5m per 3 occupiers/small households.	2m x 0.5m per 5 occupiers.
Dry food storage	Double wall unit or single base unit (0.16m ³) for each occupier/small household. Storage in communal areas to be lockable.	Single wall unit per occupier (0.08m ³)
Refrigerated storage	Standard sized fridge (0.15m ³) with adequate freezer compartment per occupier/small household. If no freezer compartment in the fridge, separate freezers should be provided. Storage in communal areas to be lockable.	Standard sized fridge (0.15m ³) per 5 occupiers. Separate standard sized freezer should be provided per 5 occupiers.
Extractor fan	To be provided	To be provided
Fire door to shared kitchen	30 minute self-closing fire door set with cold smoke seals and intumescent strips.	Either a sound traditionally constructed solid door or 30 minute self closing fire door set with cold smoke seals and intumescent strips dependent upon risk factors. See LACORS fire guidance.
Fire blanket	To be supplied and wall mounted, but not to be sited immediately adjacent to or over a cooker	To be supplied and wall mounted, but not to be sited immediately adjacent to or over a cooker
Storage space for crockery & kitchen utensils	Adequate cupboard and/or drawer space	Adequate cupboard and/or drawer space

SPACE STANDARDS

ROOM(S)	Bedsits	Shared Houses
One room unit for one person	13 m ² including kitchen facilities for exclusive use. 10 m ² where separate shared kitchen	Not applicable
One room unit for a co-habiting couple	16.5 m ² including kitchen facilities for exclusive use. 14m ² where separate shared kitchen	Not applicable
Two or more roomed unit for one person	Kitchen – 4.5m ² Living / kitchen – 11m ² Living room – 9m ² Bedroom – 6.5m ² Bed/living room – 10m ²	Not applicable
Two or more roomed unit for two persons living as a single household	Kitchen – 7 m ² Living / kitchen – 15 m ² Living room – 12m ² Bedroom – 10m ² Bed/living room – 14m ²	Not applicable
Shared kitchens	7m ² for up to 5 occupants. 10m ² for 6 – 10 occupants.	7m ² for up to 5 occupants. 10m ² for 6 – 10 occupants.
Bedroom/study	Not applicable	10m ² except where a separate communal living room is provided in which case the bedroom may be 6.51 m ²
Dining/kitchen	Not usually applicable. Check with Private Sector Housing if dining/kitchen present.	11.5 m ² for up to 5 occupants. 19.5m ² for 6 – 10 occupants.
Communal living room	Not usually applicable. Check with Private Sector Housing if dining/kitchen present.	12 m ² for up to 5 occupants. 16.5 m ² for 6 – 10 occupants.

MANDATORY CONDITION

From October 1st 2018 minimum room sizes are to be imposed as condition of Part 2 Housing Act 2004 licenses. Please note these are the statutory minimum standards and the standards imposed by Southampton City Council are higher, see above.

Minimum sleeping room sizes;

- 6.51m² for one person over 10 years of age
- 10.22m² for two persons over 10 years of age
- 4.64m² for one child under the age of 10 years

Where rooms are found to be between 4.64m² and 6.51m² these will be conditioned as only

suitable for a child under ten and only if the property benefits from separate communal living space as stated in the Southampton City Council HMO standards.

Any area of the room in which the ceiling height is less than 1.5m cannot be counted towards the room size.

Southampton City Council is required to specify for each HMO the maximum number of persons over 10 years of age/and or persons under 10 years of age who may occupy specified rooms provided for sleeping accommodation.