

Advice from East Herts Council

# Houses in Multiple Occupation (HMO)

Advice and guidance  
to landlords, managing  
agents and tenants

Working to achieve good, safe standards of accommodation



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# What is an HMO?

The Housing Act 2004 defines your property as an HMO if it meets either of the following criteria:

1. A house or flat that is let to three or more unrelated tenants, who share a kitchen, bathroom, or toilet.
2. A building which has been converted entirely into self contained flats, and that conversion did not meet the standards of the 1991 Building Regulations, where more than 1/3 of the flats are let on short-term tenancies.

The property must be the tenant's main home or principal address.

Properties let to migrant workers or students will be treated as their only home.

It is important to remember that this is not an exhaustive list. If you would like advice or help to decide whether your property, or a property that you manage, is an HMO, please contact us using the telephone or email details given on the back page.

**The council aims to ensure that all residents living in East Herts have a home that provides a safe and healthy environment that is free from any hazards that have the potential to pose a health and safety risk to any occupier or visitor.**

## The Management of HMOs

The Management of Houses in Multiple Occupation (England) Regulations 2006 impose duties on a person managing an HMO in respect of:

1. The provision of appropriate information for all occupiers, for example: ensuring signs displaying the contact details of the landlord are made available to each household in the HMO. Such details should be clearly displayed in a prominent position in the HMO.
2. Ensuring the HMO has adequate safety measures, for example, relating to fire precautions and appropriate methods of fire detection where necessary. The manager must ensure that all means of escape from fire in the HMO are kept free from obstruction, and maintained in good order and repair. The person responsible for the management of the property must ensure that any fire fighting equipment and fire alarms are maintained and in good working order.

3. The person responsible for the management of the property must maintain the property in a reasonable condition. For example, all fixtures, fittings and appliances, lighting in communal areas, windows, doors and gardens, need to be maintained in good order and repair.
4. The person responsible for the management of the property must ensure the provision and maintenance of gas, and/or electrical supplies, and all fire system installations, and obtain the relevant safety certificates.

For further advice on the requirements of the Management of Houses in Multiple Occupation (England) Regulations 2006 please contact us using the telephone or email details given on the back page.

A copy of The Regulations are available on the council's website.

# The Housing Health and Safety Rating System (HHSRS)

All properties, including HMOs are subject to the HHSRS. HHSRS is a comprehensive risk assessment tool used to assess potential risks to the health and safety of occupants in residential properties in England and Wales and is used to ensure housing standards are met.

The HHSRS allows for the assessment of all the main housing related hazards and places emphasis directly on the risks to health and safety.

There are 29 hazards that can be taken into consideration including:

- Fire Safety
- Damp and Mould
- Excess Cold
- Electrical Safety
- Falls on Stairs
- Security
- Overcrowding
- 

Additionally, there are other requirement levels of basic amenities for HMOs, these are:

the East Herts Amenity Standards for Houses in Multiple Occupation and Other Houses and the Management of Houses in Multiple Occupation (England) Regulations 2006.

For further information, please see the council's website.

# Outline requirements for fire safety

## Fire Risk Assessment

A suitable and sufficient Fire Risk Assessment should be carried out for a House of Multiple Occupation (HMO). A fire risk assessment will help you to identify, and deal with, the fire hazards and risks which your tenants could be exposed to.

The Fire Risk Assessment should be specific to the property, it should be recorded and should:

1. Identify the hazards within the premises.
2. Identify all persons who reside or may resort to the premises and any persons who may be particularly at risk, for example; young persons, elderly or those with specific requirements.

3. Evaluate the level of risk in the premises and remove or reduce any fire hazards where possible, and reduce any risks you have identified.
4. Record your significant findings and any actions you have taken, for example; an action plan to complete any works/ deficiencies in a given time frame and the necessary control measures in place.

The risk assessment should be reviewed regularly. Ideally every 12 months or when there has been a significant change in the premises or tenants

The following requirements are also illustrated with example property plans on pages 6 and 7.

### Detection/warning

**Plan 1:** A system of mains powered interlinked automatic smoke and heat detectors to form a Grade D LD2 system in accordance with BS 5839 Part 6 (or equivalent). System to incorporate interlinked smoke alarms with integral battery back-up throughout the escape route. Interlinked smoke alarms with integral battery back-up in each bedroom, communal living room, and cellar. Interlinked heat alarms with integral battery back-up in communal kitchens.

**Plan 2:** A system of mains powered interlinked automatic smoke and heat detectors to form a Grade D LD2 system in accordance with BS 5839 Part 6 (or equivalent). System to incorporate interlinked smoke alarms with integral battery back-up throughout the escape route, any communal living room and cellar. Interlinked heat alarms with integral battery back-up in each bedroom containing cooking facilities. Additional non-interlinked smoke alarms with integral battery back-up in each bedroom. It is recommended that these have a hush facility.

**Plan 3:** A system of mains powered interlinked automatic smoke and heat detectors to form a Grade A LD2 system in accordance with BS 5839 Part 6 (or equivalent). System to incorporate interlinked smoke alarms with integral battery back-up throughout the escape route, in each bedroom, communal living room and cellar. Interlinked heat alarms with integral battery back-up in communal kitchens.

**Plan 4:** A system of mains powered interlinked automatic smoke and heat detectors to form a Grade A LD2 system in accordance with BS 5839 Part 6 (or equivalent). System to incorporate interlinked smoke alarms with integral battery back-up throughout the escape route, any communal living room, and cellar. Interlinked heat alarms with integral battery back-up in each bedroom containing cooking facilities. Additional non-interlinked smoke alarms with integral battery back up in each bedroom. It is recommended that these have a hush facility.

## Control panel

Plan 1 and 2: Not required

Plan 3 and 4: Must conform to BS EN 54: Part 2. Must be located in an easily accessible position within the escape route.

## Call points

Plan 1 and 2: Not required

Plan 3 and 4: Manual break glass points should be installed in numbers and positions determined by fire risk assessment. At least one should be installed close to the final exit of the escape route.

# FOR ALL HMOs

## Emergency lighting

Plan 1, 2, 3 and 4: Conventional lighting is required throughout the escape route. Emergency lighting may be appropriate if the route is complex or there is no effective borrowed light. The requirement for, and the degree of emergency lighting, will depend on the design of the property and the location of the escape route, and form part of the overall Fire Risk Assessment. Where considered necessary it must be designed and installed in accordance with BS 5266 Part 1 (or equivalent).

## Escape route

Plan 1, 2, 3 and 4: The escape route should allow occupants from all parts of the building to reach a place of safety outside without passing through a higher fire risk area. The route should be kept free of obstructions and combustible materials at all times, and the walls and ceilings should be free of flammable materials such as polystyrene ceiling tiles and heavy flock wall paper. At least 30 minute fire resistance should be provided to the route as indicated by red on the accompanying plan. There is no requirement for additional fire separation between rooms, but the walls and floors should be of sound traditional construction.

## Fire doors

Plan 1, 2, 3 and 4: A fire door of at least 30 minute fire resistance, with cold smoke seals, intumescent strips and self-closers, must be installed in each doorway leading onto the escape route, except bathrooms and WC's (unless they contain a fire risk such as a boiler).

## Security of doors

Plan 1, 2, 3 and 4: Security devices on bedrooms and final exit doors must be capable of being opened from the inside without the use of keys, i.e. Yale type or thumb turn locks.

## Fire blankets

Plan 1, 2, 3 and 4: A fire blanket should be provided in each area where there are cooking facilities, be wall mounted 1.5m high adjacent to an exit door and away from the cooking appliance. These must comply with BS 6575 (or equivalent).

## Fire extinguishers

Plan 1, 2, 3 and 4: Although not a requirement, where your risk assessment indicates that fire extinguishers are required, they shall be multipurpose extinguishers and located as identified in the risk assessment. If provided they shall be maintained in working order and residents instructed in their use.

### Please Note:

Alternatives to these standards will be considered if they provide a sufficient level of protection to residents. It will be necessary to demonstrate this in your fire risk assessment. The council's Environmental Health team and the Hertfordshire Fire and Rescue Fire Safety Officer must agree to any alternative solutions.

## Miscellaneous

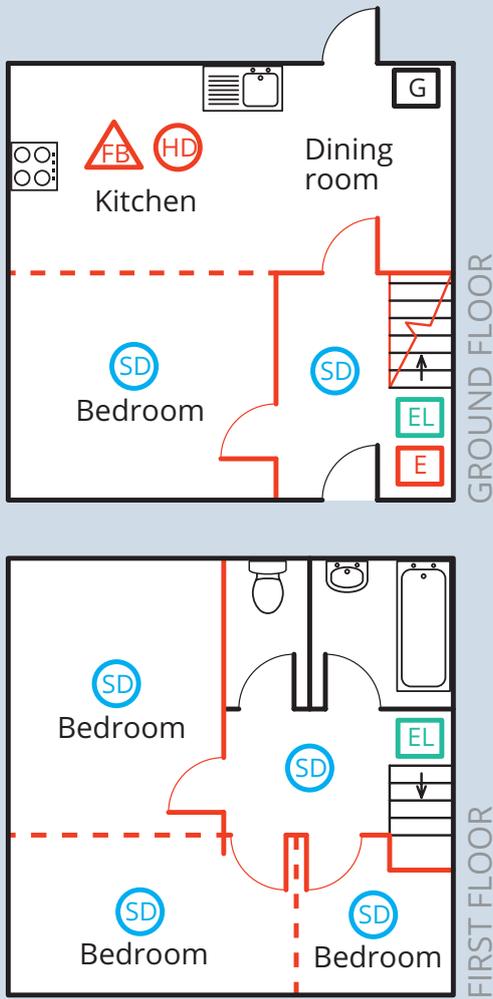
Plan 1, 2, 3 and 4: Polystyrene ceiling tiles should not be used within the premises.

Portable heaters using gas cylinders or flammable liquids should not be used or stored in the premises. Generally signage relating to fire precautions is not necessary. However, fire doors across escape routes, communal kitchens, and boiler rooms should be marked 'Fire door keep shut'. Gas and electric meters and consumer units within escape routes should have 30 minute fire protection.

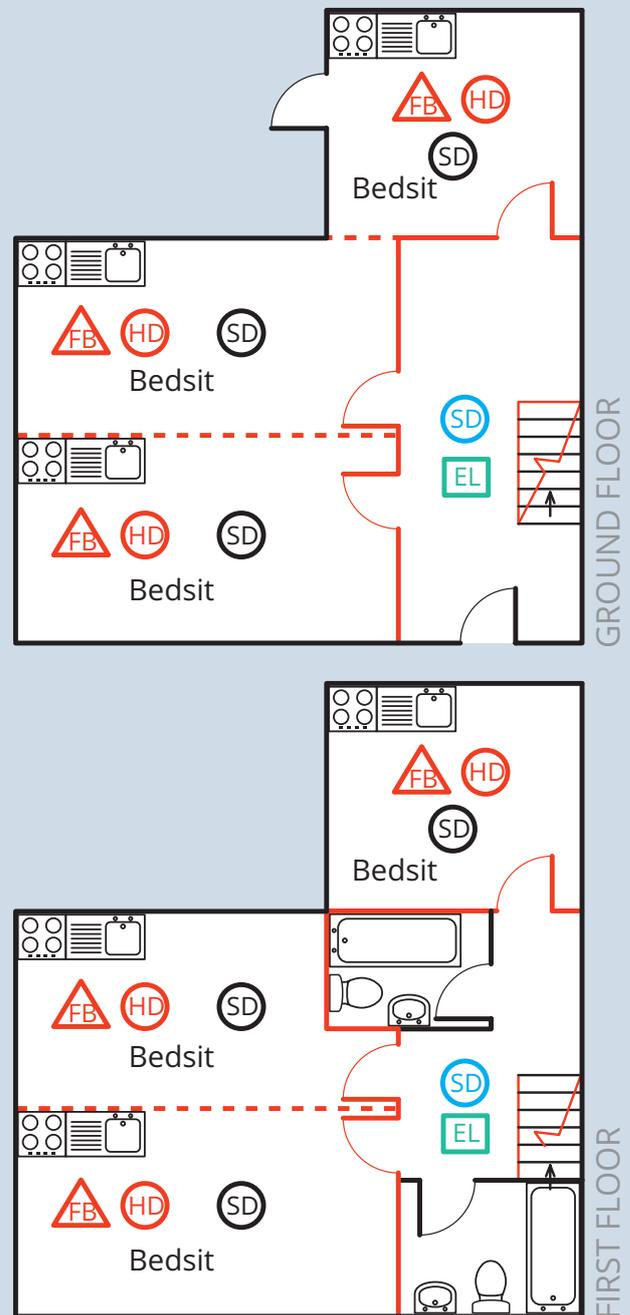
For further technical information regarding fire safety and fire risk assessments, please refer to British Standard BS 5839 and the National Guide for Fire safety. [www.cieh.org/library/knowledge/housing/National\\_fire\\_safety\\_guidance\\_08.pdf](http://www.cieh.org/library/knowledge/housing/National_fire_safety_guidance_08.pdf)



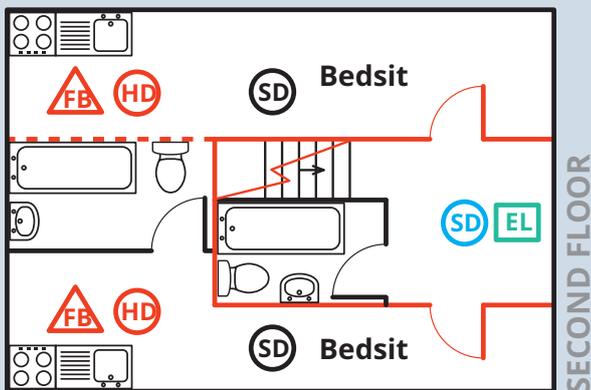
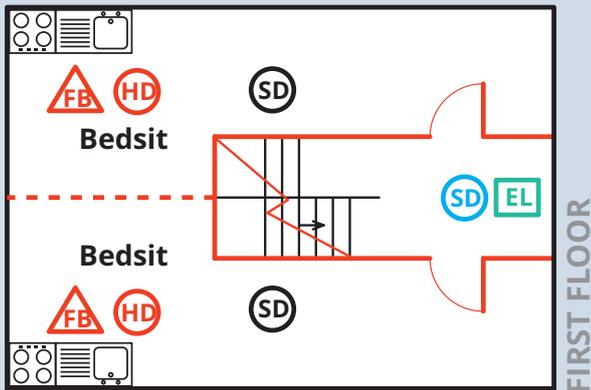
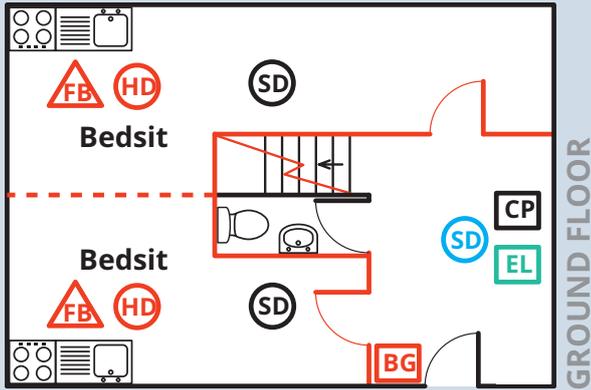
**PLAN 1: Typical two storey house with shared cooking facilities**



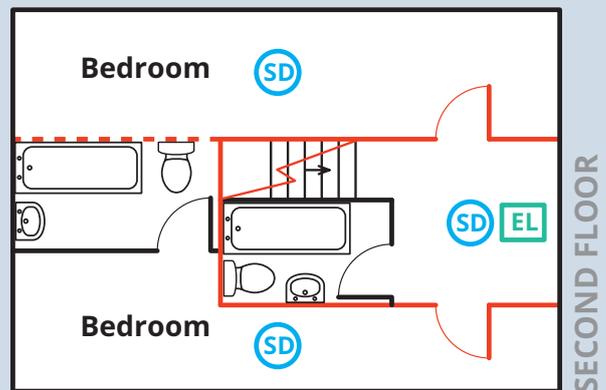
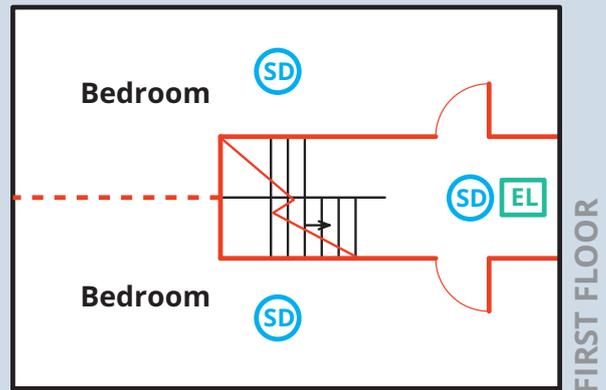
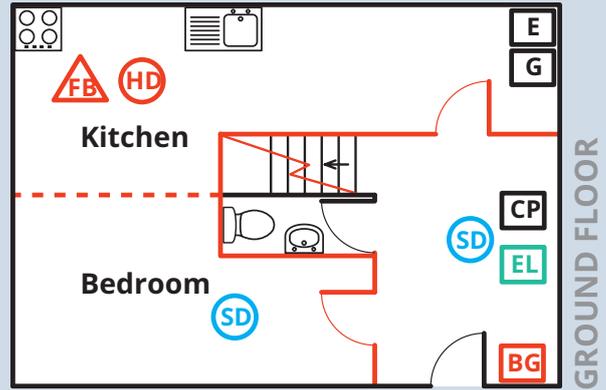
**PLAN 2: Typical two storey house with cooking facilities in each let**



**PLAN 3: Typical three storey HMO with cooking facilities in each let**



**PLAN 4: Typical three storey HMO with shared cooking facilities**



**KEY TO PLANS**

— 30 minute fire resistance (wall/door/partition etc.)

- - - Sound traditional construction

**SD** Smoke detector - interlinked, mains wired with battery back up

**HD** Heat detector - interlinked mains wired with battery back up

**SD** Smoke detector - independent mains wired (recommended hush facility)

**FB** Fire blanket

**EL** Emergency light

**CP** Control panel for fire detection system

**BG** Break Glass point

**E** Electricity meter

**G** Gas meter

# Mandatory HMO Licencing

Under the Housing Act 2004 Part 2 Licensing of Houses in Multiple Occupation, an HMO must be licensed if it is occupied by five or more tenants.

If you would like advice about whether your property should be licenced please contact us (details below).

More information on HMO Licencing is available on the council's website.



## Contact details

For further information and assistance please contact our Environmental Health Team:

01992 531502  
[housingandhealth@eastherts.gov.uk](mailto:housingandhealth@eastherts.gov.uk)

You can also write to the council's Environmental Health Team

Environmental Health  
East Herts Council  
Wallfields  
Pegs Lane  
Hertford  
SG13 8EQ

More information is on our website:  
[www.eastherts.gov.uk](http://www.eastherts.gov.uk)

