Houses in Multiple Occupation

(HMO)

Standards for landlords & agents

Information Pack

Isle of Anglesey County Council, Environmental Services, Llangefni, Anglesey, LL77 7TW
Contents

1. Introduction

2. What is a HMO?

3. Planning Permission & Building Regulation Approval

4. Categories of HMO's

5. Why are HMO's different to Single Dwellings?

6. What Standards Apply to HMO's

7. Minimum Standards Applicable to Category A, D & F HMO's

8. Means of Escape from Fire and other Precautions in HMO's

9. What if a HMO does not meet these Standards

10. Getting Works Carried Out

11. Tenancy Relationship Matters

12. List of Useful Names, Addresses & Telephone Numbers
1. Introduction

As a landlord you have legal responsibility to provide accommodation that is safe and has the level of facilities necessary for your tenants.

The aim of this guide is to seek to explain the standards that the Isle of Anglesey County Council will apply to Houses in Multiple Occupation (HMOs) and to assist you to meet your legal responsibilities.

It is not a definitive interpretation of the relevant Acts, Regulations or Government Circulars. You should therefore refer to the appropriate legislation, and take independent legal and technical advice before executing works.

The information contained in this pack provides advice and guidance on the minimum standards and legal requirements for all categories of HMO’s, and aims to help you provide good quality accommodation. If you need further advice then please contact the following:

Department of the Environment & Technical Services
Housing Enforcement Team
Isle of Anglesey County Council
Council Offices
Llangefni
Anglesey
LL77 7TW

Environmental Health Officers:

Caroline Storer: 01248 752836
Trystan Owen: 01248 752835
2. **What is a HMO?**

HMO stands for Houses in Multiple Occupation, which means a building, or part of a building, such as a flat, that:

- is occupied by more than one household and where more than one household shares or lacks an amenity, such as a bathroom, toilet or cooking facilities.

- is occupied by more than one household and which is a converted building, but not entirely self-contained flats, whether or not some amenities are shared or lacking.

- is converted self-contained flats, but does not meet as a minimum standard the requirements of the Building Regulations Act 1991 and at least one third of the flats are occupied under short tenancies.

The building is occupied by more than one household:

- as their only or main residence
- as a refuge for people escaping domestic violence
- by students during term time
- for other purposes prescribed by the government.

A household is:

- families, including single people, couples and same sex couples
- other relationships, such as fostering, carers and domestic staff.

3. **Planning permission & building regulation approval**

If you are considering changing the use of your property, you may or may not need planning permission; therefore we advise you to contact the Council’s Planning department to seek advice.

The same applies for Building Regulation issues. The Building Regulations section can give you the relevant guidance, since compliance with the contents of this guide does not constitute approval for Planning Permission or Building Regulations.

See under section 12 - “Useful names, addresses and telephone numbers” for Council’s Planning Department and Building Regulations Section.
4. **Categories of HMO’s**

The definition of HMO is wide but it does not include blocks of purpose built flats or maisonettes. It does include a wide range of buildings occupied in different ways.

For clarity, this Authority has divided HMO’s on the Island in accordance with the Chartered Institute of Environmental Health's six categories. These categories assist in the application of different standards for different properties. They are:

- **Category A** Houses divided into flats or bedsits where some amenities are shared
- **Category B** Houses occupied on a shared basis where occupiers have rooms of their own
- **Category C** Lodging accommodation where resident landlords let rooms
- **Category D** Hostels, lodging houses and bed and breakfast hotels
- **Category E** Registered residential hotels
- **Category F** Self contained flats with common parts such as stairways

Planning legislation and Council Tax legislation may have different definitions of what constitutes a HMO. However, the primary legislation to secure health and safety of HMO residents is found in the Housing Act 2004.

5. **Why are HMO’s different to single dwellings?**

**Fire risk**

When any building is divided into separate occupancies, there is an increased fire risk due to the greater number of occupants, and in particular, where individual occupants do not know the whereabouts or actions of the other occupants.

The fire risk also increases when there are more floors in a building, as the distance any occupant must travel to escape is greater making the escape from higher floors more hazardous. It is therefore important that both landlords and tenants are aware of this risk, and are familiar with the fire precautions provided.

To reduce this risk, all HMO’s are legally required to have adequate means of escape in case of fire.

**Note:** This does not mean the provision of a separate fire escape staircase. These tend to be required in larger properties i.e. five storey and above.

In all new house’s, mains wired smoke or heat detectors must be fitted to comply with the Building Regulations, and in all HMO fire resisting doors are required to protect the main escape route out of the building. This is to ensure that smoke and fire cannot spread to the escape route.

In older HMO (either purpose built or converted to an earlier standard) it is unlikely that these newer requirements will be met. However, in most cases the provision of a
mains wired smoke detector system, and the upgrading of fire doors is all that is generally necessary to bring the house up to standard.

For further details in case of fire see section 8 - “Means of escape from fire and other precautions in HMO”.

Management

Within the common parts of HMO, yards, gardens and staircases can often be left in a poor state of repair, and provide areas where litter and refuse can accumulate.

HMO landlords are required by law (The Management of Houses in Multiple Occupation (Wales) Regulations 2006), to provide adequate refuse storage facilities and to maintain gardens and common areas. In a single dwelling this responsibility would normally be that of the individual tenant. The management regulations apply to all HMO and place duties on both landlord and tenants. You should therefore familiarise yourself with these requirements.

For further details see under section 11 - “Tenancy relationship matters”.

Shared facilities

Where an HMO has shared living rooms, kitchen, bathroom and WC, there is a limit to the numbers of occupants who can share the facilities without causing general inconvenience, or compromising the health and safety of the other tenants.

There are also minimum room sizes, which apply, particularly in shared properties where no separate lounge is provided. The purpose of these standards is to ensure that occupants have enough living space. The minimum room size within bedsit type accommodation is also important in reducing the risk of fire.

See section 7 - “Minimum standards applicable to category A, D & F HMO”.
6. What standards apply to HMO?

The main legal standards for HMO are the same as those for single dwellings, which are covered by the Housing Health and Safety Rating System (HHSRS). This is a new risk assessment tool which has been introduced under the Housing Act 2004 to replace the previous housing fitness standard contained in the 1985 Housing Act.

**Housing conditions**

Landlords are responsible for ensuring that their property is maintained in good repair. The house or flat must now be assessed to identify potential risks to the health and safety of occupants using the HHSRS. The HHSRS is an evidence based assessment system that produces information about hazards or dangers in such properties so that landlords can put things to right.

The HHSRS identifies 29 potential hazards and the effect that each of these hazards may have on the health and safety of not only the current or future occupants, but any visitors to the property. The hazards are listed as follows:

1. Damp & mould growth
2. Excess cold
3. Excess heat
4. Asbestos
5. Biocides
6. Carbon Monoxide & combustion products
7. Lead
8. Radiation
9. Uncombusted fuel gas
10. Volatile organic compounds
11. Falling on level surfaces etc.
12. Entry by intruders
13. Crowding & space
14. Lighting
15. Noise
16. Domestic hygiene, pests & refuse
17. Food safety
18. Personal hygiene, sanitation & drainage
19. Water supply
20. Falls associated with baths
21. Falling on stairs etc.
22. Falling between levels
23. Electrical hazards
24. Fire
25. Flames, hot surfaces etc.
26. Collision & entrapment
27. Explosions
28. Position & operability of amenities etc
29. Structural collapse & falling elements
Following an inspection, a rating score will be calculated for each hazard found and any action that is taken against a landlord or owner is influenced by these scores. The Housing Act 2004 has brought in new enforcement options for local authorities to deal with unacceptable housing conditions.

**The Management of Houses in Multiple Occupation (Wales) Regulations 2006**

Running an HMO safely and effectively relies on good management. The duties are detailed in the above Regulations and require managers to provide proper living conditions within their property, in order to protect the tenants from risk of injury.

**Who is the manager?**

The manager can be one of the following people:

- owner
- person in control
- person receiving rent
- agent
- any other specially designated person.

The regulations require that the managers name, contact address and telephone number are displayed in the property where all tenants can see them. At the end of this section you will find a notice which can be used to satisfy this requirement. 

*(Please feel free to copy this and display in any property you manage/control.)*

**What are the manager’s duties?**

- to provide information to occupier
- to take safety measures
- to maintain water supply and drainage
- to supply and maintain gas and electricity
- to maintain common parts, fixtures and fittings
- to maintain living accommodation
- to provide waste disposal facilities

**What are the tenants’ duties?**

- to allow the manager access at all reasonable times to enter living accommodation
- to provide information to the manager if so requested
- not to cause damage to the property or hinder the manager in any way
- to store and keep litter adequately
- to comply with manager in respect of means of escape from fire
Overcrowding issues

HMO should not be overcrowded. However it is not always easy to assess what is meant by “overcrowded”. There are three different ways of making the calculation.

- The first is based on the amenities provided i.e. the number of toilets, baths and kitchens available to the occupants.
- The second is based on the space available for living accommodation.
- The third is based on the gender and age of the residents using the accommodation.

Further details can be found in section 7 - “HMO standards”.

Licensing of HMO

Part 2 of the Act has introduced a mandatory scheme to licence HMO of a description contained in regulations. It is intended initially to apply this only to the larger HMO such as bedsits and shared houses which often have poorer physical and management standards than other privately rented properties. The people who live in HMO are among the most vulnerable and disadvantaged members of society. As HMO are the only option for many people, the government recognises that it is vital that they are properly regulated.

Which HMO are exempt under the scheme?

The following properties are exempt:

- Where the properties is in self contained flats
- Where the basement is in commercial use and there are only two residential storeys above
- Where it is owned or managed by a housing association, local authority, education authority, police or health services.

Regulatory Reform (Fire Safety) Order 2005 (The Order)

HMO and flats and maisonettes are covered by two pieces of legislation, the Order and the Housing Act 2004.

The Order replaces previous fire safety legislation. Any fire certificates issued under the Fire Precautions Act 1971 will cease to have any effect.

If you are the responsible person you must carry out a fire risk assessment which must focus on the safety in the case of fire of all “relevant persons”.

7
Section 8 goes into further detail for the means of escape from fire and other fire precautions in HMO.

Gas safety

There have been numerous tragic deaths due to carbon monoxide poisoning from faulty gas appliances, both in single household dwellings and HMO.

It is an essential legal requirement that all such appliances are installed, serviced and repaired by an engineer registered with The Confederation of Registered Gas Installers (CORGI), and that they undergo an annual inspection and service. Landlords must also keep a record of the safety checks, and provide the tenants with a copy.

Gas appliances must be checked prior to new tenants taking up occupation, to ensure that the installation has been left in a safe and proper working condition.
NOTICE TO RESIDENTS

The Owner is:

Name: ____________________________
Address: ________________________
___________________________
___________________________
___________________________
Tel No.: _________________________

The Manager is:

Name: ____________________________
Address: ________________________
___________________________
___________________________
Tel No.: _________________________
7. Minimum standards applicable to category A, D & F HMO

Space standard for category A D & F HMO

Category A

(Houses occupied as individual rooms, where there is some exclusive occupation (usually bedroom/living room) and some sharing of amenities (bathroom and/or toilet and/or kitchen). Each occupant lives independently of others.

One person units of accommodation

(i) One room units 13m² including kitchen facilities
    10m² where provided with a separate shared kitchen.

(ii) Two or more roomed units

    Each living room/kitchen 11m²
    Each living room 9m²
    Each bedroom 6.5m²

Two or more persons units of accommodation

(i) One room units: not normally suitable for persons who are not married couples or co-habitees. In other cases for two persons only, not less than 15m².

(ii) Two or more roomed units:

    Each living room/kitchen 15m²
    Each living room 12m²
    Each living/bedroom 14m²
    Each bedroom 10m²

Separate kitchens, whether shared or used exclusively in connection with a particular tenancy shall be of sufficient size for their purpose. Where kitchen facilities are provided within other rooms, as a guide, a minimum additional floor area of 3.7m² should be required.

The obligate sharing of rooms by persons of the opposite sex over the age of 12 and who do not live as partners shall not be permitted.

No staircase or landing nor any room which has been appointed as a kitchen or bathroom shall be deemed suitable for sleeping accommodation.
Category D

Houses generally referred to as “hostels”, “guesthouses” and “bed-and-breakfast hotels” or the like. These will provide accommodation for people with no other permanent place of residence as distinct from hotels which provide accommodation for temporary visitors to an area. This category would include establishments used by local authorities to house homeless families pending permanent placement and similar establishments which provide accommodation for people who would otherwise be homeless. It would also include bona fide hotels used for such purposes, even on a casual basis, and hotels housing a mixture of homeless households and visitors.

General needs accommodation

In no case shall a room be occupied by more than five persons being of the same family and rooms shall not be shared unless the individuals concerned consent to share the room. In any event, no persons over the age of 12 years and of opposite sexes shall be required to sleep in the same room unless they are co-habitees.

Bedrooms

(i) Where cooking facilities are provided in a separate room/kitchen:

<table>
<thead>
<tr>
<th>Persons</th>
<th>Area (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>6.5</td>
</tr>
<tr>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>4</td>
<td>19.5</td>
</tr>
<tr>
<td>5</td>
<td>24</td>
</tr>
</tbody>
</table>

(ii) Where cooking facilities are provided within the room:

<table>
<thead>
<tr>
<th>Persons</th>
<th>Area (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>2</td>
<td>14</td>
</tr>
<tr>
<td>3</td>
<td>18.5</td>
</tr>
<tr>
<td>4</td>
<td>23</td>
</tr>
<tr>
<td>5</td>
<td>28</td>
</tr>
</tbody>
</table>

Common rooms

The area (or aggregate areas, if more than one is provided) shall be calculated on the basis of 1m² per person. This shall include one area of at least 15m².

Category F

Most houses or other buildings which by erection or conversion comprise dwellings which are self-contained, all such dwellings comprising accommodation to which access is had via a single “front door” from any common area. Such dwellings would normally contain all the standard amenities but where any might not - and be
in an “unimproved” state - there would nevertheless be no sharing of amenities with the occupiers of neighbouring dwellings.

While Part X of the Housing Act 1985 currently applies to individual self contained flats as the statutory minimum standard, the following scale is nonetheless recommended:

**Minimum floor areas for conversion of existing buildings into self-contained flats.**

One person, four roomed flat:

<table>
<thead>
<tr>
<th>Area</th>
<th>Minimum Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedroom</td>
<td>7m²</td>
</tr>
<tr>
<td>Living room</td>
<td>11.5m²</td>
</tr>
<tr>
<td>Kitchen</td>
<td>5.5m²</td>
</tr>
<tr>
<td>Total habitable room area</td>
<td>24m²</td>
</tr>
</tbody>
</table>

One person flatlet with separate kitchen:

<table>
<thead>
<tr>
<th>Area</th>
<th>Minimum Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed./living room</td>
<td>14m²</td>
</tr>
<tr>
<td>Kitchen</td>
<td>5.5m²</td>
</tr>
<tr>
<td>Total habitable floor area</td>
<td>19.5m²</td>
</tr>
</tbody>
</table>

One person flatlet with separate bedroom:

<table>
<thead>
<tr>
<th>Area</th>
<th>Minimum Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedroom</td>
<td>7m²</td>
</tr>
<tr>
<td>Kitchen/living room</td>
<td>14.5m²</td>
</tr>
<tr>
<td>Total habitable floor area</td>
<td>21.5m²</td>
</tr>
</tbody>
</table>

Two person, one bedroom flat:

<table>
<thead>
<tr>
<th>Area</th>
<th>Minimum Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedroom</td>
<td>10.5m²</td>
</tr>
<tr>
<td>Living room</td>
<td>13m</td>
</tr>
<tr>
<td>Kitchen</td>
<td>5.5m²</td>
</tr>
<tr>
<td>Total habitable floor area</td>
<td>31.5m²</td>
</tr>
</tbody>
</table>

**Minimum floor area for new-build self contained flats**

One person, four roomed flat:

<table>
<thead>
<tr>
<th>Area</th>
<th>Minimum Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedroom</td>
<td>7m²</td>
</tr>
<tr>
<td>Living room</td>
<td>11.5m²</td>
</tr>
<tr>
<td>Kitchen</td>
<td>5.5m²</td>
</tr>
<tr>
<td>Total habitable floor area</td>
<td>24m²</td>
</tr>
</tbody>
</table>

One person flatlet with separate kitchen:

<table>
<thead>
<tr>
<th>Area</th>
<th>Minimum Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed./living room</td>
<td>14m²</td>
</tr>
<tr>
<td>Kitchen</td>
<td>5m²</td>
</tr>
<tr>
<td>Total habitable floor space</td>
<td>19m²</td>
</tr>
</tbody>
</table>
HMO Information Pack 2007

One person flatlet with separate bedroom:

- **Bedroom**: 7m²
- **Kitchen/living room**: 14m²
- **Total habitable floor area**: 21m²

Two person, one bedroom flat:

- **Bedroom**: 10.5m²
- **Living room**: 13m²
- **Kitchen**: 5m²
- **Total habitable floor space**: 28.5m²

**Further space standards for conversion of existing building and for new build**

Three person, two bedroom flat:

- **Main bedroom (not more than 2 persons)**: 10m²
- **Second bedroom (single person)**: 7m²
- **Living room**: 16m²
- **Kitchen**: 7m²
- **Total habitable floor area**: 40m²

Four person, three bedroom flat:

- **Main bedroom (not more than 2 persons)**: 10m²
- **Second and third bedroom (single person)**: 7m²
- **Living room**: 18m²
- **Kitchen**: 7m²
- **Total habitable floor area**: 49m²

For a two bedroom, four person flat the bedroom floor space must comply with the main bedroom criteria.

All bedrooms, living rooms and bathrooms are to be directly accessible from a common access lobby and not from another room.

Flats provided with more than one bedroom should provide bedrooms of minimum sizes in accordance with the relevant provisions above. In all cases “habitable floor area” is the useable floor area of any room used as a bedroom, living room, or kitchen. It does not include the area of any bathroom, staircase, passageway, landing or access lobby.
General information for category A D & F HMO

Stability
The house and every part of it shall be structurally stable.

Repair
The house shall be free from serious disrepair and otherwise be in a reasonable state of repair having regard to its age, character and the locality in which it is situated.

Dampness
The house shall be free from dampness prejudicial to the health of the occupants.

Natural and artificial lighting
All habitable rooms shall have an adequate level of natural lighting, provided via a clear glazed window or windows and/or doors, the glazed area to be equivalent to at least one-tenth of the floor area and to extend normally to a point 1.75m above floor level.

Basement rooms used for human habitation should, in addition to the requirement in the first paragraph, have sufficient natural lighting for their purpose.

All staircases, landings, passages, kitchens, bathrooms and water closets are to be provided, where practicable, with a window. Windows in bathrooms and water closets are to be glazed with obscured glass.

Adequate electric lighting points are to be provided to all habitable rooms, staircases, landings, passages, kitchens, bathrooms and water closets. All lighting to common parts to be provided, maintained and paid for by the landlord or their agent. Lighting to staircases, landings and passages may be controlled by time switches or other devices having a similar effect.

Ventilation
All habitable rooms, kitchens, bathrooms, and water closet compartments shall have a minimum floor to ceiling height of 2.14m, except in the case of existing attic rooms, which shall have a minimum height of 2.14m over an area of the floor equal to not less than three-quarters of the area of the room, measured on a plane 1.5m above the floor. Any floor area above which the ceiling height is less than 1.53 metres shall additionally be disregarded.

All habitable rooms shall be ventilated directly to the external air by a window which has an openable area not less than 1/20th of the floor area.
All kitchens, bathrooms and water closet compartments shall be ventilated directly to the external air, whether by a window, the openable area of which shall be equivalent to at least 1/20th of the floor area of the room or by suitably sited mechanical ventilation providing a minimum of three air changes per hour operated from the lighting circuit of the room and fitted with a 20 minute overrun. For kitchens, mechanical ventilation providing one air change per hour will be deemed sufficient.

Basement rooms used as habitable rooms should be provided with natural ventilation direct to the external air. In addition, there should normally be an unobstructed space immediately outside the window opening which extends the entire width of the window or more and has a depth of not less than 0.6m measured from the external wall or not less than 0.3m in the case of a bay window with side lights.

Suitable and sufficient permanent ventilation shall be provided and maintained in any room in which there is a gas heating appliance.

Suitable and sufficient permanent means of ventilation shall be provided in all kitchens, dining/kitchens, bathrooms, water closet compartments and other rooms containing cooking or washing facilities.

**Space heating**

There should be an installation and supply of a full domestic (wet) central heating and hot water system to British Standard 5449:1990 and in accordance with part L of the Building Regulations 2000 (as amended), throughout the dwelling. The system shall be capable of maintaining the following internal temperatures when the external temperature is -1°C: Living Rooms 21°C, Bedrooms 18°C, Kitchen 18°C, Bathroom 22°C, Hall/Passage 18°C. Controls, including thermostatic radiator valves, room thermostat, boiler interlock, and time switch shall be filled in accordance with Part L Building Regulations 2000 (as amended). In addition insulating the roof space would reduce the hazard in the category. Replacing all old windows with double glazed units would improve the thermal efficiency of the property.

**Water supply**

Each separate occupancy should be provided with an adequate supply of hot and cold running water suitable for drinking and food preparation purposes. Cold water should normally be supplied from the rising main.

The supply is to be sited over a sink or washbasin.

A turn off valve should be provided in the rising main for each letting.

Any down service pipe from any water storage tank in an upper storey or roof space should be provided with an accessible stopcock.
Facilities for the storage, preparation & cooking of food & the disposal of waste water

(a) Each occupancy shall have a separate kitchen not more than one floor distant from the living accommodation. Where in the case of any occupancy this is not practicable, that occupancy shall have its own kitchen facilities within the unit of accommodation. In cases of rooms let to more than one person this will be the minimum standard.

The facilities shall comprise:

Cooking A gas or electric cooker with a minimum of two burners/hobs (four burners/hobs if provided for more than one person), an oven and grill. Alternatively a microwave oven may be substituted for one or two of the burners/hobs respectively.

Storage A gas or electric refrigerator of minimum capacity 0.15m³ plus a storage cupboard of minimum capacity 0.16m³.

Preparation A worktop or table of smooth and impervious material of minimum size 500 x 1000mm.

Two twin outlet power sockets in addition to any serving major appliances set at a convenient height and safe position.

Sink A metal or ceramic sink and drainer in good condition and of minimum dimensions 500 x 600mm set on a stable base with a constant supply of hot and (potable) cold water. Where practicable, a two course tiled splashback shall be provided. The sink shall be connected to the drainage system via a suitable trap.

A wash-hand basin shall not be used in place of a sink.

(b) In the case of single occupiers, and where the Local Authority is satisfied that the provision of kitchen for one set for each three occupancies, and not more than one floor distant from any individual letting.

Such kitchens shall meet the following minimum standard:

(i) There shall be no more than two sets of facilities in any one room.

(ii) Be provided with a cooker with four burners, oven and grill for each group of five or any lesser number thereafter.

(iii) Be provided with a readily cleansable sink of minimum dimensions 500mm x 600mm set on a base unit with a constant supply of hot and cold water and a draining board. A two course tiled splash back shall be provided. The sink shall be connected to the drainage systems by a suitable trap. The provision of sinks shall be on the ratio of one for each group of five or any lesser number thereafter.
(iv) Be provided with four 13 amp electric power outlets at a convenient height and safe position.

(v) Be provided with an impervious work surface of minimum dimensions 500mm x 1000mm.

In addition a refrigerator of minimum capacity 0.15m³ and storage cupboard of minimum capacity of 0.16 cubic metres shall be provided within each occupancy. Shared fridges in communal kitchens are not favoured because of the risk of poor storage practice and the resulting contamination of food.

**Drainage and sanitary conveniences**

One water closet shall be provided and maintained for every five persons or lesser number. Every such water closet shall be in a separate room within the building and where shared by two or more households, be entered from a common passageway or hallway and shall not be more than one floor distant from any individual letting. Each WC compartment shall also be provided with a suitable wash hand basin supplied with both constant hot and cold water.

External WC’s shall be ignored. Fifty per cent of WC’s shall be provided in separate compartments except, that where a sole WC is provided and maintained for not more than three persons it may be within a bathroom. The walls and floor of any WC should be reasonably smooth and non-absorbent and capable of being readily cleansed.

The house shall be provided with an effective system, both above and below ground for the drainage of foul, waste and surface water.

**Personal washing facilities**

Each separate occupancy shall be provided with a wash-hand basin together with constant supplies of hot and cold running water sited within the unit of accommodation. A two course tiled splashback to the wash-hand basin is to be provided.

If a sink is provided in a single bedsit room a separate wash-hand basin will not be required.

Each occupancy shall be provided where practicable with a bath or shower in a separate room. Otherwise, a readily accessible bath, of minimum dimensions 1700mm x 760mm, in a bathroom, or a shower of minimum dimensions 800mm x 800mm in a suitable shower room together with drying and changing space where practicable shall be provided not more than one floor distant from any user on a ratio of one bath or shower to five persons. A two course tiled splashback to the bath is to be provided. The bath/shower room shall be accessible at all times. Any shower cubicles provided should have fully tiled walls or be complete self standing cubicles. The hot and cold water supplies shall be adequate, constant and available at all times.
Amenities intended to be shared by two or more households are to be accessible from a common area.

The walls and floor of any bathroom or shower room should be reasonably smooth and non absorbent and capable of being readily cleansed.

**Means of escape and other fire precautions**

The property shall be provided with an adequate means of escape from fire, together with other fire precautions including so far as necessary a detection and a warning system to the satisfaction of the local authority. **Chapter 8 details further the requirements for means of escape and other fire precautions.**

**Management**

A proper standard of management should be observed in the house in particular to ensure the repair, maintenance, cleansing and good order of the HMO.

**8. Means of escape from fire & other precautions in HMO**

This section gives guidance on the acceptable standards of fire precautions required within HMO on the Isle of Anglesey.

Due to the fact that different properties have different methods of construction, layout and fire risks, higher, or other standards, than those detailed within this document may be required.

Only a detailed survey by an Officer of the Housing Enforcement Team can determine the precise requirements for the property to comply with fire safety legislation.

The requirements of the British Standards contained within this document are liable to change, so are their numbers. Landlords, their agents and tradesmen’s attention is drawn to this fact, as the required standards may therefore change to a higher or even lower standard, than currently required.

A comprehensive fire protection and alarm system has five objective. They are:

1. **Detection**

   Smoke and heat detectors automatically activate the alarm system. Break glass call points, activated manually must be provided at all exits from the property.

2. **Alert**

   Bells or sirens warn the occupants of a fire and they must be loud enough to wake any person within the building.
3 Safe escape

A communal stairway and/or hallway may be the most important component of the means of escape providing the only way of fleeing. It is necessary for it to be protected from fire for as long as possible and this is normally referred to as the “protected route”. Emergency lighting is required to give good illumination to the escape route.

4 Contain the fire

Fire doors and other elements of the building structure contain the fire within a room/area long enough to trigger the alarm and allow the occupants time to escape.

5 Extinguish the fire

Fire extinguishers and fire blankets are useful for minor fires before they become uncontrollable, and may assist in the escape from the property. In the case of fire, vacation of the property and alerting the fire service should be paramount.

Fire detection

Every HMO must have a comprehensive fire detection and alarm system.

The system shall be hard wired and operated from an independent landlord supply at the property.

Having regard to current standards and best advice from the Fire Service, the following systems will be considered adequate:


A competent person shall undertake all electrical and wiring works. For the purposes of these standards a competent person is defined in HSE Booklet HS(R) 25(7). Having regard to this, this Authority has decided that it shall mean a person or company who is/are a member of the National Inspection Council of Electrical Installation Contractors (NICEIC).

Location

The siting of detectors is of critical importance when an effective automatic fire detection system is being designed.
Detectors

Ionization chamber or optical smoke detectors complying with current British Standard’s will be required for the purpose of this section.

Consideration should be given to the type of head to be installed so as to minimize the risk of false alarms. The smoke detectors may be of the ionization or photoelectrical type, with heat detectors provided as appropriate.

Heat detectors are required in rooms where cooking takes place.

Audible alarm

The audible alarm sounders shall be sited and provided in adequate numbers to achieve a minimum sound pressure level of 75 dB(A) at each bed head when all doors are closed and attain 65 dB(A) above background levels throughout the remainder of the property whichever is the greater.

Manual alarm activation point

Manual alarm activation points of the “break glass type” shall be provided at final exit points from the property.

Power supply

The power supply for the detection, alarm, and emergency lighting system shall be located adjacent to the mains intake position and shall be exclusive to the detection, alarm and emergency lighting system. The supply shall be via a quarterly meter and not a card meter, payable by the landlord. Provision must be made for a normal mains supply and standby supply capable of maintaining the system in normal operation for at least 24 hours after which sufficient capacity should remain to provide an evacuation alarm to all zones for at least 30 minutes in accordance with BS 5839.

Wiring

All wiring shall be in accordance with the current British Standard. A competent person shall undertake the wiring installation. The cable shall be neatly run and securely fixed.

Testing

A competent person shall test the whole installation upon completion. A certificate shall be issued certifying the installation to be in accordance with the current British Standard.
Maintenance

The whole installation shall be directed and tested in accordance with the current British Standard by a competent person. A logbook shall be duly completed and retained for examination by the inspecting officer at the time of re-inspection.

Safe escape

Emergency Lighting (EL)

The EL shall be provided on all the escape routes and must comply with current British Standards.

The number and positioning of luminaries will be dependent on the layout of the premises and the product chosen.

Containing the fire

Fire doors and other elements within the construction of the property must contain the fire within a room long enough to trigger the detection and alarm systems and allow the occupants to escape.

Extinguishing the fire

The following fire fighting equipment shall be provided to all HMO and located as indicated below:

- 9 litre water fire extinguisher at each floor level in the circulation area.
- Dry powder type extinguisher per kitchen (suitable for Class A and B fires).
- Fire blanket conforming to current British Standard measuring 1m x 1m per kitchen.
- New portable extinguishers must comply with the current British Standard.

Extinguishers should be located in a conspicuous position on brackets or stands. The carrying handle of large, heavier extinguishers should be about a metre from the floor. Smaller extinguishers should be mounted so as to position the handle 1.5m from the floor.

General

The layout of the lettings within a property is also important, as occupiers should not have to travel through a high-risk room (kitchen or living room) to escape.

Logbook

A logbook should be provided and should contain the following information:
1. The name of the responsible person for the alarm.
2. Details of the servicing arrangements.
3. Dates and times of all alarms (genuine, practice, test or false) together with their causes if known.
4. Dates, times and types of all defects and faults.
5. Dates and types of all tests.
6. Dates and types of all servicing (either routine or special).
7. Dates and times of all periods of disablement or disconnections.
8. All alterations to the system.

General management and maintenance of alarms

It is recommended that a service agreement should be entered into following installation of an alarm.

Action following a fire

Following a fire the servicing agencies should check the system to ensure that it has not been damaged or its reliability reduced. A certificate of testing should be issued.

False alarms

Any false alarm should be noted in the logbook, together, where possible, with details of any activity which may have caused it. When the cause cannot be identified, the owner, manager or responsible person should request an investigation by the servicing company.

Flammability of upholstered furniture

All upholstered furniture must comply with the Furniture and Furnishing (Fire)(Safety) Regulations 1988 (as amended 1989 and 1993).

Please note that HMO Renovation Grants may be available to assist in the funding of some of the renovation works required to bring HMO up to standard. The grant will be based on a maximum of 80% of the total cost of eligible works and shall be subject to the submission of a valid grant application. For an application form and other details please contact Mr Gwynfor Davies (Principal Officer - Grants) on 01248 752217.

The following sheet can be used as an example of an information sheet that should be displayed at a property.
ON DISCOVERING A FIRE

1. Raise the Alarm

FIRE

Operate the nearest fire alarm point if one is available

2. Call the Fire brigade

This should be done from a safe place by using a neighbours telephone, pay phone or mobile.

3. Only attempt to extinguish the fire

If you feel it is safe to do so, without taking personal risk.

4. When leaving the room, ensure the door closes behind you

ON HEARING THE ALARM

1. Leave the house closing all doors behind you

2. Proceed to a safe assembly point on the pavement opposite the house

Do not rush

Do not attempt to pass others

Do not use the lifts
9. **What if a HMO does not meet these standards?**

The first step is to get advice from our Housing Enforcement Team on the works you think are required. This advice is free, and may save you time and money by helping you to avoid unnecessary works.

When a Housing Enforcement Officer visits a property to give advice, the property is Risk Assessed. To Risk Assess your property the officer would check on the type and number of occupants, the number of storeys, the condition and layout of the property, the type of management and history of action taken. The Council maintains a database of HMO’s on the Island, and the information forms the basis of the Council’s statutory inspection programme.

If, on an initial advisory visit, defects are found which pose an **imminent risk of danger** to the occupants, you will be served with a legal notice requiring immediate repair works.

When an Officer returns to a property as part of the inspection programme, a full survey is carried out and if necessary a legal Notice will be served requiring works.

**If you have not carried out works following advice from the Council, and it becomes necessary to serve a legal Notice, a charge of up to £300.00 will be made to cover the council’s time and resources required in taking this enforcement action.**

If you are served with a Notice, you are given a reasonable period of time to carry out the works. You also have the right to suggest alternative works which will be considered, provided they satisfy the requirements of the Notice.

It is important that you discuss any works with the Officer who served the Notice, to avoid unnecessary works. Each Notice also details your right of appeal, and the effects of the Notice.

**Legal proceedings**

Officers have a statutory right of entry to all HMO’s to check compliance with the relevant legislation, if necessary, by way of a warrant from the Courts. It is an offence to obstruct an Officer in the performance of his or her duties.

If you fail to comply with the requirements of a legal Notice, the penalties can be severe including:

**Formal Caution:** will be issued where there is clear evidence and acceptance of an offence by the offender. The purpose of the caution is:

- to deal quickly and simply with less serious offences,
- to avoid unnecessary appearances in criminal courts,
- to reduce chances of re-offending.
Prosecution: which can carry fines of up to £5,000.00 for each offence, and is some circumstances imprisonment.

and/or

Works in Default: where the Council carries out the works, because the landlords have failed to comply. The cost of works plus an administration fee are then charged to the owner. When all the required works are completed the Council removes the Notices.

What happens when works have been carried out and the Notices removed?

As part of the Council’s continuing inspection programme, HMO’s are revisited at different intervals depending on the level of risk. The higher the risk, the more frequent the reinspection. If the Council finds that the standards are not being maintained or that the management of the property is poor, we may serve further Notices, or prosecute immediately, or take control of the property in extreme cases.

Do I need to contact any other council department?

If you are thinking of setting up an HMO, you may need to contact the Planning and Building Control Service to check whether permission is required for any change of use and those undergoing modifications.

Further information on the different departments quoted above can be found in section 12 - “Useful names, addresses and telephone numbers”.

25
10. Getting works carried out

When legal Notices are served requiring improvement works to be carried out, the Notice must give a reasonable period to obtain estimates, and arrange suitable contractors. In certain circumstances, particularly where an imminent risk of injury is posed to the occupants, works will be required immediately to remove the danger.

In all cases, if you fail to commence works on the date stated within the Notice, and fail to make reasonable progress, the Council is entitled to take prosecution proceedings and carry out the works in default, recovering all costs.

If you fail to carry out works for no good reason, and the Council takes prosecution proceedings, each offence can carry a fine of up to £5,000.00.

It is also important to note that if you carry out works which do not satisfy the requirements of the Notice the Council may carry out alternative or additional works in default, and recover all costs.

You should therefore contact the Housing Enforcement Team, to discuss any Notice requirements at all reasonable stages of the works.

Using an agent

You may decide to engage a professional architect or surveyor to act as an Agent who can offer the following:

- Drawing up an acceptable schedule of works.
- Obtaining suitable estimates from builders.
- Providing help to complete any grant application details.
- Preparing contracts between you and the builder.
- Liaising with tenants and arranging for the works to progress properly.
- Supervising works.
- Arranging for payments to be made to contractors.

Although an Agent will charge a fee, if the works are eligible for grants assistance, these will be taken into account, and should be submitted with the grant application.

Choosing a contractor yourself

If you do not engage an Agent, you will need to choose your own contractor(s). To reduce the risk of unsatisfactory works, it is recommended that choose contractors whom:
• Offer a written contract of the type suggested by the Office of Fair Trading.
• Participate in an approved guarantee scheme, such as that promoted by the federation of master builders.

For example:

**Electricians**  National Inspection Council for Electrical Installation Contracting (NICEIC)

**Damp-proofers**  Underwritten guarantee.

**Gas installers**  The Confederation of Registered Gas Installers (CORGI)

**11. Tenancy relationship matters**

The following information, unless otherwise indicated, relates to new tenancies granted by non-resident landlords, commencing after 15th January 1989. The legal position is different for those which began before this date, or if landlord and tenant live in the same property, or if a high level of services are provided by the landlord e.g. cooked meals, cleaning etc. In these cases, you should seek separate legal advice for confirmation of the rights of the landlord and tenant.

*Please note: this Section is a simplified guide to the relevant law. Only the courts can give an authoritative interpretation. If you are in any doubt about your rights or obligations, or are considering taking legal action, you would be well advised to consult with a solicitor.*

**Basic landlord and tenant rights**

The law places responsibilities on both the landlord and the tenant when renting a property. Here are some of the main points:

**Rent books:** The law says that weekly-paying tenants must be provided with a rent book.

**Name and address of landlord:** Tenants are entitled to know the full name and address of their landlord.

**Landlord’s right of access:** A landlord has the right of access to the property in order to inspect it or carry out necessary repairs, but tenants must be given reasonable notice of such visits (apart from in absolute emergencies).

**Quiet enjoyment:** Tenants are entitled under law to the “quiet enjoyment” of their accommodation. This means that the landlord must not interfere with the tenants reasonable use of the property e.g. entering the property without the tenant’s permission.
**Repairs:** By law the landlord is always responsible for repairs to certain parts of the property.

**Tenancy agreements:** There is no legal requirement to give a tenant a written agreement. However, you may wish to draw up a contract in order to state clearly the terms and conditions of the tenancy e.g. the period of the tenancy, when rent should be paid, responsibility for decorations, arrangements for paying for gas and electricity etc.

**Making an agreement:** Before making an agreement, you should consider the kind of tenancy you want to set, and what terms and conditions you want in an agreement e.g. do you want a tenancy to last for a fixed period such as 6 or 12 months? Any new tenancy you create will automatically come under the terms of the 1988 Housing Act.

This will either be an Assured, or an Assured Shorthold Tenancy.

**Bringing the tenancy to an end**

A tenant may arrange to leave by mutual consent with their landlord, e.g. at the end of the contract, but you may wish to put a condition in the tenancy agreement that the tenant gives you a particular period of notice. Otherwise, it is usually considered reasonable for a tenant to give a landlord at least 4 weeks notice of leaving.

**If you want the tenant to leave**

It is unlawful to evict a tenant without going to the County Court to get a Possession Order, and the tenants are also entitled to proper legal notice before you go to Court. Even if a contract has run out, tenants are still entitled to stay in the accommodation, until proper notice has been given and a Court Order issued. However, the Court may grant an Order if you can show that there is a “ground” for possession.

You must not attempt to evict the tenant by changing the locks or by physically ejecting them or their belongings. These actions are criminal offences, making you liable to imprisonment and/or an unlimited fine.

**You could also commit an offence if you harass the occupier or get someone else to do it for you.**

Harassment includes:

- Cutting off the water, gas or electricity supplies
- Threatening the tenant
- Interfering with the tenant’s possessions
- Entering without the tenant’s permission
The law exists to safeguard your rights and the rights of your tenant(s). If you are entitled to get possession of the property, then the Court will grant you an Order. The procedures for claiming possession differ according to the type of tenancy.
12. List of useful names, addresses & telephone numbers

Housing advice

Deals with inquiries and advise on tenancy related matters, to both landlords and tenants. For example, illegal eviction.

Isle of Anglesey County Council
Council Offices
Llangefni
Anglesey
LL77 7TW

Tel: 01248 752269

Homeless persons

Confidential advice and advocacy.

Shelter Cymru
Menai Office
Beach Rd
Y Felinheli
Gwynedd
LL56 4RX

Tel: 01248 679045

Housing Strategy Team

Information on Empty Property Strategy and other private sector initiatives, and HMO Renovation Grants and other landlord grants:

Isle of Anglesey County Council
Council Offices
Llangefni
Anglesey
LL77 7TW

Tel: 01248 752230 and for Grants 01248 752217 / 752225
Planning & Environmental Services

Environmental Health
Isle of Anglesey County Council
Council Offices
Llangefnf
Anglesey
LL77 7TW

Tel: 01248 752820

Housing Enforcement Team: Deals with HMOs, and other Private Sector Housing issues, e.g. problems with unfitness etc.

Public Health Nuisance: Noise, drainage, rubbish

Commercial Inspection: Food premises, including HMO when cooked food is provided

Trading Standards: Enforcement and advise to consumers on, goods and services bought or used. Furniture that comply with Furniture and Furnishings (Fire) Regulations 1998

Tel: 01248 752808

Pest Control/Dog: Tel: 01248 752830

Planning Department: Tel: 01248 752428

Building Control: Tel: 01248 752222

Department of Finance

Isle of Anglesey County Council
Llangefnf
Anglesey
LL77 7TW

Housing Benefit: 01248 752212
Council Tax: 01248 752212
Registered social landlords

Provides homes, which are well within the reach of the local people

Tai Eryri
33-35 Stryd Fawr
Llangefi
Anglesey
LL77 7NA

Clwyd Alyn
46-54 Water St
Rhyl
LL18 1SS

Tel: 01248 750359
Tel: 01745 343706

Health & Safety Executive

Crown Buildings
31 Chester St
Wrexham
LL13 8AN

Tel: 01978 290500

Fire Authority

North Wales Fire Service
West Division HQ
Llanberis Road
Caernarfon
Gwynedd, LL55 2DF

Tel: 01286 673811