

# HMO Amenity Standards

A landlords guide



Private Sector Housing Service

<b>Contents</b>	<b>Page</b>
<b>Introduction</b>	<b>3</b>
<b>Section 1: Standards for HMOs with shared amenities and facilities</b>	<b>3</b>
1.1 Bedrooms sizes (i.e. units of sleeping accommodation or bedsits)	
1.2 Shared kitchens and other communal rooms	
1.3 Kitchen equipment and facilities for shared use	
1.4 Kitchens for exclusive use	
1.5 Personal washing facilities and sanitary conveniences for shared use	
<b>Section 2: Standards for section 257 HMOs (properties converted to flats)</b>	<b>9</b>
2.1 Room sizes for self-contained flats	
2.2 Kitchen equipment and facilities	
2.3 Personal washing facilities and toilets	
<b>Section 3: Standards for all types of HMOs</b>	<b>11</b>
3.1 Fire Safety	
3.2 Heating	
3.3 Natural and Artificial Lighting	
3.4 Ventilation	
3.5 Furniture Safety	
3.6 Security	
3.7 Electrical Supply	
3.8 Refuse, Storage and Disposal	
<b>Section 4: Requirements for all types of HMOs</b>	<b>14</b>
4.1 Minimum Energy Efficiency Standards	
4.2 Gas Safety and Carbon Monoxide	
4.3 Electrical Safety Regulations	
4.4 Housing Health and Safety Rating System	
4.5 HMO Management Regulations	
4.6 HMO Licensing	
4.7 HMO Planning Requirements	
4.8 Building Regulations	
4.9 Fire Risk Assessments	

## Introduction

This guidance sets out Milton Keynes Council standards for Houses in Multiple Occupation (HMO), these standards are based on legislative requirements, and relevant guidance as well as the Council's expectations. All HMOs are required to meet health and safety standards and have adequate space and amenities for the occupiers. Where landlords are seeking to convert a premise to an HMO, increase the occupancy number of an HMO or undertake refurbishment works, the Council will require these standards as a minimum. If you have any doubts about any of the standards within this guidance or you wish to vary one or more of the standards because of the property's circumstances, please contact the Private Sector Housing Service to discuss further. Contact the service by telephone: 01908 252664 or by email: [privatesectorhousing@milton-keynes.gov.uk](mailto:privatesectorhousing@milton-keynes.gov.uk)

It is your responsibility as the landlord or owner to ensure that any works carried out to meet these standards are carried out competently and to a satisfactory standard. The property remains the responsibility of you as the landlord or owner and the Council accepts no responsibility for any loss caused as a result of matters relating to the property.

### **What is a HMO**

The full definition of a House in Multiple Occupation (HMO) is contained in section 245 of the Housing Act 2004, below sets out the main types of HMO.

#### **HMOs with shared facilities.**

An HMO is a house or flat, in which three or more unrelated persons live, who form two or more households, and they share an amenity such as a bathroom, toilet or cooking facilities. There must also be an obligation to pay rent (or other consideration) and it is their main or only residence.

This includes shared houses (let on joint or separate agreements) and bedsits, where occupants share kitchen(s) or bathroom(s). A 'house' also includes a flat that is in multiple occupation. HMOs can also be a houses or flats where there is a mix of self-contained units and units of accommodation that share amenities.

#### **HMOs that are converted blocks of flats**

An HMO is also a building or part of a building that has been converted into fully self-contained flats, of which fewer than two-thirds are owner-occupied, and the conversion does not meet the appropriate Building Regulations. These HMOs are defined under the Housing Act 2004 Section 257, and further information is found in section 2.

#### **Definition of a household**

A 'household' is defined as either a single person or members of the same family who are living together:

- couples married to each other or living together / co-habiting.
- relatives living together. A foster child living with foster parents is treated as living in the same household.
- any domestic staff are also included in the household if they are living rent-free in the accommodation provided by the person they are working for.

## Section 1: Standards for HMOs with shared amenities and facilities

### 1.1 Bedrooms sizes (i.e. units of sleeping accommodation or bedsits)

Number of occupiers per bedroom	bedrooms with shared kitchen facilities	bedrooms with kitchen facilities
1 person	8 sqm	11 sqm
2 persons	13 sqm	16 sqm

A reduction in bedroom size will only be considered where a communal living room or kitchen with a dining area exists. This will depend on the size, layout and nature of the communal space and facilities available, standards of management and other health and safety considerations.

Licensed HMOs are subject to mandatory minimum sleeping room sizes, which are included within the conditions of the licence. A room smaller than the specified size must not be used as sleeping accommodation, and communal space in other parts of the HMO cannot be used to compensate for rooms smaller than the specified minimum. The mandatory room size conditions are the statutory minimum and are not intended to be the optimal room size. The Council will continue where necessary to have discretion to require higher standards within licence conditions, but we must not set lower standards.

The mandatory minimum sleeping room sizes are as follows:

1 child under the age of 10	4.64 sqm
1 person aged 10 or over	6.51 sqm
2 persons aged 10 or over	10.22 sqm

### Additional notes on assessing bedroom size

- A staircase, landing or any room used as a kitchen or bathroom shall not be used as sleeping accommodation.
- The number of people sharing includes children of all ages including children under 1 years old. Everyone must have their own allocation of space.
- Persons over the age of 10 years old must not share with someone of the opposite sex unless they are living together/co-habiting or someone who is a close relative i.e. parent, grandparent, same sex sibling, uncle, aunt, cousin.

- The measured space in any room must be usable space. The room should be able to accommodate the required amount of appropriate furniture easily and still allow space for movement about the room.
- Any area of the room in which the ceiling height is less than 1.5m cannot be counted towards the minimum room size.
- All habitable rooms, kitchens, bathrooms and toilets shall have a minimum floor to ceiling height of 2.13m.
- An ensuite will be disregarded from the measured space.

## 1.2 Shared kitchens and other communal rooms

- Shared kitchens must be accessible from the common area and be available for use 24 hours a day.
- Kitchens should be located no more than one floor distant from the bedrooms unless a kitchen / diner is provided, or a communal room is available on the same floor as the kitchen.
- The kitchen size and layout must be safe, convenient and allow good hygienic practices.
- Kitchen equipment must be fit for purpose and supplied in sufficient quantity for the number of residents.
- If more than 5 occupiers are sharing a kitchen and there is no dining area whether separate or within the kitchen, then additional facilities may be required.
- The kitchen sizes specified are based on optimum space and layout. In practice, it may be necessary to have a larger size to ensure there is sufficient space to fit all facilities required and to provide a circulation area that permits safe use of the kitchen for the number of occupiers.
- A reduction in kitchen size is at the Councils discretion and will be dependent on the size, layout and nature of the communal space and facilities available, standards of management and other health and safety considerations.

### Shared kitchen sizes and other communal rooms.

Total number of residents within the HMO	Kitchen	Combined Kitchen-diner	Separate diner or living room
3-5 residents	6 sqm	8.5 sqm	8.5 sqm
6–10 residents	11 sqm	13.5 sqm	12.5 sqm

## 1.3 Kitchen equipment and facilities for shared use

The kitchen must be equipped with one set of the following per 5 persons sharing. Where 6 to 7 or 8 to 10 persons are sharing the additional items in the 'enhanced standard' sections may be acceptable instead of a full set of facilities.

<b>Equipment / Facilities</b>	<b>One set of facilities per 5 persons sharing</b>	<b>Enhanced standard for 6 to 7 persons sharing</b>	<b>Enhanced standard for 8 to 10 persons sharing</b>
Sink and draining board	1 standard sized sink and drainer with tiled splash back on a base unit. The sink must have constant supply of cold water from the water main, and constant supply of hot water. It must be properly connected to a suitable drainage system.	1.5 bowl sink and drainer	2 sinks or a double bowled sink <b>or</b> 1 sink and a dishwasher
Cooking	A full-sized gas or electric cooker with 4 ring/burners, an oven and grill	1 cooker and 1 combination microwave/oven	2 cookers <b>or</b> 1 cooker plus 2 to 3 combination microwave/ovens as required.
Dry good storage, crockery, and utensils	Each occupancy shall be provided with dry good storage space either in the kitchen or in an adjacent and readily accessible position. Two standard wall cupboards or one standard base unit. Additional space will be needed for occupancies that have more than one individual. The space under the kitchen sink will not be accepted for this purpose.		
Fridges and freezers	Each occupancy shall be provided with at least one shelf of a refrigerator either within the kitchen or in an adjacent and readily accessible position (not in the escape route). Each refrigerator should have an adequate freezer compartment, or a separate freezer should be provided.		
Food preparation (worktop)	A worktop of smooth and impervious material of a minimum size 600mm x 1500mm. This does not include space taken up by large appliance, sink or cooker.		2000mm x 600mm work surface
Electrical sockets	3 double sockets provided in addition to those used by the fixed electrical appliances. Fitted at a convenient height and safe position above the worktop. Low level sockets should be used for the fixed electrical appliances.		5 double sockets

Ventilation	Where there is no natural ventilation, or the natural ventilation is not adequate mechanical ventilation extracting to the outside should be fitted in accordance with current building regulations. Cooker hoods can only be used instead if they vent to the outside.		
-------------	---	--	--

#### 1.4 Kitchens for exclusive use

Bedrooms that have kitchen facilities for the exclusive use of the occupiers of that room, must have the following:

Equipment / Facilities	One set of facilities per bedroom
Sink and draining board	1 standard sized sink and drainer with tiled splash back on a base unit. The sink must have constant supply of cold water from the water main, and constant supply of hot water. It must be properly connected to a suitable drainage system.
Cooking	A gas or electric cooker with at least 2 ring/burners, an oven and grill. This must be a fixed appliance. Portable cooking equipment is not acceptable.
Dry good storage, crockery, and utensils	Two standard wall cupboards or one standard base unit. Additional space will be needed for occupancies that have more than one individual. The space under the kitchen sink will not be accepted for this purpose.
Fridges and freezers	An adequately sized refrigerator with freezer compartment
Food preparation (worktop)	A worktop of smooth and impervious material of a minimum size 600mm x 1000mm. This does not include space taken up by large appliance, sink or cooker.
Electrical sockets	2 double sockets provided in addition to those used by the fixed electrical appliances. Fitted at a convenient height and safe position above the worktop. Low level sockets should be used for the fixed electrical appliances.
Ventilation	Where there is no natural ventilation, or the natural ventilation is not adequate mechanical ventilation extracting to the outside should be fitted in accordance with current building regulations. Cooker hoods can only be used instead if they vent to the outside.

#### 1.5 Personal washing facilities and sanitary conveniences for shared use

- All personal washing facilities and sanitary convenience must be properly connected to the draining system.
- Bathrooms, shower rooms and toilet compartments must be constructed to ensure privacy.

- Bathrooms and shower rooms require efficient and safe fixed space-heating that can maintain a minimum temperature of 22°C. The heating must be under the control of the occupiers for timings and temperature.
- Bathrooms and shower rooms must have mechanical ventilation to the outside air that meets current building regulations. The installation should be coupled to the light switch and incorporate a suitable over-run period or an appropriately set humidistat.
- Each toilet compartment should have an openable window or mechanical ventilation to the outside air that meets current building regulations. Toilet compartments should also be fitted with a wash hand basin.
- An appropriately sized tiled splash-back or alternative impervious, cleanable surface shall be provided to all bathrooms and wash basins. Shower cubicles shall have fully tiled walls (or alternative impervious, cleanable surface) and be provided with a suitable water-resistant curtain or door to the cubicle. All joints should be adequately sealed.
- Bathrooms, shower rooms and toilets compartments should have smooth impervious walls and ceilings, which can be easily cleaned. The flooring should be capable of being easily cleaned and slip resistant.
- All baths, showers and wash hand basins must be equipped with suitable taps and shower heads providing an adequate supply of cold water and a constant supply of hot water.
- All bathrooms, shower rooms and toilet compartments should be of an adequate size and layout; and bathrooms and shower rooms should have suitable room for drying and changing.
- Baths, showers/shower cubicles, wash hand basins and toilets should all be of a standard size, fit for purpose, be of non-absorbent material and easily cleanable.
- All bathrooms, shower rooms and toilets should be no more than one floor distance from the bedrooms and living areas and must be accessible from a common area.

### Sharing ratios for bathrooms and toilets

Total number of residents within the HMO	Minimum requirement
3-4	1 bathroom containing a bath or shower, and wash hand basin. 1 toilet included in the bathroom.
5	1 bathroom containing a bath or shower, and wash hand basin. 1 toilet compartment with wash hand basin which must be separate from the bathroom.
6-8	2 bathrooms containing baths or showers, and wash hand basins. 2 toilets included in the bathrooms.
9-10	2 bathrooms containing baths or showers, and wash hand basins. 2 toilets with wash hand basins. One of the toilets must be in a separate compartment with wash hand basin.
11-15	3 bathrooms containing baths or showers, and wash hand basins. 3 toilets with wash hand basins. One of the toilets must be in a separate compartment with wash hand basin or there must be provision of a fourth separate toilet compartment with wash hand basin.
For every 5 additional residents	There must be provision of an additional bathroom containing bath or shower and additional separate toilet with wash hand basin.



## Section 2: Standards for section 257 HMOs

A section 257 HMO refers to a building or part of a building that has been converted into self-contained flats; this applies where:

- The building work undertaken in connection with the conversion did not comply with the appropriate building standards and still does not comply with them; and
- Fewer than two thirds of the flats are owner-occupied; and
- The building is occupied by three or more people from two or more households.

The appropriate building standards are the Building Regulations imposed at the time that the building was converted; unless the building work was completed before the 1 June 1992, in which case they are the Building Regulations 1991.

A self-contained flat will have a toilet, personal washing facilities and cooking facilities available for the exclusive use of its occupants.

**The following guidance is based on 1 to 2 person flats. If you are intending to let a flat to 3 or more persons, please contact the Private Sector Housing Service for further guidance.**

### 2.1 Room sizes for self-contained flats

- The flat layout should ensure that any occupier does not have to pass through the kitchen area to exit the accommodation.
- The kitchen size and layout must be safe, convenient and allow good hygienic practices.
- Kitchen equipment must be fit for purpose and supplied in sufficient quantity for the number of residents.
- The flat size, bedroom and kitchen sizes specified are based on optimum space and layout. In practice, it may be necessary to have a larger size to ensure there is sufficient space to fit all facilities required and to provide a circulation area that permits safe use of the kitchen by the occupier(s).
- A reduction in kitchen size is at the Councils discretion and will be dependent on the size, layout and nature of the communal space and facilities available, standards of management and other health and safety considerations.

**Minimum size for units where the bedroom and kitchen facilities are in one room (measurement does not include the bathroom)**

One person flat	11 sqm
Two persons flat	16 sqm

## Minimum room sizes where the bedroom is separate from the kitchen area

Number of occupiers	Bedroom	Kitchen
1	6.5	4.5
2	10.5	5.5

## 2.2 Kitchen equipment and facilities

Equipment / Facilities	One set of facilities for 1-2 persons flats
Sink and draining board	1 standard sized sink and drainer with tiled splash back on a base unit. The sink must have constant supply of cold water from the water main, and constant supply of hot water. It must be properly connected to a suitable drainage system.
Cooking	A gas or electric cooker with at least 2 ring/burners, an oven and grill. This must be a fixed appliance. Portable cooking equipment is not acceptable.
Dry good storage, crockery, and utensils	Two standard wall cupboards or one standard base unit. Additional space will be needed for occupancies that have more than one individual. The space under the kitchen sink will not be accepted for this purpose.
Fridges and freezers	An adequately sized refrigerator with freezer compartment
Food preparation (worktop)	A worktop of smooth and impervious material of a minimum size 600mm x 1000mm. This does not include space taken up by large appliance, sink or cooker.
Electrical sockets	2 double sockets provided in addition to those used by the fixed electrical appliances. Fitted at a convenient height and safe position above the worktop. Low level sockets should be used for the fixed electrical appliances.
Ventilation	Where there is no natural ventilation, or the natural ventilation is not adequate mechanical ventilation extracting to the outside should be fitted in accordance with current building regulations. Cooker hoods can only be used instead if they vent to the outside.

## 2.3 Personal washing facilities and toilets

Minimum requirement per self-contained flat occupied by 1-2 persons
1 bathroom containing a bath or shower, and wash hand basin.
1 toilet included in the bathroom.

- All personal washing facilities and sanitary convenience must be properly connected to the draining system.
- Bathrooms, shower rooms and toilet compartments must be constructed to ensure privacy.

- Bathrooms or shower rooms require efficient and safe fixed space-heating that can maintain a minimum temperature of 22°C. The heating must be under the control of the occupiers for timings and temperature.
- Bathrooms or shower rooms must have mechanical ventilation to the outside air that meets current building regulations. The installation should be coupled to the light switch and incorporate a suitable over-run period or an appropriately set humidistat.
- An appropriately sized tiled splash-back or alternative impervious, cleanable surface shall be provided to all bathrooms and wash basins. Shower cubicles shall have fully tiled walls (or alternative impervious, cleanable surface) and be provided with a suitable water-resistant curtain or door to the cubicle. All joints should be adequately sealed.
- Bathrooms or shower rooms should have smooth impervious walls and ceilings, which can be easily cleaned. The flooring should be capable of being easily cleaned and slip resistant.
- All baths, showers and wash hand basins must be equipped with suitable taps and shower heads providing an adequate supply of cold water and a constant supply of hot water.
- Bathrooms or shower rooms should be of an adequate size and layout and have suitable room for drying and changing.
- Baths, showers/shower cubicles, wash hand basins and toilets should all be of a standard size, fit for purpose, be of non-absorbent material and easily cleanable.

### Section 3: Standards for all types of HMOs

This section provides guidance on standards that in addition to the standards in sections 1 or 2 are also required in all types of HMOs.

#### 3.1 Fire Safety

All types of HMOs require certain fire safety measures. Please contact the Private Sector Housing Service for guidance and to arrange an inspection of the HMO to determine the fire safety measures required in your HMO. The Council works with Bucks Fire and Rescue Services and will consult with them on the required fire safety measures. We will also consider the guidance within the Lacors Housing Fire Safety Guidance on Fire Safety Provisions for Certain Types of Existing Housing, download a copy here: [Lacors Housing - Fire Safety.pdf](#)

#### 3.2 Heating

The heating system must be a controllable fixed form of heating system. It must be of an appropriate design and layout to efficiently heat the whole house, and be capable of maintaining the following temperatures when the outside temperature is -1°C

- Reception rooms: 21°C
- Kitchens large enough to also accommodate dining space: 21°C
- Bedrooms: 18°C
- Bathrooms: 22°C
- Hallways: 19°C

All units of sleeping accommodation, common parts and shared bathrooms/shower rooms must be fitted with heating. Heating must be available at all times and be under the control of the occupants for timings and temperature settings.

Gas Central Heating System, the boiler and controls must be situated in an accessible location to all occupants. The occupants must be able to adjust the main controls. A radiator in each unit of accommodation must be fitted with a thermostatic radiator valve so the occupant can control the temperature of the radiator without the need to adjust the central controls. The bathroom radiator does not need a thermostatic valve.

Electric Heating Systems should be electric storage heating that is fixed to the electrical installation and capable of being run on economy tariffs and off-peak rates.

The use of any portable paraffin or oil-fired heaters and liquefied petroleum gas heaters (LPG) (bottled gas heaters) are not acceptable under any circumstances, whether provided by the landlord or tenant.

The HMO should not be fitted with a pre-payment meter.

### **3.3 Natural and Artificial Lighting**

All units of accommodation shall have an adequate level of natural light. Provided via a clear glazed window or windows and/or door(s). The glazed area is to be equivalent to at least one-tenth of the floor area. Windows to bathrooms, shower rooms and toilets are to be glazed with obscured glazing.

All units of accommodation, stairs, landings, passages, kitchens, bath/shower rooms and toilets should have adequate electric lighting that is controlled by suitably located switch points. Lighting on stairs should be capable of being switched on and off from both upstairs and downstairs. Lighting on stairs, landings and passages can be controlled by timer switches. Lighting in common parts is to be maintained and paid for by the landlord.

### **3.4 Ventilation**

All units of accommodation shall be ventilated directly to the external air by a window that has an openable area of at least 1/20<sup>th</sup> of the floor area of that room.

Kitchens, bath/shower rooms and toilets where there is no natural ventilation, or the natural ventilation is not adequate shall have mechanical ventilation fitted in accordance with current Building Regulations.

All units of accommodation, kitchens, bath/shower rooms and toilets need to have adequate floor to ceiling height to allow for proper circulation of air. Minimum floor to ceiling height is 2130mm.

### **3.5 Furniture Safety**

The furniture and Furnishings (Fire)(Safety) Regulations 1988 (as amended) set out the standards of fire resistance for domestic upholstered furniture, furnishings and other products containing upholstery. Certain furniture provided in rented accommodation must comply with these regulations and landlords, letting and management agents are responsible for ensuring furniture provided is compliant.

### **3.6 Security**

Sufficient measures must be in place to provide security for the occupiers, including appropriate locks to the front entrance door, rear exit doors and units of accommodation to prevent unauthorised access but permit safe keyless exit. Vulnerable windows must be capable of being secured against unauthorised access without compromising the means of escape in case of fire. Simple locks must be provided to the bath/shower rooms and toilet to provide privacy.

### **3.7 Electrical supply**

An adequate number of electrical sockets are to be provided in the units of accommodation, and other rooms and areas of the property. Kitchens shall be provided with electrical sockets as specified in sections 1 and 2 above. All sockets shall be in positions that permit safe, convenient, and proper use at all times, having regard to the room layout and preventing overloading of sockets. They shall not be positioned where the appliance cables are likely to cause a safety hazard.

Portable Appliance Tests should be carried out on all portable appliances provided by the landlord at least once every year.

### **3.8 Refuse, Storage and Disposal**

An adequate number of refuse and recycling bins or containers must be provided in sufficient numbers to meet the needs of HMO and number of occupiers. Refuse and recycling containers should not be located near units of accommodation or other habitable rooms. They must not cause obstructions to footpaths and access paths or obscure windows. Refuse and recycling must be stored and put out for collection in accordance with the Council's waste and recycling scheme, for more information [Waste and recycling | Milton Keynes Council \(milton-keynes.gov.uk\)](https://www.milton-keynes.gov.uk/waste-and-recycling)

## Section 4: Requirements for all types of HMOs

This section provides information and guidance on your legal obligations and requirements as a landlord or manager of an HMO. It is your responsibility to ensure any HMO that you own or manage complies with any relevant legislation, regulations or other applicable law in place. It is also your responsibility to ensure you stay up to date with any legal developments affecting your property. If you need further advice, contact the Private Sector Housing Service or the relevant service / regulator, contact details are provided below.

### 4.1 Minimum energy efficiency standards (MEES)

All rented properties are required to meet an Energy Performance Certificate (EPC) Rating of an E. Although normally room lets/bedsits do not need an EPC, where the house containing the room lets or bedsits has been sold since April 2006 then the whole property would have required an EPC at the point of sale. As an EPC was legally required at the point of sale, then the requirement to reach an EPC E rating would apply, unless a valid exemption is registered. For further guidance: [Domestic private rented property: minimum energy efficiency standard - landlord guidance - GOV.UK](https://www.gov.uk/guidance/domestic-private-rented-property-minimum-energy-efficiency-standard-landlord-guidance) ([www.gov.uk](https://www.gov.uk))

### 4.2 Gas Safety and Carbon Monoxide

The Gas Safety (Installation and Use) Regulations 1998 requires the landlord to ensure that where a rented property contains gas appliances they are maintained in good order and checked for safety at least annually. A record of the checks must be kept and shown to the tenants or Local Authority on request.

You are reminded that only a competent person can carry out work on gas appliances and all businesses doing such work must be registered on the Gas Safe Register. For further information contact 0800 408 5500 or [www.gassaferegister.co.uk](https://www.gassaferegister.co.uk)

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 requires:

- Smoke alarms to be fitted on every floor of the property,
- A carbon monoxide alarm in any room of the premises which is used wholly or partly as living accommodation and contains a solid fuel burning appliance,
- Checks are made by, or on behalf of the landlord to ensure the alarm is in proper working order on the day the tenancy starts.

These regulations are due to be amended, from the 1 October 22, a carbon monoxide alarm must be equipped in any room used as living accommodation which contains a fixed combustion

appliance, expect for gas cookers. The landlord will also be responsible for repairing or replacing both smoke and carbon monoxide alarms found not to be in proper working order.

If you are found to be in breach of the Smoke and Carbon Monoxide Alarm Regulations, the Council can issue a penalty charge of up to £5000.

2015 Regulation: [The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

Amended 2022 Regulation: [The Smoke and Carbon Monoxide Alarm \(Amendment\) Regulations 2022 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

### **4.3 Electrical Safety Regulations**

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 require landlords to have electrical installations in their properties inspected and tested by a person who is qualified and competent, at least every 5 years. Landlords will provide a copy of the electrical safety report to their tenants at the start of the tenancy and to the local authority when requested. If you are found to be in breach of the electrical safety regulations the local authority can impose a financial penalty of up to £30,000.

For further information visit [Guide for landlords: electrical safety standards in the private rented sector - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

### **4.4 Housing Health and Safety Rating System**

The Housing Health and Safety Rating System (HHSRS) introduced by the Housing Act 2004 is a method of assessing hazards in all homes, regardless of tenure. It is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from deficiencies identified in dwellings. The HHSRS applies to all HMOs in addition to the regulations for licensing, standards and management. If hazards are identified the Council, if necessary, can take enforcement action to reduce or remove hazards to an acceptable level. A breach of enforcement action is an offence for which you can be prosecuted or a civil penalty of up to £30,000 can be imposed. HHSRS guidance for landlords is here: [Housing health and safety rating system \(HHSRS\): guidance for landlords and property-related professionals - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

### **4.5 HMO Management Regulations**

There are management regulations that apply to all HMOs. The person in control of or managing the HMO has a number of duties under these regulations.

The Management of Houses in Multiple Occupation (England) Regulations 2006 SI 372 apply to all HMOs except those consisting entirely of self-contained flats. For HMOs consisting of self-

contained flats, then the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 SI 1903 apply. A breach of management regulations is an offence for which you can be prosecuted or a civil penalty of up to £30,000 can be imposed.

The following regulations apply:

- Provision and display of the managers contact information to the occupiers
- Safety measures, including fire safety
- Maintenance of common parts, fixtures, fittings and appliances
- Maintenance of living accommodation
- Supply and maintenance of gas and electricity
- Maintenance of water supply and drainage
- Provision of waste disposal facilities

The above list is not exhausted to review the regulations in full visit: [Legislation.gov.uk](https://www.legislation.gov.uk)

#### **4.6 HMO Licensing**

All HMOs with 5 or more tenants are subject to mandatory licensing under Part 2 of the Housing Act 2004. You are responsible for applying for an HMO licence:

**If** - You own or lease a property which is subject to mandatory licensing, and you receive rent (either collected directly or by an agent) from tenants or licensees.

**Or** - You receive the 'rack-rent' (two-thirds or more of the full net annual value of the rent) from a property which is subject to mandatory licensing. This includes tenants who sublet.

The application fee is £344 for a 5-year licence. Please note an application is not deemed valid until the fee has been paid.

To apply for a HMO Licence contact the Private Sector Housing on 01908 252664 or by email [privatesectorhousing@milton-keynes.gov.uk](mailto:privatesectorhousing@milton-keynes.gov.uk) or download an application form [Houses in Multiple Occupation \(HMO\) | Milton Keynes Council \(milton-keynes.gov.uk\)](#)

If you are found to be operating an HMO that is subject to mandatory licensing and you do not have a licence or you have not submitted a valid application, it is a criminal offence, and you may be subject to prosecution or a civil penalty of up to £30,000.

#### **4.7 HMO Planning Requirements**

Milton Keynes operates an [Article 4 Direction](#) which means that planning permission is required when converting a dwelling house (C3), or non-residential property, to an HMO use class (C4) or Sui Generis. When making your planning application ensure you refer to the [HMO supplementary planning document](#) for guidance (with policies referred to therein updated or replaced by those in



Plan:MK) or for greater certainty, you can seek pre-planning application advice. You can access further information online via the [Planning Hub](#) or on 01908 252358 or email: [customerservices@milton-keynes.gov.uk](mailto:customerservices@milton-keynes.gov.uk).

Planning permission and HMO licensing are separate and distinct legal requirements. Planning permission controls the number of HMOs in an area, as well as ensuring impacts on the wider environment are acceptable, while HMO licensing controls the quality and safety of the accommodation. Planning permission for use of a property as an HMO is not conferred by the granting of an HMO licence. Planning permission should be applied for at the earliest opportunity to avoid unnecessary delays or costs.

#### **4.8 Building Regulations**

Building or conversion works will require building regulation approval. This includes extension works, garage conversion, and converting houses to flats. It also includes alterations involving installing bathrooms or kitchens where the work involves changes / additional drainage or waste pipes and removing or altering the position of any internal walls. Please contact the building control department for further advice on 01908 252721 or [building.control@milton-keynes.gov.uk](mailto:building.control@milton-keynes.gov.uk).

#### **4.9 Fire Risk Assessment**

The Regulatory Reform (Fire Safety) Order 2005 applies to the common areas of HMOs such as the stairways, corridors, and hallways. The responsible person for the HMO (e.g. landlord or manager) has a duty to ensure a fire risk assessment is carried out by a suitably qualified and competent professional. The aims of a fire risk assessment is to:

- Identify fire hazards (sources of ignition, fuel and work process).
- Identify the location of people at significant risk in case of fire.
- Evaluate the risks and carry out any improvements needed.
- Record the findings and actions taken.
- Keep assessment under review.

Further information on your legal duties under the Fire Safety Order and guidance on how to carry out a fire risk assessment is contained in the publication: "Fire safety Risk Assessment for sleep accommodation". Download a copy here: [Fire safety risk assessment: sleeping accommodation - GOV.UK \(www.gov.uk\)](#) For more advice on your duties under the Fire Safety Order contact Buckinghamshire Fire & Rescue Service on 01908 236413.

Private Sector Housing Service

Email: [privatesectorhousing@milton-keynes.gov.uk](mailto:privatesectorhousing@milton-keynes.gov.uk)

Tel: 01908 25 2664

