

London Borough of Merton Houses in Multiple Occupation (HMO) Requirements

(Revised July 2021)

Under the Housing Act 2004, all HMOs have to meet a standard in order to ensure that the health, safety and welfare of all its occupants are maintained. This document outlines these standards and provides guidance on the factors which have to be considered when setting up a HMO.

A. Definition

Houses occupied as individual rooms, bedsits and flatlets that are considered to have a number of rooms for exclusive occupation, not necessarily behind one door, with some sharing of amenities usually bathroom and/or toilet and or a kitchen. In such a house each occupancy would be separately rented.

Houses or flats occupied by 'a group', where bedrooms have no cooking facilities and there is a level of exclusive occupation but all of the other facilities are shared e.g. kitchen, bathroom and / or toilet.

B. The Housing Health & Safety Rating System (HHSRS)

The Housing Health & Safety Rating System is a system for assessing the health and safety risks in dwellings.

The principle of HHSRS is that any premises (including the structure, means of access, and any associated outbuilding, garden or yard) should provide a safe and healthy environment for any potential occupier or visitor. HHSRS is a risk assessment process and is comprehensive in its coverage of key health and safety risks in dwellings.

In broad terms the Rating System works by assessing the risk associated with certain home hazards and if the likelihood of harm is significant the Council may take action to ensure that the risk is removed or reduced.

The HHSRS considers the following hazards in all HMO'S:

1. Damp & Mould

This category covers threats to health associated with increased prevalence of house dust mites and mould or fungal growths resulting from dampness and/or high humidity. It includes threats to mental health and social well-being which may be caused by living with the presence of damp, damp staining and/or mould growth.

2. Excess Cold

This category covers the threats to health from sub-optimal indoor temperatures.

3. Excess Heat

This category includes threats from excessively high indoor air temperatures.

4. Asbestos
This category covers the presence of, and exposure to, asbestos fibres and manufactured mineral fibres (MMF) within dwellings.
5. Biocides
This category covers threats to health from those chemicals used to treat timber and mould growth in dwellings. While biocides include insecticides and rodenticides to control pest infestations (e.g. cockroaches or rats and mice), these are not considered
6. Carbon Monoxide and Fuel Combustion Products
This category includes hazards resulting from the presence of excess levels in the atmosphere within the dwelling of Carbon monoxide, Nitrogen dioxide, Sulphur dioxide and smoke. Carbon monoxide, oxides of nitrogen, sulphur dioxide and smoke, are products associated with the combustion, or incomplete combustion, of gas, oil, and solid fuels for heating and cooking. The health effects of carbon monoxide, oxides of nitrogen, and sulphur dioxide and smoke vary. However, the causes, preventive measures and dwelling characteristics affecting likelihood and harm outcome overlap.
7. Lead
This covers the threats to health from the ingestion of lead.
8. Radiation
This category covers the threats to health from radon gas and its daughters, primarily airborne, but also radon dissolved in water.
9. Uncombusted Fuel Gas
This category covers the threat of asphyxiation resulting from the escape of fuel gas into the atmosphere within a dwelling. Poisonings associated with incomplete combustion of gas and the spilling back of combustion products into a dwelling are covered by Carbon Monoxide, and explosions from gas leakages.
10. Volatile Organic Compounds
Volatile organic compounds (VOCs) are a diverse group of organic chemicals which includes formaldehyde, that are gaseous at room temperature, and are found in a wide variety of materials in the home.
11. Crowding & Space
This category covers hazards associated with lack of space within the dwelling for living, sleeping and normal family/household life.

Space Standards (Minimum Standards):

- ***Single Room Lettings Where Cooking And Washing Facilities Are Situated In The Room***

1 Person	13m ² or more
2 Persons	20.5m ² or more

- **Single Room Lettings With Shared Kitchen**

1 person	10.22m ² or more
2 persons	15m ² or more
Kitchen	3m ² per person

- **Single Room Lettings With Shared Kitchen and a Shared Living/ Dining Room**

1 person	6.51m ² or more
2 persons	10.22m ² or more
Kitchen	3m ² per person

- **Two Room Lettings Comprising Combined Living / Bedroom And Separate Kitchen (not Shared)**

1 Person	10.22m ² or more for living / bedroom
	4.5m ² or more for Kitchen
2 Persons	15m ² or more for living /bedroom
	7m ² or more kitchen

- **Greater Than Two Room Lettings (not Shared)**

Each Bedroom	6.51m ² or more (1 person)
	10.22m ² or more (2 persons)
Each Kitchen	4.5m ² or more (1 person)
Each additional Room	6.51m ² or more (1 person)

NOTE: No more than 2 persons permitted to sleep in one bedroom.

12. Entry By Intruders

This covers difficulties in keeping a dwelling secure against unauthorised entry and the maintenance of defensible space.

13. Lighting

This category covers the threats to physical and mental health associated with inadequate natural and/or artificial light. It includes the psychological effect associated with the view from the dwelling through glazing.

Natural Lighting

- All habitable rooms to be provided with an area of clear glazing situated in either a window and/or a door, opening to the external air, equivalent in total area to at least 1/10th of the floor area of the room.
- Basement rooms used for human habitation should, in addition, have sufficient natural lighting for their purpose.
- All kitchens, bathrooms and water closet compartments should comply with above.
- All glazing to windows in bathrooms and water closet compartments shall be obscure.
- All staircases, landings and passages shall be provided with an area of clear glazing in a window.

Artificial Lighting

- All habitable rooms, kitchens, bathrooms, water closet compartments, staircases, landings and passages to be adequately lighted by electricity.
- Time switches are only allowed to common landings, passages and staircases and should stay on for an adequate time to allow a person to climb stairs etc and enter a room.

There should be sufficient switches to operate the artificial lighting on each landing; corridor or passage and each switch should allow adequate lengths of corridors, passages and stairways to be illuminated at the same time. All lighting to common parts to be provided maintained and paid for by the landlord or their agent.

14. Noise

This category covers threats to physical and mental health resulting from exposure to noise inside the dwelling or within its curtilage.

15. Domestic Hygiene, Pests and Refuse

This category covers hazards which can result from:

- poor design, layout and construction such that the dwelling cannot be readily kept clean and hygienic;
- access into, and harbourage within, the dwelling for pests; and
- inadequate and unhygienic provision for storing and disposal of household waste.

Note that hazards associated with sanitation and drainage, domestic water, personal washing facilities and food safety are each dealt with as separate hazards

16. Food Safety

This category covers threats of infection resulting from inadequacies in provision and facilities for the storage, preparation and cooking of food.

Ideally each occupancy should have its own kitchen facilities (as listed below) within their letting. Where this is not the case shared kitchens may be provided. Each kitchen can be shared by no more than 5 persons (kitchen to be of adequate size i.e. **minimum** 3m² per person) and must not be more than one floor distance from any room(s) occupied by the person(s) for whom they are provided. This does not apply if there is a dining area / lounge available on the same floor as the kitchen.

Double sets of facilities may be acceptable if the kitchen of an adequate size (following on from consultation with the Council)

The walls, floors and ceilings of each separate kitchen and the immediate area around cooking facilities within rooms should be generally non-porous and reasonably smooth so that they can be cleaned effectively. Floors should be slip resistant.

- Storage of Food

Each separate occupancy to be provided with a proper food store of adequate size within the letting. (E.g. 0.3m³ dry goods store and 0.13m³ refrigerator for

a single person). Alternatively, a proper food store of (e.g. 0.3m³ dry goods store and an adequate size refrigerator for a single person) capable of being secured can be provided for each person, within the shared kitchen. The space in a sink unit below the sink will not be acceptable for that purpose.

▪ Preparation of Food

A suitable fixed worktop shall be provided being of a minimum size of 0.6m² with a smooth, durable, impervious surface capable of being easily cleaned. In the case of shared kitchens, worktops shall be provided in a ratio of one to every three persons sharing the kitchen. Immediately adjacent walls are to be non-porous and easily cleanable.

▪ Kitchen Appliances

Two double power points shall be provided and positioned immediately adjacent to any worktop. In the case of shared kitchens power points shall be provided in a ratio of one double power point for every occupier.

▪ Cooking of Food

A suitable cooking appliance that includes an oven, grill and two cooking rings shall be provided in each occupancy. In the case of shared kitchens, cooking appliances that include an oven, grill and four cooking rings shall be provided in a ratio of one set for every five persons.

▪ Disposal of Waste Water

Each separate occupancy to be provided with a sink properly plumbed with hot and cold drinking water supplies and waste drainage. A suitable draining board shall be provided. Immediately adjacent walls are to be non-porous and easily cleanable.

The Council may exercise discretion regarding the Adopted Standards relating to cooking facilities where cooking facilities are supplemented by the provision of a microwave oven.

17. Personal Hygiene, Sanitation and Drainage

This category covers threats of infection and threats to mental health associated with personal hygiene, including personal washing and clothes washing facilities, sanitation and drainage. It does not include problems with pests associated with defective drainage facilities.

Amenity	Standard
Bathroom (room with bath / shower and a wash hand basin)	1 per 5 occupiers
WC (room with WC and a wash hand basin)	1 per 5 occupiers Where no more than 4 occupiers share facilities, the WC may be located within a bathroom with a bath / shower and wash hand basin

	Where 5 or more occupiers share facilities a WC must be located separate from the bathroom and in accordance with the standards in the table below.
Every bath, shower, and wash hand basin shall be properly plumbed with hot and cold water supplies and waste drainage. Immediately adjacent walls are to be non-porous and easily cleanable.	

Amenity level provision for HMOs

Number of persons sharing	1 Bathroom with WC	1 Bathroom & 1 separate WC	2 Bathrooms (1 with a WC)	2 Bathrooms with WC	2 bathrooms (one with a WC & a separate WC)
3 or 4	Acceptable	Acceptable	Acceptable	Acceptable	Acceptable
5	Not Acceptable	Acceptable	Acceptable	Acceptable	Acceptable
6	Not Acceptable	Not Acceptable	Not Acceptable	Acceptable	Acceptable
7	Not Acceptable	Not Acceptable	Not Acceptable	Not Acceptable	Acceptable
8	Not Acceptable	Not Acceptable	Not Acceptable	Not Acceptable	Acceptable
9	Not Acceptable	Not Acceptable	Not Acceptable	Not Acceptable	Acceptable
10	Not Acceptable	Not Acceptable	Not Acceptable	Not Acceptable	Acceptable

- A readily accessible bathroom or a shower room, **being not more than one floor distant** from any user, must be provided in the following ratios:
 - 1 - 5 persons - 1 bathroom or shower room
 - 6 - 10 persons - 2 bathrooms or shower rooms
 - 11 - 15 persons - 3 bathrooms or shower rooms
- Each separate occupancy should ideally be provided with its own separate WC, but where this is not practicable, a satisfactory and readily accessible shared WC must be provided in the following ratios:
 - 1 - 5 persons - 1 water closet
 - 6 - 10 persons - 2 water closets
 - 11 - 15 persons - 3 water closets

The nearest WC must not be more than 1 floor distant or 30 metres horizontally from a unit of accommodation and in a room separate from the bathroom.

Each bathroom, shower and WC compartment should have surfaces that are non-absorbent and easily cleaned. Floors should be slip resistant.

18. Water Supply

This category covers the quality and adequacy of the supply of water within the dwelling for drinking and for domestic purposes such as cooking, washing, cleaning and sanitation. As well as the adequacy, it includes threats to health from contamination by bacteria, protozoa, parasites, viruses, and chemical pollutants. (Contamination by radon and lead are dealt with separately.)

The quality of water supplied from public mains is outside the HHSRS assessment and is subject to separate controls.

19. Falls Associated with Bath etc

This category includes any fall associated with a bath

20. Falling on Level Surfaces

This category covers falls on any level surface such as floors, yards, and paths. It also includes falls associated with trip steps, thresholds, or ramps, where the change in level is less than 300mm.

21. Falls on Stairs

This category covers any fall associated with a stairs, steps and ramps where the change in level is greater than 300mm. It includes falls associated with:

- internal stairs or ramps within the dwelling;
- external steps or ramps within the curtilage of the dwelling;
- internal common stairs or ramps within the building containing the dwelling and giving access to the dwelling, and those to shared facilities or means of escape in case of fire associated with the dwelling; and
- external steps or ramps within the curtilage of the building containing the dwelling and giving access to the dwelling, and those to shared facilities or means of escape in case of fire associated with the dwelling.

It includes falls over guarding (balustrade) associated with the stairs, steps or ramps.

However, it does not include falls over guarding to balconies or landings, nor does it include falls associated with trip steps, thresholds or ramps where the change in level is less than 300mm.

22. Falling between Levels

This category covers falls from one level to another, inside or outside a dwelling, where the difference in levels is more than 300mm. It includes, for example, falls out of windows, falls from balconies or landings, falls from accessible roofs, into basement wells, and over garden retaining walls. It does not include falls associated with stairs, steps or ramps. Nor does it include falls from furniture or from ladders.

23. Electrical Hazards

This category covers hazards from shock and burns resulting from exposure to electricity, including from lightning strikes. (It does not include risks associated with fire caused by deficiencies to the electrical installations, such as ignition of material by a short-circuit.)

24. Fire

This category covers threats from exposure to uncontrolled fire and associated smoke at a dwelling. It includes injuries from clothing catching alight on exposure to an uncontrolled fire, which appears to be common when people attempt to extinguish such a fire. However, it does include injuries caused by clothing catching alight from a controlled fire or flame, which may be caused by reaching across a gas flame or an open fire used for space heating.

Please refer to the LACORS Housing – Fire Safety Guidance for Houses in Multiple Occupation (<https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>)

25. Flames, hot surfaces etc

This category covers threats of:

- burns – injuries caused by contact with a hot flame or fire, and contact with hot objects or hot non-water based liquids; and
- scalds – injuries caused by contact with hot liquids and vapours. It includes burns caused by clothing catching alight from a controlled fire or flame, for example, when reaching across a gas flame or open fire used for heating. It does not include burns resulting from an uncontrolled fire at a dwelling.

26. Collision

This category includes risks of physical injury from:

- trapping body parts in architectural features, such as trapping limbs or fingers in doors or windows; and
- striking (colliding with) objects such as architectural glazing, windows, doors, low ceilings and walls.

27. Explosions

This category covers the threat from the blast of an explosion, from debris generated by the blast, and from the partial or total collapse of a building as the result of an explosion.

28. Position And Operability of amenities etc

This category covers threats of physical strain associated with functional space and their features at dwellings.

29. Structural Collapse And Falling Elements

This category covers the threat of whole dwelling collapse, or of an element or a part of the fabric being displaced or falling because of inadequate fixing, disrepair, or as a result of adverse weather conditions. Structural failure may occur internally or externally within the curtilage threatening occupants, or externally outside the curtilage putting at risk members of the public.

C. Management (The Management of Houses in Multiple Occupation (England) Regulations 2006)(as amended)

A proper standard of management should be observed in the house, in particular to ensure the repair, maintenance, and cleansing is in good order. The Management Regulations apply to all HMOs.

Landlords should ensure that they are aware of their legal responsibilities and ensure that the following are all in good working order:

- Fire safety (including means of escape)
- Safe supply of gas, electricity and lighting
- Water supply and drainage
- Installations for cleaning, sanitation and food storage are kept in good repair
- Disposal of rubbish
- Occupiers are given procedures to follow and contact details must be displayed in a communal area in case of emergency
- Common parts are maintained and cleaned
- Occupiers do not breach tenancy agreements, behave anti-socially and prevent the manager from complying with the regulations

D. Further Information

Further information can be obtained from the Housing Enforcement, London Borough of Merton, Civic Centre, London Road, Morden SM4 5DX
telephone 020 8545 3212 or by email to ehhousing@merton.gov.uk.