

Coventry City Council

GUIDANCE FOR HOUSES IN MULTIPLE OCCUPATION

2016 Edition



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Section1- INTRODUCTION

This booklet does not consider the requirements regarding fire protection.

This booklet can only be a general guidance for HMOs as they are commonly found in Coventry. Although this booklet will suffice for 95% of HMOs there will be occasions where higher or even lower requirement apply. Council officers will always be willing to discuss alternative solutions and offer suggestions to particular problems if we possibly can.

Since the introduction of the Housing Act 2004, the guidance in national booklet for "Fire Safety in Dwelling" issued by Local Authority Coordinators of Regulatory Services (LACORS). This document takes into consideration the Regulatory Reform (Fire Safety) Order 2005, which places a duty that a Fire Risk Assessment is produced for the purpose of identifying the general fire precautions and other measures needed.

- 1) LACORS: Guidance on Fire safety Provisions for certain types of existing housing.
- 2) HomeStamp: A Guide to Fire and Security Protection in Multi-Occupied Residential Properties.



Building Regulation approval may be required for some of the works. You should check whether any Building Regulation Approval is needed before commencing any works.

Owners must also satisfy themselves that the property has appropriate planning approval and can lawfully be used as a House in Multiple Occupation under planning legislation. Currently, if you wish to convert a residential house to an HMO with seven or more lets, or add a seventh or greater let to an existing HMO, you will need to seek planning permission. Further information can be found at www.planningportal.co.uk.

Section 2 - ROOM SIZES

This section is all about room sizes, so that tenants can live comfortably with the other persons in their house and with all the things they need like a cooker and sink etc. Every tenant needs a fair bit of space to be able to survive without getting on top each other. This guidance attempts to lay down basic minimum room sizes.

If the Council has to take action because it thinks a HMO is overcrowded then the following space guidance will apply.

The following table explains the space guidance for HMOs with bedsit (cooking in the lets). It may seem a bit confusing at first but, essentially, if it is a HMO with bedsit, then you can choose one line from the table below and ensure that you provide rooms with at least the sizes given. Additional rooms such as a utility room or gymnasium can be provided but that's up to the generosity of the landlord. **For the most common arrangement in Coventry, that is, one person living in one room, you need to provide either one room of 13 square metres or, one room of 10 square metres together with a separate kitchen of 3 square metres.**



Bedsit HMOs with cooking in Lets

HMOs as a typical bedsit accommodation where the tenants occupy their own rooms, bedsits or flats, where they do the cooking. They may have their own exclusive bathrooms & toilets (that is, belonging to them alone and not something featured in a glossy magazine) or they may share them with others but otherwise their living accommodation is separate from others. There will typically be no shared kitchen, dining area or other facilities shared with other occupants.

Minimum Room Sizes for Bedsit with Cooking Lets (square metres)						
	Accommodation comprises	Living Room	Living Kitchen	Kitchen Kitchen/Area	Living Bedroom	Bedroom
One Person	One Room	10		3		
			13			
	Two or More Rooms		11			6.5
		9		4.5		6.5
Two Persons	One ◇ Room		20.5			
		17.5		3		
	Two or More Rooms	12		7		10
			15			10
				7	14	
More than two persons	As per "Two Persons" but with regard to the overcrowding provisions of s325 and 326 of the Housing Act 1985					
◇ Only permitted for cohabiting couples						

Bedsit HMOs with Shared Kitchen

These are most usual form of HMO in Coventry. For the most common arrangement, that is one person per room, the room needs to be 10m² if there is just a shared kitchen, or 6.5m² if there is a shared kitchen *and* living room of the minimum size given in the lower half of the table.

Room Sizes for HMOs with Shared Kitchen Guidance (m ²)				
Persons in Bedroom		Minimum Room Size		Minimum Room size if separate Living Room provided
1		10		6.5
2		15		11
Minimum sizes of other rooms (square metres)				
Total Residents in House	Kitchen (obligatory)	Living Room (optional)	Dining Kitchen (optional)	Dining Rooms (optional)
2-5	7	11	11.5	11
6-10	10	16.5	19.5	16.5
11-15	13.5	21.5	24	21.5
16+	16.5	25	29	25
In HMOs with a shared kitchen for the landlord to take advantage of the lower bedroom sizes they must also have at least a shared living room but they can have additional shared rooms. If you wish to make the kitchen your main living space, it must equal or exceed the minimum kitchen size <i>plus</i> the minimum living room size.				

Lodging Houses

Houses (lodgings) are much less formal as they rely on a resident landlord sharing their house and most of the facilities in a manner much more like a family.

Room sizes for Lodging Houses / HMOs (m ²)		
Persons in Bedroom		Minimum Room Size (square metres)
1		6.5
2		10
3		16.5
4		21
Total House	Residents in	Common Living Room (square metres)
	1- 5	11
	6-10	16.5
	11-15	21.5
	16+	25

Guest Houses/Hostels

Room Sizes Guest Houses/Hostels HMOs (m ²)				
Persons in Bedroom	Minimum Room Size	Lounge	Dining	OR Combined Lounge/Diner
1	8.5	3	2	4
2	11	6	4	8
3	15	9	6	12
Each extra	4.5	3	2	4
Total Residents in House	Kitchen			
2-5	7			
6-10	10			

Care Homes

Residential Care Homes under the Care Standards Act 2000. Where there is any conflict between these guidance and those prescribed by National Care Standards Commission, the standards of the National Care Standards Commission will predominate.

Room sizes for Care Homes HMOs (m ²)			
Persons in Bedroom	Minimum Room Size		
1	9		
2	15		
Total Residents in House	Living Room	Dining Room	OR Combined Living/Dining
2 - 5	12.5	10	17.5
6	15	10	21
7	17.5	10	24.5
8	20	11.2	28
9	22.5	12.6	31.5
Each additional	2.4	1.4	3.5

Converted into Flats

Some houses have been converted into fully self-contained flats. i.e. they have living, cooking, bathroom and sleeping facilities all behind one door and exclusive to the occupier(s). It is difficult to be prescriptive about the minimum room sizes but the essential

elements should reflect the component room sizes indicated in the table. It is not obligatory to provide all the rooms mentioned in the table. They can be "mixed & matched" to provide the necessary accommodation. The Council will judge each arrangement on its merits.

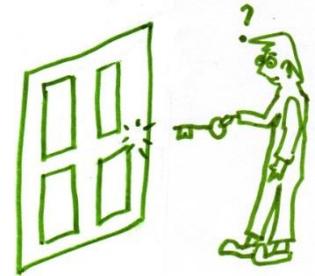
All bedrooms, living rooms and bathrooms must be directly accessible from a common access lobby or hallway and not via another room.

Room sizes for Converted Flats (m²)						
Occupiers	Kitchen	Bathroom	Living Room	Living/ Sleeping	Living/ Kitchen	Bedroom
1	5.5	2	11.5	13	14.5	7
2	5.5	2	13	16.5	14.5	10.5

Section 3 - AMENITIES

The Council expects the property to be maintained so that that the house is a fit place to live and that amenities (e.g. WCs & cooking facilities) are likely to be available when needed.

HMOs (believe it or not) are still houses! Whilst most landlords understand that there are special rules for HMOs they sometimes lose sight of the fact that their property is still, in law, a house, and needs to comply with basic requirements which relate to *all* houses. Now some of those basic guidance have their origins in laws drafted in eighteen something-or-other so they tend to be very basic in some cases. Sometimes you might be raising your hopes to expect anything modern like the Council being able to insist on things like locks on doors. That's not to say we can't ask for any locks which happen to have been provided to be properly maintained.



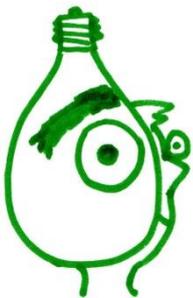
Lighting

All rooms must be provided with adequate natural and/or artificial lighting.

So what is adequate?

Well, habitable rooms must be provided with an area of clear glazing situated in a window and/or door in an external wall equivalent in total area to at least $\frac{1}{10}$ th of the floor area of the room. So what's a habitable room? Well, these include living rooms, bedrooms, dining rooms, kitchen-dining rooms and all rooms where people spend a large proportion of their time. Non-habitable rooms include kitchens, bathrooms, laundry rooms, water closet compartments and games rooms.

Larger windows may be required if the window is shielded from the sky by close buildings or vegetation. In the case of vegetation the use of secateurs may be advantageous.



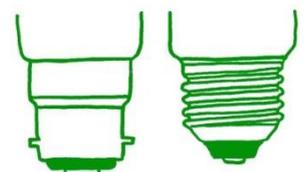
Non-habitable rooms should, as a preference, also achieve the same level as habitable rooms, but this is not always possible. Fortunately Thomas Edison and several others working in the same field have developed methods of artificial lighting. This is helpful because it allows the Council to insist on adequate means of artificial lighting not only to light those rooms without a window but to provide illumination during the hours of darkness.

All rooms must be provided with an artificial general lighting point which is operated from a switch located close to the entrance to the room.

As guidance a 60watt tungsten filament bulb (or a 13 watt low energy lamp) would be considered adequate for a water closet compartment up to 3m², a 100 watt tungsten filament bulb (or a 23 watt low energy lamp) would be suitable for a bathroom up to 10m² and a 40 watt fluorescent fitting would be suitable for kitchens up to 10m².

Except for passageways, landings and stairs, timed light switches are not permitted. Where timed light circuits are provided they must allow a generous amount of time for residents to enter the house and reach the furthest room, bearing in mind they may be carrying awkward loads (children, for instance). A two minute "on" time is suggested as a minimum.

The Council recommends to all landlords that, in common areas of the house, they use light bulbs with a different type of fitting to those installed in tenants' rooms. This will discourage tenants from "borrowing" them when their own bulbs fail.



Ventilation

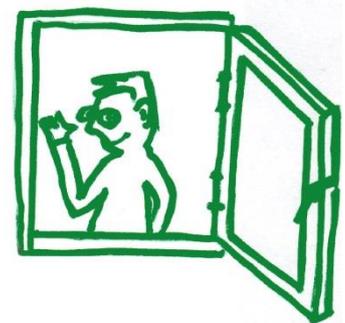
All habitable rooms (remember habitable rooms?), kitchens, bathrooms and water closet compartments must have a minimum floor to ceiling height of 2.3 metres to allow a free circulation of natural ventilation through convection. Other rooms should not be significantly less than this (say 2 metres), but this will depend upon their exact use.



For habitable attic rooms or other rooms with a sloping ceiling any part of the room which is less than 1.5 metres high will be ignored. Of the remaining floor area at least half of the room must have a minimum height of 2.3 metres.

All habitable rooms must benefit from ventilation directly to the external air via a window, the openable area of which is equivalent to at least $\frac{1}{20}$ th of the floor area of the room. Doors which open from habitable rooms to the external air will not be reckonable for ventilation purposes unless the door incorporates a purpose designed controlled ventilation device which does not prejudice the security of the door.

Kitchens, bathrooms and water closet compartments should be provided with a level of ventilation similar to habitable rooms except that this may be provided by means of a direct or ducted electrically powered air extraction fan capable of achieving at least three air changes per hour. (For guidance, a 100mm bathroom fan will generally be able to provide 3 air changes per hour in a room of 13 square metres.)



Any extractor fan installed in a bath or shower room must be provided with an “overrun” device which is connected to the artificial lighting circuit in the room and ensures that the fan continues to operate for 20 minutes (or at least one air change) after the artificial room lighting is switched off. This helps to remove moisture from the room which might otherwise lead to condensation and black mould growth and goes some way to removing any objectionable odours caused by body spray etc.

Heating

Heating can be a problematic area for HMO tenants. Some HMO rooms are difficult and expensive to heat and if the landlord does not provide an adequate means of heating for the balmy climate of a Coventry winter then tenants can resort to all sorts of unsuitable means to stop themselves icing up.



Landlords must provide suitable heating in each unit of accommodation. That is to say, the minimum a tenant can expect is at least one heating appliance whether the let comprises one room or several. There must also be a heating appliance provided in any shared rooms such as living rooms and dining rooms. Where heating appliances are provided in shared rooms, the cost of running them must be met out of general rental charges or general energy charges rather than via a coin-meter.

Proper provision for heating is important. As well as maintaining healthy and comfortable conditions for the tenants good heating will reduce the maintenance and redecoration needed where surfaces become so cold that condensation forms and spoils plasterwork or leads to mould growth. So although the Council's requirement is only one heater per letting, a wise landlord will ensure that adequate heating is available in all rooms to protect the structure of his building.

Where provided, heating appliances must be capable of achieving a room temperature of at least 18.3°C within 1 hour of turning on when the air temperature outside is -1°C.

For heating to be properly used by the tenants it must be affordable. Most main forms of heating are acceptable **except for heaters which use full-price electricity, paraffin or liquefied petroleum gas (LPG)**. Not only is LPG/paraffin expensive, but can be dangerous and, as the combustion products are discharged into the room, there is a very high likelihood that the user will suffer condensation. Central heating is the preferred option but electric night storage radiators and balanced flue gas heaters are good options. For fire safety in escape routes you need to read the paragraph on space heating under "Other Things to note about Fire Precautions" in Appendix A

In highly insulated and draught-proofed accommodation, full-price electricity may be a viable option so long as the overall cost is affordable.

In rooms in which there are beds, radiant type heaters of any sort are not permitted as this is a high fire risk. Such fires are however acceptable in living rooms so long as they are properly guarded.

All heating appliances must be fixed to either the wall or the floor and be provided with an appropriate surround if one is specified by the appliance manufacturer.

Water Supplies



All HMOs must be provided with an adequate water supply provided via a proper service connection from the public supply by the statutory undertaker. (In Coventry this is Severn Trent Water plc.)

The supply of water for drinking purposes (i.e. at the sink) must be taken from the rising main. Where there is any doubt as to whether a supply point is suitable for drinking water it shall be conspicuously marked accordingly.

In the rare event that a public water supply is not available the landlord must demonstrate that an adequate supply is available and that arrangements are in place to ensure that the supply is safe for drinking both from a chemical and a bacteriological point of view. The Council

will insist on seeing that periodical chemical and bacteriological tests are carried out to verify its wholesomeness.

All water supply pipes and any water control valves, apparatus and fittings connected with the supply of water must be protected from frost where they are vulnerable to freezing. This will generally be in any unheated common areas, but landlords should consider insulating all water pipes where central heating is not employed in the house or where the house is not likely to be heated for several days, for example, over the Christmas period.

Baths & Showers

Baths and or showers must be provided in HMOs in such numbers as to ensure that there is at least one bath or shower per five occupants. For the purposes of this requirement a shower facility installed over a bath will not count as an additional shower. Also for the purposes of this requirement any child over 12 months old will be regarded as an adult.



Where a house requires three or more shared baths/showers, it is recommended that at least one of them is a bath where this is practicable.

Baths should be a minimum 1.67 metres in length and be provided with a tiled splashback to a height of at least 150mm where they abut walls. A waterproof seal between the splashback and the bath must be effected using a flexible *silicon mastic* sealant or a sealant/gasket with a similar degree (high) elasticity.

Where showers are provided they must be either purpose designed waterproof shower cubicles or formed from a proper shower base with waterproof wall tiling and associated waterproof screens/doors. Seals between the shower base and walls must be effected with an elastic mastic as specified for baths.

Showers which rely on a curtain to contain the water spray are not permitted above the ground floor.

Baths or showers shall not be provided in kitchens.

All baths and showers must be provided with an adequate supply of constantly available hot and cold water and adequate drainage.

Hot Water Supplies



All systems supplying hot water must be designed and installed so that hot water is available at wash-basins, sinks, baths or showers at all reasonable times. “Creda Corvette” type batch boiling appliances are not acceptable as a means of heating water and if provided will be regarded as the equivalent of a kettle. Electric instantaneous type heaters are only acceptable for sinks if they are rated at 5 Kilowatts or above and are fitted with a proper hot water delivery arm.

The cost of providing hot water to shared baths, wash-basins and sinks must be met out of general rental or service charges. Hot water heating to shared facilities (including electric shower heating) which depends on a coin operated meter is not permissible.

The cost of supplying hot water to wash-basins, sinks, baths or showers which are exclusive to particular lets may be met out of general rental charges or may be charged for by meter so long as the occupier of the let has total and exclusive control over the use of that hot water. Where coin or token pre-payment meters are installed the coins or tokens must be made easily and readily available to the tenant.

Wash Basins

Wash-basins must be provided in HMOs in such numbers as to ensure that there is at least one wash-basin per five occupants. All wash-basins must be provided with an adequate supply of constantly available hot and cold water and adequate drainage. Wash-basins must be firmly and securely anchored to the wall which they abut or surface in which they are inset.

To discourage the use of the sink for hand washing there should be a wash-basin located and available for convenient use between any rooms in which there is a water closet and the kitchen.

Unless there are severe space constraints the minimum dimensions of wash-basins shall be 500mm x 400mm. All washbasins must be provided with an overflow and splash-back with a minimum height of 150mm where they abut a wall and be sealed to the splash-back using a flexible silicon mastic sealant.

Drainage & Sanitary Conveniences



All above and below ground drainage must comply with the requirements of the Building Regulations currently in force. All drainage must be kept free-flowing and generally maintained in good order including inspection chambers (manholes), inspection chamber covers and drain gullies.

Water closets must be provided such that there is at least one water closet for every five occupants. Externally accessed WCs are not reckonable for this purpose. (ie, we don't count outdoor loos when determining if there is an adequate number)

Electrical

Needless to say, all parts of the electrical system in a house need to be safe for their intended use. This is however not exclusively a matter of electrical safety but also of adequacy and positioning of socket outlets and switches. In kitchens there must be adequate socket outlets for normal kitchen appliances and they must be positioned so that trailing flexes can be avoided.

Kitchen Facilities

No matter which type of HMO you operate, some things apply to all. These are:

Sinks must be stainless steel or have a comparable impermeable, easily cleansable surface. They must be provided with a drainer, overflow, supplies of constantly available hot and cold water and all requisite drainage. The sink top (or surface into which it is inset) must be a minimum 900mm x 500mm. Sinks must have a tiled or similar waterproof splash-back (where the sink abuts a window reveal, the sill of the window must be clad in waterproof tiles or similar) extending to a minimum height of 150mm above the sink top and there must be a flexible waterproof joint between the sink and the splash-back.



Food Preparation Surfaces must be of impermeable, durable & easily cleansable materials. Where these are fixed, the joint between the food preparation surface and any abutting units or the wall must be watertight and a splash-back as detailed above for sinks must be provided.

Food Storage Cupboards must be of minimum capacity 0.1 cubic metres (which is equivalent to a standard single wall unit). The internal and external surfaces must be of durable and easily cleansable materials and, where wall mounted, must be fixed securely to take the considerable weight of stored tinned/bottled foods. Food storage underneath a sink is not acceptable. In shared kitchens a lockable food store should be provided for each let.

Cooking Appliances must be installed according to the manufacturer's instructions and in particular, electrical appliances must be connected via an appropriately rated switch and fuse. For gas cookers, care must be taken in siting these away from draughts. All cooking appliances must be sited with safety in mind having regard to the ergonomics of handling hot food: In particular, cooking appliances should be located adjacent to food preparation surfaces.

For all shared kitchens it is important that residents do not have to carry hot food and drink long distances to rooms, especially if this means climbing stairs. Careful consideration must

be given to which rooms in a house are used for kitchens and a kitchen should not, where practicable, be more than one floor distant from each user. Alternatively a suitably furnished dining facility can be provided on the same floor as the kitchen.

The above requirements apply to all HMOs. In addition, different types of HMO have additional requirements.

For HMOs where tenants are **Cooking in individual lets**, it's fairly simple. The following must be provided in each let:

- a) A sink
- b) A food preparation surface of minimum surface area 0.5 square metres.
- c) A food storage cupboard.
- d) A cooking appliance with a minimum of two hotplates plus a grill or oven

HMOs with Shared Kitchens

Provision of facilities in shared kitchens must be in accordance with the following table:

	Persons Using a Shared Kitchen (square meters)							
	Up to 5	Up to 10	Up to 15	Up to 20	Up to 25	Up to 30	Each Additional 5	Each Additional 10
Sinks	1	2	2	3	3	4	-	1
Hot Plates	4	6	8	10	10	12	-	2
Ovens	1	1	2	2	2	3	-	1
Grills	1	1	2	2	2	3	-	1
Food Prep Surface	0.5m ²	1.00m ²	1.25m ²	1.5m ²	1.75m ²	2.00m ²	0.25m ²	0.50m ²
Refrigerated Storage	0.1m ³	0.2m ³	0.3m ³	0.4m ³	0.5m ³	0.6m ³	0.1m ³	0.2m ³
Food Storage Cupboards	One per person each of 0.1 m ³ capacity							
	Up to one third of the hotplates specified can be substituted with microwave ovens in the ratio of one microwave oven per two hotplates							

Houses let in lodgings

These are houses let in lodgings with a resident landlord. The first point to stress is that if the landlord or landlady provides food in the course of business then he or she will have to comply with the relevant food hygiene legislation. You can find out more at www.coventry.gov.uk/foodbusinessadvice.

The level of provision of facilities will be the same as HMOs with shared kitchen. If the resident landlord's kitchen is not made available to lodgers, a separate facility must be provided at all reasonable times for lodgers to prepare light meals. Such facilities would include a sink, preparation surface, 2 rings/hotplates or a microwave oven, a kettle and a toaster.

Hostels, Guest Houses etc.

These properties are divided into two types depending on whether residents are provided with all meals.

For Self Catering Hostels Kitchens must be provided with the same level of facilities as lodges unless there is cooking in individual rooms where HMO requirements will be more relevant.

For Hostels etc. providing meals, the facilities provided must comply with the relevant food hygiene legislation. If breakfast, midday and evening meals are provided by the hostel a full kitchen for tenants need not be provided but a small facility must be provided to allow residents to prepare light meals, snacks and hot drinks. Facilities would include a sink, a preparation surface, 2 hot plates/rings (or a microwave oven), a kettle and a toaster. A set of these amenities must be provided for each 10 residents.

If all the three main meals are not provided then there must be a kitchen provided in compliance with the guidance list for HMO with shared kitchen.

Registered Care Homes

These are houses to which the Registered Homes Act 1984 apply and are subject only to standards laid down by Coventry Social Services Department.

Houses converted into self-contained flats

All kitchens must be provided with:

- a) A sink
- b) 0.75m² of food preparation surface
- c) a 30 ampere electric cooker point or an adequate gas supply point
- d) Fixed storage cupboards either below the food preparation surfaces (but not the sink) or wall mounted above providing a minimum of 0.5m³ of storage space.
- e) 4 x 13A socket outlets, at least two of which are provided above the work tops.

Refuse Storage & Disposal

All HMOs need proper and adequate refuse storage facilities. Fortunately in Coventry, all residential properties are provided with wheelie bins as part of the rates/Council tax charge. It is important that sufficient bins are provided to cope with the refuse output of the house. If you need more wheelie bins then just ask the Waste Services section of the Council and if the need is justified, extra wheelie bins will be provided free of additional charge.

Bins must be stored on a hard standing surface which can be readily cleansed and located conveniently for transporting the wheelie bin to the kerbside on collection days.



Section 4 – MANAGEMENT

All right, we've been through most of the physical adaptations that the Council can expect HMO owners to carry out so that's about it then? Well actually no. The adaptations, etc., are fairly straightforward and when one of those chaps or chapesses from the Council visits the house waving a clip-board menacingly, they can see whether the necessary amenities and fire precautions are in place. It's difficult for a landlord to show that he has a fire alarm system in place if he hasn't. What is far more difficult to be sure of is that a HMO is properly managed. And, believe it or not, unless an HMO is properly managed, a lot of the effort put into carrying out physical adaptations can be wasted.

Running an HMO can be profitable for landlords, but it would be a mistake to think that HMOs look after themselves, and some work is needed to keep things running smoothly. To ensure an HMO functions properly landlords need to at least keep an eye on their property and to take action where it is apparent that action is required.

Regulations

The government recognises that there are particular problems associated with HMOs and for this reason passed The Housing (Management of Houses in Multiple Occupation) Regulations 1990. Now, the first thing to note is that these are regulations. What this means is that if a landlord does not comply with them he or she is breaking the law – he or she will have committed an offence. Unlike the greater part of Housing Law where the Council serves a notice demanding that the landlord carries out work (and it only becomes an offence once the notice fails to be complied with), regulations are immediately enforceable and, should the case warrant it, officers of the Council could take evidence and prosecute simply on the discovery of a contravention. Of course Coventry City Council do not generally pursue this option as it prefers to give landlords a chance to comply with the law voluntarily, but it will not shy away from using immediate prosecution where it feels that a contravention has led to a death or serious injury, or the landlord has to be told repeatedly about one or more contraventions.



The regulations are mostly common sense and a summary/discussion of them is as follows:

Regulations 1-2: are just definitions. Helpfully “manager” means the person managing a house.

Regulation 3 (Utilities outside control of Manager): says that the regulations do not oblige a manager to carry out works connected with the supply of utilities (e.g. the gas supply) if that matter is outside the landlord's control, so long as he brings the defect promptly to the attention of the relevant person or body concerned.



Regulation 4 (Water Supply & Drainage): places a duty on the manager to ensure that all installations connected with the supply of water and drainage are kept in good order and moreover are protected from the effects of frost. This includes stop cocks, water closets and almost anything in the chain which forms the route by which water passes from supply pipe to sewer. It should be noted that this is an absolute duty so as far as the law is concerned. It does not matter who caused a water leak or a blockage, it is the responsibility of the manager to put the matter right. This regulation also forbids “unreasonable” interruption of a water supply.



Regulation 5 (Gas & Electricity Supplies): applies the principle of uninterrupted supply to gas and electricity.

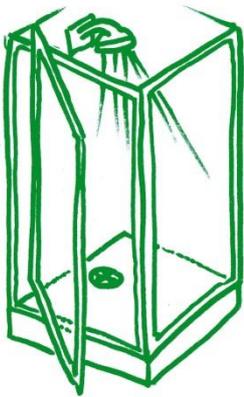
Regulation 6 (Parts of the House in Common Use)

places an obligation on the manager to ensure all parts of the house in common use (e.g. the stairs, hallways, landings, kitchens, bathrooms) are kept clean and in good order. The regulation also specifies that passageways and escape routes are kept free from obstructions. The regulation is fairly general but pays particular attention to safe & secure handrails on staircases/landings and that floor coverings do not constitute a trip hazard. The landlord/manager needs to understand clearly that he/she is responsible for cleaning the common areas of the house. Landlords cannot blame tenants for dirty conditions in shared areas. It is the responsibility of the landlord/manager to ensure that proper measures are in place to keep the common parts clean.



Regulation 7 (Installations in Common Use): concern the good repair and maintenance of

several things which tenants use in common. Examples of these are electrical wiring, switches, heating appliances, water heating appliances, baths, sinks, showers, washbasins, cooking equipment, kitchen cupboards, pigeon holes for mail etc. Also covered is the requirement for adequate and readily available artificial lighting in stairwells and entrances.



Regulation 8 (Living Accommodation): covers the state of repair of individual tenants rooms requiring that the internal structure is kept in good repair and that sanitation, gas & electrical installations and appliances are kept in proper working order. This regulation is particularly important as it specifies that a tenant's accommodation is in

a clean condition at the beginning of a resident's occupation. It is unlawful to let a room in a dirty condition, although the manager is not responsible for keeping it clean thereafter. The regulation allows the manager some relief in that he will not be held responsible any repairs when it is obvious that they arise from use of living accommodation by the tenant "otherwise than in a tenant-like manner". This allowance would not extend to items which might have an adverse effect on other tenants.

Regulation 9 (Windows & Ventilation): places duties on the manager to ensure that windows in any part of the house are properly maintained.

Regulation 10 (Means of Escape from Fire): places a duty on the manager to ensure that all means of escape, fire detection and alarm systems etc. are maintained in good order and that escape routes are kept free of obstructions. This is a particularly important regulation because there is little point of providing protected routes, alarm systems etc if they are not properly maintained in good order. On a regular basis landlords should check that detection systems work, alarms sound properly, that fire doors self-close properly, that doors have not developed excessive gaps (over 3mm), that escape routes are kept clear, that emergency lighting (if any) works correctly and generally that all fire precautions are functioning as intended. This regulation also makes it a requirement to provide signs indicating escape routes although this is really only necessary where an escape route is not obvious.



Regulation 11 (Outbuildings & Yards etc.): places a duty on managers to keep outbuildings, yards, forecourts, boundary walls, fences and railings maintained in good repair. This regulation also provides that the manager must ensure that any garden is kept in a reasonable condition.

Regulation 12 (Refuse & Litter): As you might expect, this regulation makes managers responsible for ensuring there is no build-up of litter or refuse on the premises and that adequate provisions are made for disposing of refuse.

Regulation 13 (General Safety): places a general duty on managers to ensure that such precautions as are reasonably required are taken to ensure that residents are protected from injury.



Regulation 14 (Duty to Display Notices): is an important regulation as it is often ignored. However it is the law that a notice is displayed (and remains displayed) so as to be readily visible to the residents which contains the name, address and telephone number of each person who manages the house.

Regulation 15 (Information): places a duty on managers to provide the local authority, on request, with certain information concerning the occupancy of the building.

Regulation 16 (Duties of Residents): places a duty on residents to occupy the house in a reasonable manner and not hinder the manager in fulfilling his duties under law. In particular, tenants should be aware that interfering with fire precautions is an offence for which they could be prosecuted.

Managers or landlords can use the form below (or a photocopy of it) to comply with Regulation 14

**The Housing
(Management of Houses in Multiple Occupation)
Regulations 1990**

The Owner of this house is:

And can be contacted by telephone on:

The Manager of this house is:

And can be contacted by telephone on:

This notice must be kept up to date with current information.

THIS NOTICE MUST NOT BE REMOVED

Section 5 – UNDERGROUND ROOMS



Underground Rooms and basements, pose special problems wherever they may be but in Houses in Multiple Occupation these problems are slightly greater.

If you want to use an underground room for habitation (that is, sleeping or living rooms etc.), then the following matters need to be carefully considered:

Dampness

Underground rooms are much more susceptible to problems from dampness because water can easily make its way into the room by:



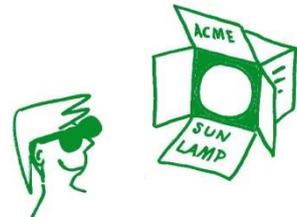
- Penetrating through the walls from ground water
- Rising through the floor from ground water
- Penetrating through the walls from surface run-off
- Leaking from drains/waste pipes
- Leaks in internal water supply pipes
- Condensation

Being below ground level, water finds no natural escape and if dampness is allowed it will affect the health of occupants and cause structural deterioration.

To guard against dampness, all underground rooms must be provided with an effective moisture & vapour barrier to all floor and wall surfaces. For thermal efficiency and to avoid condensation, thermal insulation should be incorporated in the walls and floor.

Lighting

For obvious reasons, underground rooms have less natural lighting available to them than those above ground. Nevertheless it is important that useful daylight is able to penetrate all habitable rooms, Natural lighting levels must be sufficient to carry out normal everyday activities without having to resort to artificial lighting on days of average brightness.

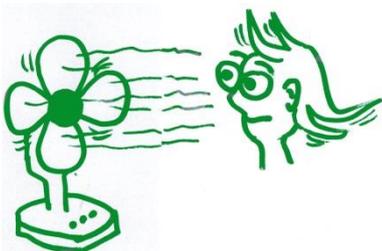


As guidance it should be possible for a person with average eyesight to read a newspaper in all habitable rooms on most days without using artificial light.

The amount of light available in underground rooms depends not only on the size and position of windows but on any obstructions in front of them.

As with rooms above ground there must be an area of clear glazing equivalent to at least $\frac{1}{10}$ th the floor area of the room; however not all of a window may be reckonable if parts of it are below ground level. The appendix illustrates how windows in underground rooms are assessed for reckonable areas.

Ventilation



Being at least partly below ground level, underground rooms will often suffer from a lack of natural ventilation as air is not able to enter through cracks and pores which in reality afford considerable ventilation to rooms above ground, especially in

older houses. It is therefore important to ensure that effective ventilation is available to habitable underground rooms.

As with rooms above ground there should be openable windows equivalent to at least $\frac{1}{20}$ th of the floor area for each habitable underground room. Such opening windows are, however, of little use unless they open onto an area which can provide a full and free exchange of air to the room. For this reason, there must be a space outside opening windows which is the full height of the room and extends a minimum of 600mm to either side and in front of the window. Such areas must be properly paved and drained.

Drainage

The main drainage problems which especially affect underground rooms are:

- a) Underground rooms form a natural area for leaks to accumulate from above ground drainage (both surface water and foul waste). It is essential, therefore that measures are in place to ensure that any leaks anywhere in the building are dealt with as quickly as possible.
- b) Because the floor level of the room may be below the level of the main drainage from the house, it may not be possible to provide drainage which relies solely on gravity to maintain a flow. It is possible to install mechanical pumps, but these can only be regarded as second best and if they must be installed you should ensure they are of adequate quality.



All drainage passing through or beneath underground rooms must be airtight. All drainage must be via properly sealed traps and be ventilated to allow for pressure relief.

Any inspection chambers within underground habitable rooms must be of the double-sealed type.

Any mechanical drainage pumps provided must use a proprietary drainage pump designed for the purpose. The electricity supply to the pump must not be via any coin-operated meter. Any sumps must be effectively sealed so that any foul odours generated cannot find their way into living accommodation. Sumps will therefore need to be ventilated to the external air to allow for pressure relief in the drainage system.

Arrangements must be made for regular servicing and cleaning of the pump and sump.

Section 6 - SOME OTHER RELEVANT MATTERS

Food Hygiene

All food business in the United Kingdom are required to comply with food hygiene legislation. A food business is defined as being any undertaking whether carried out for profit or not, whether public or private carrying out any or all of the following operations:

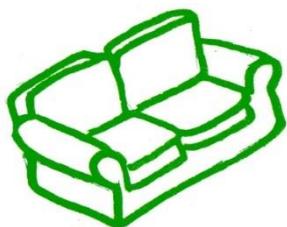


Therefore, if you are a landlord and you prepare or handle food for your tenants, even if you are just supplying breakfast cereals and milk, you are required to register the premises with the Food and Safety Section of the Council's Regulatory Services section and comply with the legislation. Once you have registered the business, regular routine hygiene inspections will be carried out by Environmental Health Officers who will look at how you operate your business to identify potential hazards and to make sure that your business is complying with the law.

If you do not register the business with the Food Safety Section or do not comply with any works requested by the inspecting Officer then substantial fines may be given by the Magistrates Court. A number of advisory leaflets are available from the Food Safety Section giving further information on this matter – see www.coventry.gov.uk/foodbusinessadvice.

If you have any queries or are not sure whether you should be registered with the Food Safety Section, then contact the Commercial Services Department.

Furniture Fire Safety



The Furniture and Furnishings (Fire Safety) Regulations 1988 are administered by the Council's Trading Standards Officers. The regulations apply to the provision in HMOs of upholstered furniture and cover such items of furniture as headboards, settees, chairs, sofa-beds, pillows, cushions, mattresses, bed-bases or upholstered nursery goods.

Essentially the regulations require that filling materials meet relevant ignitability tests and that covering material meets the match and cigarette resistance tests. In practice landlords need to ensure that all upholstered furniture they supply has a sewn-in label with a summary of the measures taken to ensure compliance with the regulations. Whilst there are a number of exemptions from the requirements a wise landlord will ensure that all furniture provided has authentic labels indicating their safety. It will help landlords if they keep records and receipts for any furniture they buy for tenants and can clearly identify which is their own and which is their tenant's furniture.

Further advice is available from the Council's Trading Standards Section – see www.coventry.gov.uk/tradingstandards.

Electrical Appliances etc.

On the whole, the contents of this booklet concern the structure, fixtures and fittings of HMOs. However there are laws which relate to the safety of electrical appliances and indeed other items supplied by a landlord in the course of his business. These laws are, again, enforced by the Council's Trading Standards Officers.

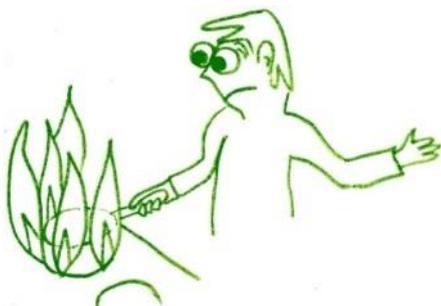


All electrical items, including fridges, washing machines and heaters provided by a landlord must comply with the Electrical Equipment (Safety) Regulations 1994 or the Low Voltage Electrical Equipment (Safety) Regulations 1989.

In order to avoid providing unsafe electrical equipment it should be checked regularly by a competent person. The frequency of checks should take account of the usage; need for maintenance; type of equipment and advice from anyone testing the appliance. Keeping an inventory for each property and records of the checks carried out, landlords will be able to demonstrate their compliance with the regulations.

Again, further information is available from the Council's Trading standards Section.

Gas Installations



The Gas Safety (Installation and Use) Regulations 1998 apply to all rented residential properties except those having a lease of seven years or more.

The gas safety regulations are enforced by the Health & Safety Executive. On visiting HMOs, council officers will expect to be able to see a copy of an inspection report dated during the previous 12 months. If this cannot be produced the matter will be referred to the Health & Safety Executive who

will decide what enforcement action can be taken. The maximum fine for failing to comply with the regulations is £5000.

Landlords are required to:

1. Ensure gas fittings and flues are maintained in a safe condition
2. Ensure an **annual safety check** is carried out on each gas appliance/flue.
3. Have safety checks carried out by a Gas Safe registered gas installer
4. Keep a record of each safety check for at least two years
5. Issue a copy of the safety check record to each existing tenant within 28 days of the check being completed or to any new tenant **before they** move in
6. Ensure any defects identified during the inspection are rectified before the appliance is used again.

Landlords are not responsible for inspecting appliances owned by the tenant but they will assume that responsibility if a gas appliance is left in the house by a previous tenant.

Where there is an agent or there is sub-letting it is essential that the parties involved are clear as to who is responsible for having the annual gas safety checks done.

A leaflet explaining the provisions of the gas safety regulations in more detail is available from the HSE or the Council, telephone numbers etc. are given on the contacts sheet.

Planning Permission

One thing which hasn't been mentioned in this booklet so far is planning permission. This booklet deals with guidance for HMO properties but doesn't touch upon whether a house should be used as an HMO in the first place.

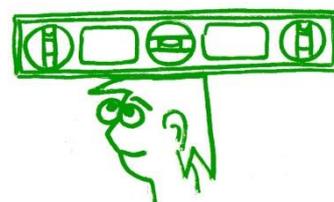
Much as planning laws can prevent a smoke-belching, noisy factory from starting up in a quiet residential area they can be used to control which houses are used as HMOs. You may think that an HMO is not that different to an ordinary house and to some extent that is true. However conversion of houses to HMOs has the potential to increase the demand for car parking, make areas busier and may cause more noise than ordinary houses. For these and other reasons planners have the power to dictate whether an ordinary house can be used as an HMO.

Before considering the conversion of an existing house into an HMO, landlords should check whether planning permission is required. The purchase of an existing HMO should not be considered without checking to see if it is being used lawfully as an HMO. There are HMOs in Coventry which do not have planning approval and there is always the possibility that the Council's planners might take enforcement action to insist that certain work is carried or even to insist a property is returned to its original use. Prospective HMO owners should always check with the Council's planning department where advice and guidance can be sought. More information can be found at www.coventry.gov.uk/planning (where you can check which properties have planning permission) and www.planningportal.co.uk (where you find out how to make a planning application).

Building Regulations

In HMOs Building Regulation Requirements apply to:

- a) New Buildings
- b) Extensions
- c) Changing non-domestic premises into a dwelling
- d) Installation of new WCs, sinks or anything involving new drainage
- e) Alterations to surface water drainage
- f) Structural alterations, including new work with fire safety implications.
- g) Replacing windows
- h) Replacing doors if they have 50% or more glazing
- i) Alterations such that a building which contains at least one dwelling is altered so as that it contains a greater or lesser number of dwellings than it did previously.

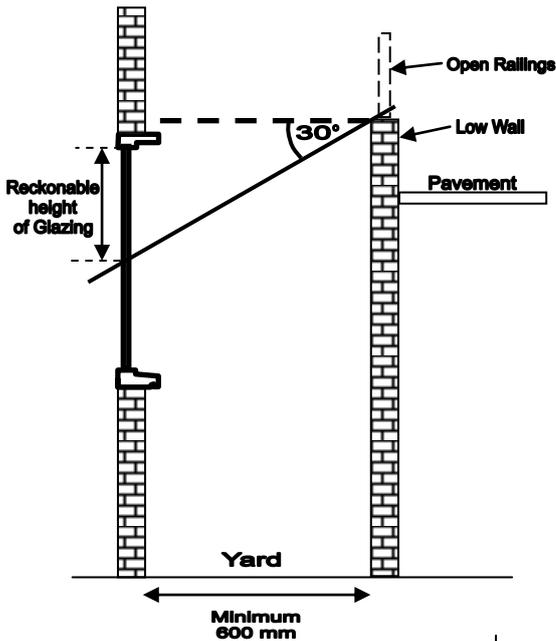


Before starting any work which falls into the above categories, the Council's Building Control Officers should be consulted. They will advise on whether an application for approval is necessary in the circumstances. It is not always necessary to have a full set of plans drawn up and many of the works the Council can demand under the Housing Act can be accomplished using the less formal "Building Notice" procedure which only requires that you give Building Control Officers 48 hours notice that works are about to commence. More information can be found at <http://coventry.gov.uk/buildingcontrol>.

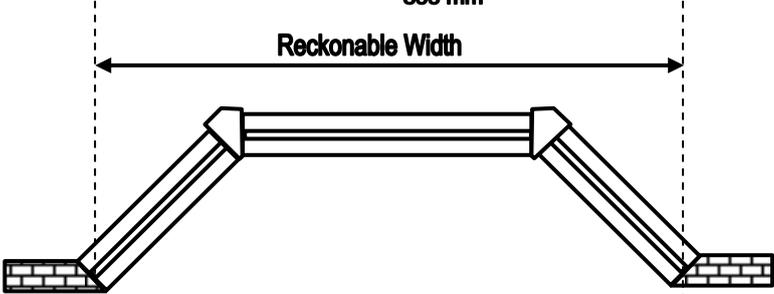
Appendix – UNDERGROUND ROOMS

Assessing adequacy of Natural Lighting

In calculating the adequacy of natural lighting for rooms which are below ground level, those parts of the window which are below a line drawn at 30° to the horizontal from relevant obstructions shall not be reckonable in calculating window areas. Such obstructions will normally be the edge of a wall forming an underground yard. In some cases a wall several metres away may be a relevant obstruction. Fences will not however be regarded as an obstruction if they are open, for example are of thin railings or wire link type.



For bay windows below ground level only the width of the glazed aperture can be taken into account.





Coventry City Council