

# Hmo standards essay



**ASSIGN  
BUSTER**

The trouble with most official booklets is that they are pretty difficult to read so Coventry City Council has decided to try the more personal approach and make the regulations and the reasons for them easier to understand. Of course the reason this booklet exists is a very serious one. Life can be pretty difficult living in an HMO as we shall find out. The Council has tried to be as helpful as possible but no matter how hard we try, compliance with the law may mean hard work or expense. So What Is a House In Multiple Occupation (HMO)?

Well the law (section 345 of the Housing Act 1985 if you must ask) defines an HMO as being a “ House which is occupied by persons who do not form a single household” Whilst this definition is helpful it still leaves it open to interpretation. Clearly if Gigs is living in a house with five other people who he does not know, he has his own room, everyone comes and goes at different times, they shop separately, cook separately, eat separately and generally have little in common except using the same bus stop then the house is plainly an HMO.

On the other hand a house which is occupied by a group of, say, students who share meals (some or all of the time know each others’ movements, and generally co-operate in a family-like way, is in most cases not an HMO. You would think the law would want to do better than this and indeed there have been a number of court cases where landlords have appealed against the action local authorities wanted to take. These have helped in getting a better definition.

However, no matter how learned the chap wearing the wig has been they have all made judgments which effectively say " Well this is what I think in this particular case but really I can't make a ruling which applies all over the country". In general Coventry have parts of a house such as passageways, bathrooms and kitchens. Even if there are just two separate households in what was a single house the Council will consider it to be an HMO if there is a risk of fire spread or there is a problem in sharing the amenities. Why Does the Council Need to get Involved? Well, living in an HMO can be fairly difficult.

Gigs has to make all sorts of compromises to live happily and there can be all sorts of conflicts which arise when Swig's house-mates act inconsiderately. Sharing things in a house can be difficult when others don't accept their responsibilities. The biggest worry is fire safety. If you have six households living in one house then there are six households in which a fire can start. Unlike ordinary houses the fire can spread quickly to affect the other households, and to make matters worse, the way Homos are divided up can make escaping from them very difficult.

On top of this and to recognize the fact that fire safety in Homos is important, the government has placed a duty on local authorities to inspect and take action, where appropriate, for certain higher risk Homos. This means we must take action sometimes, even if no-one has complained or tenants don't want the bother. 4 Of course, Gigs is the sort of person who likes to see things done properly and always does the right thing. If only everyone was like Gigs! Trouble is that lots of tenants aren't. So the

standards which the law sets take account of the fact that sometimes tenants are less than perfect or are forgetful or get distracted.

Which brings us round to the fact that being a good landlord is not an easy job. The City Council appreciates that to manage a HOMO properly involves a fair bit of hands-on involvement and constant checking that things are going K. We do our best to understand the needs of both landlords and tenants and where we need to take action we will listen to both sides and try to come up with a course of action which is as fair as possible to everyone. The City Council will try to be helpful and if we need a landlord to carry out work we will try to specify the least expensive way of doing it.

And speaking of “needing landlords to carry out work”, owners, agents and managers need to understand that this booklet is all about HOMO standards which are enforceable by law. The City Council hopes that all landlords understand the need to comply with the law and that they will use this booklet to achieve the necessary standard voluntarily. City Council Officers will always support landlords who do their best to comply with the standards but it needs to be stressed that if landlords choose to ignore the requirements, then there are enforcement powers which the Council can, and regularly does, use.

Where the Council is satisfied that action needs to be taken it will serve a notice on the person responsible, requiring them to carry out works to achieve compliance with the standards. The notice will stipulate a time period for compliance and if the work is not satisfactorily completed within that time period without good cause, the Council will prosecute. Fines on

conviction are a maximum of level 5 on the standard court scale (currently EYE) per offence and, in addition, there are often significant costs awarded.

Gigs thinks everyone would be better off if the landlord spent that money on improvements to his home rather than need to be aware that insurance companies may refuse claims or reduce payouts in respect of Homos if they do not fully comply with the law. AND FINALLY (That is to say in the introduction anyway; ay) This booklet can only be a general guide to standards required in Homos as they are commonly found in Coventry. Although this booklet will suffice for 90% of Homos there will be occasions where higher or even lower standards apply.

Council officers will always be willing to discuss alternative solutions and offer suggestions to particular problems if we possibly can. As names of officers and departments and telephone numbers within the council can change from time to time, a separate sheet with contact names and numbers has been included with this booklet. The contact sheet will also include any errata, amendments or new information so be sure to check it. Right then... Perhaps we can start to get bit more technical..... 5 : section 2 – TYPES OF HOMO LETTING Right , we're assuming that Gigs lives in an HOMO.

What's an HOMO? – C'mon you can't have been paying attention to Section 1! But there are Homos and Homos – confused? Well that's because there are different types of Homos. Plainly the sort of standards we expect vary a bit depending on how a HOMO is occupied. It's no good expecting the same standards in traditional bedsides as you can in self-contained flats. So which sort of HOMO does Gigs live in? There are six categories of letting, and in

accordance with a tradition which goes all the way back to the signing of the Magna Carta, these have been imaginatively named Categories A, B, C, D, E & F.

**Category A** These are houses where the tenants occupy their own rooms, bedsits or flats. 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.

**Category B** These are houses occupied on more of a shared basis. In such houses people may also share bathrooms and toilets but typically in addition will share a kitchen and perhaps a dining room and/or a living room.

**Category C** Category C Houses are houses let in lodgings. Such houses will have a resident landlord who provides services such as cleaning and laundry and will provide meals.

**Category D** These are the sorts of houses generally referred to as “ hostels”, “ guest houses” or which provide accommodation in a similar fashion to hotels. Category D will apply to hotels who take in persons who have no permanent home elsewhere.

**Category E** These are houses which are hostels and require registration under the 6

**Category F** These are houses converted into completely self contained flats

What if a house doesn't quite fit into a category?

Come on, you can't expect the Council to think of everything! Yes, there are times when a house doesn't fit conveniently into one of these categories, or it may be a bit of one and a bit of another. Where this happens the Council will apply such standards as it thinks appropriate, having regard to the

principles embodied within the standards applied for the other categories.

Gigs doesn't really care which category of HOMO he lives in – it hardly gets a mention down the pub – but for Swig's landlord it is important in deciding what amenities he needs to provide and how many tenants he can have in his HOMO.... Which brings us to Section 3. 7 section 3 – ROOM SIZE

STANDARDS What this section is all about is there being enough room for Gigs to live comfortably with the other persons in his house and with all the things he needs like a cooker and sink etc. Not being from the Sardine family, Gigs needs a fair bit of space to be able to survive without things getting on top of him. No-one likes to wake up in the middle of the night with a frying pan handle in their face, so these standards attempt to lay down basic rules to allow Gigs minimum elbow room.

If the Council has to take action because it thinks a HOMO is overcrowded then the following are the space standards it will apply: And just to show you how amusing the law can be at times, all references to a “ person” mean a person over the age of ten. Between the ages of one and ten you apparently only count as half a person. If you have ever had anything to do with a baby and its pram and cot and bath and layette box and stack of nappies and goodness knows all the accompanying paraphernalia, you will be surprised to hear that a baby less than 12 month old counts as no person at all. Still, these laws were made by very learned gentlemen.

The following table explains the space requirements for category A Homos. It may seem a bit confusing at first but, essentially, if it is a category A HOMO then you need to 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 meters or, one room of 10 square meters together with a separate kitchen of 3 square meters.

Category A Homos Minimum Room Sizes (square meters)

One Room Living Room	Living Kitchen	13 11 Kitchen	Kitchen/Area Living	Bedroom	Bedroom
36.5	6.5	11	11	17.5	12.5

One Person Two or More Rooms One Room 920.5

Two or More Rooms	10	10	More than two persons
4.5	4.5	3.7	14

Two Persons Two or More Rooms 10 10 More than two persons As per "Two Persons" but with regard to the overcrowding provisions of sass and 326 of the Housing Act 1985 0 Not Allowed for people living together as husband & wife 8 Category B is, perhaps, the most usual form of HOMO in Coventry.

For the most common arrangement, that is, one person per room, the room needs to be mom if here is just a shared kitchen, or 6. Mom if there is a shared kitchen and living room of the minimum size given in the lower half of the table. Category B Homos Minimum Room Sizes (square meters)

Persons in Bedroom	Minimum Room Size	Minimum Room size if separate Living
12	10	15

Minimum sizes of other rooms (square meters) 6.5 11 Total Residents

House	2-5	6-10	11-15	16+	Kitchen (obligatory)	7	10	13.5	16.5	Living Room (optional)	11	16.5	21.5	25	Dining Kitchen (optional)	1	1.5	19.24	29	Dining Rooms (optional)	11	16.5	21.5	25
All category B houses must have a shared kitchen. To take advantage of the lower editor sizes they must also have at least a shared living room but they can have additional shared rooms																								

Category C 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. Category C Homos Persons in Bedroom Minimum Room Size (square meters) 1 2 3 4 Total Residents in House 1- 5 6-10 11-15 16+ 6. 5

10 16. 5 21 Common Living Room (square meters) 11 16. 21. 5 25 9

Category D houses are guest houses/hostels Category D Homos Sizes in square meters Persons in Bedroom 1 2 3 Each extra Total Residents in House 2-5 6-10 Minimum Room Size 8. 5 11 15 4. 5 Kitchen 7 10 Lounge 3 6 9 3 Dining 2 4 6 2 OR combined Lounge/Diner 4 8 12 4 Category E standards apply to houses which are Residential Care Homes under the Care Standards Act 2000. Where there is any conflict between these standards and those prescribed by National Care Standards Commission, the standards of the National Care Standards Commission will predominate.

Persons in Bedroom 1 2 Total Residents in House 2-5 6 7 8 9 Each additional Minimum Room Size 9 15 Living Room 12. 5 15 17. 5 20 22. 5 2. 4 Dining Room 10 10 10 11. 2 12. 6 1. 4 OR combined Letting/Dating 17. 21 24. 5 28 31. 5 3. 5 Sizes square meters 10 Category F Homos are houses which 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. Category F Homos Occupiers Kitchen  
Sizes in square meters Living Room Bathroom Bedroom 7 10. 5 11 Living/  
Sleeping 5. 5 5. 5 22 11. 5 13 13 16. 5 Living/ Kitchen 14. 5 14. 5 section 5-  
FITNESS & AMENITIES We've already said that for Gigs, life in his HOMO can  
be difficult at times.

In fact living in an HOMO can be quite stressful. I mean, it might have been  
irritating having Mum or Dad in the bathroom when you wanted to use it or  
you might have had a brother ND sister playing their music too loudly but  
the thing was that they were family and families have ways of resolving  
these sorts of problems. It's not quite the same when For this reason the  
Council expects certain standards to be maintained which should ensure that  
the house is a fit place to live and that amenities (e. G. Was & cooking  
facilities) are likely to be available when needed. Homos (believe it or not)  
are still houses!

Whilst most landlords understand that there are special rules for Homos they  
sometimes lose sight of the fact that their property is still, in law, a house,  
and needs to comply with basic standards which relate to all houses. Now  
some of those basic standards 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.

So here are the basic fitness and amenity standards: 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 1/10 the 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 scatters may be advantageous. Non-habitable rooms should, as a preference, also achieve the same standards 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 40 watt tungsten filament bulb (or a 13 watt low energy lamp) would be considered adequate for a water closet compartment up to 10m, a 100 watt tungsten filament bulb (or a 23 watt low energy lamp) would be suitable for a bathroom up to 10m and a 40 watt fluorescent fitting would be

suitable for kitchens up to 6m. 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 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. meters to allow a free circulation of natural ventilation through convection. Other rooms should not be significantly less than this (say 2 meters), but this will depend upon their exact SE. For habitable attic rooms or other rooms with a sloping ceiling any part of the room which is less than 1. 5 meters high will be ignored. Of the remaining floor area at least half of the room must have a minimum height of 2. 3 meters. All habitable rooms must benefit from ventilation directly to the external air via a window, the beamable area of which is equivalent to at least 1/20 the of the floor area of the room.

Doors which open from habitable rooms to the external air will not be reasonable for ventilation purposes unless the door incorporates a purpose designed entrenched 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 room bathroom fan will generally be able to provide 3 air changes per hour in a room of 13 square meters. Any extractor fan installed in a bath or shower room must be provided with an “ overrun” vice 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 which Gigs might create, such as when he uses his “ Come and Get Me” body spray. 13

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 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 18.1C within 1 hour of turning on when the air temperature outside is -1C or below. 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

Trend Water pal. ) 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 Homes in such numbers as to ensure that