

Private Rented Housing Property Standards

The proposed licence conditions that would be introduced with a selective landlord licensing scheme would complement the current property standards. These property standards are currently enforceable under Housing legislation and landlords must ensure that they currently comply.

Any application for a selective landlord licence will be reviewed to ensure that these standards are met.

The statutory overcrowding standard – single house holds

There are two standards to assess whether a home is statutorily overcrowded. If either or both these standards are breached then a dwelling will be statutorily overcrowded.

Room Standard

A property is overcrowded where two or more persons, being ten or more years old and of opposite sexes have to sleep in the same room.

Unless those persons are over 16 years old and are married to each other or live together as husband and wife or in an equivalent relationship in the case of persons of the same sex.

For these purposes children under ten may be disregarded and a room means any room normally used as either a bedroom or a living room.

A kitchen can be considered to be a living room provided it is big enough to accommodate a bed.

Space Standard

This standard works by calculating the permitted number of people for a dwelling in one of two ways. The lower number calculated is the permitted number for the dwelling.

1) One test is based on the number of living rooms in the dwelling, disregarding rooms of less than 4.6 square meters (50 square feet)

One room = two persons

Two rooms = three persons

Three rooms = five persons

Four rooms = seven and a half persons

Five rooms or more = ten persons plus two for each room in excess of five rooms

A child below the age of one does not count and a child between the age of one and ten counts as a half person.

2) The other test is based on floor areas of each room size:

Less than 4.6 square meters (50 square feet) = no-one
4.6 to 6.5 square meters (50 to less than 70 square feet) = half a person
6.5 to 8.4 square meters (70 to less than 90 square feet) = one person
8.4 to 10.2 square meters (90 to less than 110 square feet) = one and a half persons
10.2 square meters (110 square feet) or larger = two persons

Note:

- **Communal space, hallways, corridors, landings, kitchens, W.Cs or bathrooms cannot be used as sleeping accommodation.**
- **Only persons under the age of 10 years old of the opposite sex may sleep in the same room, unless those persons are over 16 years old and are married to each other or live together as husband and wife (or in an equivalent relationship in the case of persons of the same sex)**

Specific Amenity Standards for Houses in Multiple Occupation

A building is defined as a House in Multiple Occupation (HMO) if the following apply:

- Its is occupied as living accommodation
- By at least three people who belong to more than one family or household
- In accommodation that is not self-contained and
- Rent is paid by at least one of the occupiers and
- It is the occupiers only or main residence

Or

- It has been converted into self- contained flats and
- The conversion does not meet 1991 Building Regulations and less than 2/3 of the flats are owner –occupied

Self-contained flats within buildings that are HMOs may be occupied as HMOs themselves. The guidance applies to self-contained flats which meet this condition.

An individual tenancy may have exclusive use of the basic facilities (bath/shower, wc and kitchen), but the accommodation would only be defined as self-contained if the sleeping/living area and all the facilities are behind one door

Space Standards for Sleeping Accommodation

In this guidance, a bedsit is defined as a room, or rooms, used for sleeping within a building, where some of the basic facilities for food preparation and hygiene are provided within the accommodation, or in a separate room and for the exclusive use of the occupiers of the bedsit.

A bedroom is a room within a building used for sleeping, and which does not contain any of the basic facilities. The facilities are either provided in separate rooms and are shared with other people living in the HMO, or are provided in separate rooms but for the exclusive use by the occupiers of the bedroom.

A maximum of two people are permitted to share a room for sleeping irrespective of age. If there are two occupiers, they must be living together as partners, family members or consenting friends. A room shared by more than two people is overcrowded, and may be subject to enforcement action by the local authority.

A room used for sleeping must not be shared by people of the opposite sex who are 10 and over, unless they are married or living together as husband and wife or in an equivalent relationship in the case of persons of the same sex.

When measuring the size of the room and assessing usable space, the shape of the room should be taken into account as well as the total floor area.

Space taken up by fitted units are counted in the floor area calculation, but chimney breasts, lobbies and en-suite bathroom or shower rooms are not. Rooms must have a minimum floor to ceiling height of at least 2.14 m over 75% of the floor area. Any floor area where the ceiling height is less than 1.53 m is disregarded.

The most recent advisory document from Greater London Authority recommends at least 2 cubic metres of storage in a room per person (for clothes and the like)

Number of occupiers	Room for sleeping Kitchen facilities in a separate room	Room for sleeping Kitchen facilities within the room
One	8.5 square meters	13 square meter
Two	13 square meters	18 square meters

Local housing conditions and policies vary between the boroughs and some may accept existing smaller rooms depending upon a risk assessment, and the communal living space available to the tenants within the HMO.

Living and dining rooms

A landlord may provide a communal living room in addition to any space that is required for shared kitchen and dining facilities. As a guide, a communal

living room should be at least 13 square meters for 3 people, plus 1 square meters for every additional person. For example, a living room for 5 people should be 15 square meters.

If dining facilities are combined with the living room, the room should be at least 14 square meters for 3 people, plus 1 square meters for every additional person. For example, a combined living/dining room for 5 people should be 16 square meters.

Kitchen Facilities

Kitchen facilities should be no more than one floor away from the letting. Where this is not practicable, a dining area of a size suitable for the number of occupiers should be provided on the same floor as, and close to, the kitchen. Kitchens must be of an adequate size and shape to enable safe use of food preparation by the number of occupiers and the following guidelines for shared kitchens apply:

Number of sharers	Room size
Up to 3	5.5 square meters
4-5	7.5 square meters
6-7	9.5 square meters
8-10	11.5 square meters

Where all or some of the lettings within the HMO do not contain cooking facilities, they must be provided for sharing with other households. There should be one full set of facilities per 5 persons, irrespective of age. Some flexibility may be considered in well-managed properties where there are 6 or 7 persons, subject to a risk assessment carried out by the local authority.

Where there are 8 – 10 persons, either an additional full set of cooking facilities must be provided, or additional facilities must be provided in an appropriate number of individual lettings where the room is large enough. If two sets of facilities are in the same room, each set must be separated and in distinct areas of the room.

A set of cooking facilities is comprised as follows:

Number of Occupiers	Facilities	Specifications
One	Cooker	In one-person bedsits only, a cooker with a 2-ring hob, oven and grill. Must be permanently and safely installed on a fixed worktop.
Up to 5		Four-ring hob, oven and grill.
6 - 7		Four-ring hob, oven and grill and an additional combined microwave oven and grill.

Up to 5 -----	Sink/drainer	1000 mm sink/drainer set on base unit, provided with a constant supply of hot and cold water and properly connected to the drainage system.
6 - 7		A double sink/drainer installed as above <u>or</u> A single sink/drainer plus a dishwasher.
One household -----	Worktop	1000 mm x 600 mm. Worktop must be fixed, and made of suitable impervious material.
Up to 5 -----		2000 mm x 600 mm provided and fitted as above
6 – 7		2000 mm x 600 mm provided and fitted as above, plus additional space for extra appliances.
All	Splashback	300 mm tiled splashback or its equivalent to be provided to the sink/drainer, worktop and any cooker without an integral splashback.
Up to 5 -----	Electrical sockets	One suitably located electrical socket for each dedicated appliance such as a cooker, refrigerator and washing machine. In addition, 4 sockets (in either double or single combinations) to be provided above the worktop.
6 – 7		----- An additional 2 sockets as above.
All	Floor covering	Impervious and washable floor covering to cover the floor area of the kitchen.
Per household	Food storage cupboard	One double wall cupboard or One single base cupboard. May be provided within individual lets. The base unit below the sink/drainer is not acceptable for food storage.
Per household -----	Refrigerator	Where provided in individual lettings, a small fridge freezer.
Up to 5 -----		Where provided in a shared kitchen, equivalent of 2 worktop height refrigerators both with freezer compartments, or 1 worktop height fridge and 1 worktop height freezer.
6 - 7		----- Where provided in a shared kitchen, the equivalent of an additional worktop height refrigerator with freezer compartment.

Kitchen facilities where provided in a bedsit should be sited remote from the entrance door.

The cooker should not be situated below a window.

A kitchen must not be the sole access to a room used for sleeping.
Kitchen facilities must not be installed in a hallway.

A humidistat-controlled mechanical extractor must be provided where there is inadequate ventilation by means of a window. Newly converted kitchens must have a mechanical extractor regardless of whether there is an openable window.

Apart from an extractor hood, fixtures and fittings are not to be directly above cooking appliances.

Sufficient refuse storage to be provided adequate for the number of occupiers.

Personal washing and wc facilities

Bathrooms and WCs should be within one floor of lettings, and where shared, must be accessible from a common area. WCs and bath/shower rooms must be fitted with a suitable and functioning lock and the surfaces must be impervious and readily cleansable.

Bath/shower rooms and WCs must be adequately ventilated, and bath and shower rooms must be adequately heated, such as by radiator, wall-mounted convection or fan heater, or underfloor heating. Electric bar heaters are not permitted. In new conversions, a mechanical extractor must be installed in addition to any openable window.

Where only one bathing facility is provided in the premises, it must be a bath with a suitable seal and a fixed overhead shower. A fixed shower rail and curtain must be installed.

Wash hand basins in each bedsit sleeping room are a required where practicable in houses with 5 or more occupiers, unless the room contains a sink/drainage.

Properties that are not bedsit accommodation may not require wash hand basin's in sleeping rooms at the discretion of the local authority.

The facilities must be adequate for the number of occupiers, and the following is a guide. External wc's are not counted.

Number of Occupiers	Facilities	Specifications
1-4	1 bath with wash hand basin WC can be in bathroom	Standard size bath with 450 mm splashback Full-size wash hand basin with tiled splashback. Both to have constant supply of hot and cold water. If the WC is separate, it must have an additional wash hand basin & tiled splashback within the compartment.
5	1 bath with wash hand basin in room 1 wc with wash hand basin 1 wash hand basin in each sleeping room	Wc may be in the same room as the bath/ wash hand basin wash hand basin's in bedsit rooms where practicable.
6-10	2 bathrooms with wash hand basins in each One of bathrooms must contain bath, and the other a shower which may be fixed over-bath type 2 wc's, one in own compartment with wash hand basin 1 wash hand basin in each sleeping room	As above wash hand basin's in bedsit rooms where practicable.

Where a shower cubicle is provided, it must be of a sufficient size that the user can bathe and dress without injury.

Fire Safety

Fire safety standards to be based on the final edition of the Lacors Housing Fire Safety Guidance.

Heating

Dwellings must have both effective insulation and efficient heating with reference to current energy efficiency requirements.

A fixed heating system must be provided to all lets. Radiators must be fitted with thermostatic valves. Fixed storage heaters are preferred where there is no gas supply.

Additional Considerations

Compliance with these standards does not negate the need for compliance with other statutory provisions, including the Housing Act 2004 and supporting Regulations.

The following sources were consulted in producing this guide:

BRE Housing Design Handbook 1993
Joint London Boroughs Code of Practice for Hostel Accommodation
Residential Property Tribunal
Local planning guidance
Local development plan
HMO licence applications
London Borough HMO standards
GLA Housing Space Standards
Housing Act 2004