

## **The Management of Houses in Multiple Occupation (England) Regulations 2006**

Apply to any HMO other than converted blocks of flats to which section 257 applies.

Section 257: HMO's certain converted blocks of flats

"a converted block of flats" means a building or any part of a building which :

- a) has been converted into,
- b) and consists of.

Self contained flats.

This section applies to a converted block of flats if

- a) building work undertaken in connection with the conversion did not comply with the appropriate building standards and still does not comply with them
- b) less than two-thirds of the self-contained flats are owner occupied.

(3) In subsection (2) "appropriate building standards" means-

(a) in the case of a converted block of flats-

(i) on which building work was completed before 1st June 1992 or which is dealt with by regulation 20 of the Building Regulations 1991 (S.I. 1991/2768), and

(ii) which would not have been exempt under those Regulations,

building standards equivalent to those imposed, in relation to a building or part of a building to which those Regulations applied, by those Regulations as they had effect on 1st June 1992; and

(b) in the case of any other converted block of flats, the requirements imposed at the time in relation to it by regulations under section 1 of the Building Act 1984 (c. 55).

(4) For the purposes of subsection (2) a flat is "owner-occupied" if it is occupied-

- (a) by a person who has a lease of the flat which has been granted for a term of more than 21 years,
- (b) by a person who has the freehold estate in the converted block of flats, or
- (c) by a member of the household of a person within paragraph (a) or (b).

(5) The fact that this section applies to a converted block of flats (with the result that it is a house in multiple occupation under section 254(1)(e)), does not affect the status of any flat in the block as a house in multiple occupation.

(6) In this section "self-contained flat" has the same meaning as in section 254 i.e.

"self-contained flat" means a separate set of premises (whether or not on the same floor)-

- (a) which forms part of a building;
- (b) either the whole or a material part of which lies above or below some other part of the building; and
- (c) in which all three basic amenities are available for the exclusive use of its occupants.

### **The Regulations**

#### **3. Duty of Manager to provide information to occupier**

Each household in the HMO must have the managers name, address, and any telephone number. These details should be displayed in a prominent position in the HMO

#### **4. Duty of Manager to take safety measures**

- 1) All Means of Escape (MOE) to be kept free from obstruction and maintained in good order and repair
- 2) Any fire fighting equipment and fire alarms to be maintained in good working order
- 3) If more than four occupiers the manager must ensure all notices indicating the MOE are displayed in positions that enable them to be clearly visible to the occupiers.

- 4) Manager must take all such measures that are reasonably required to protect the occupiers from injury having regard to, the design, structural conditions and numbers of occupiers.
- 5) a) In relation to any roof or balcony that is unsafe, either take reasonable measures to make it safe or prevent access to it in relation to any window, the sill of which is at or near floor level, ensure bars or other safeguards are provided to protect the occupiers against accidents in connection with such windows

**5. Duty of manager to maintain water supply and drainage**

and to keep any water fitting protected from frost damage.

**6. Duty of manager to supply and maintain gas and electricity**

- 1) Supply to LHA a copy of current gas safety certificate on demand.
- 2) Ensure that every fixed electrical installation is inspected and tested at intervals not exceeding five years, and provide certificate to LHA on demand
- 3) Must not unreasonably cause gas or electricity used by any occupier to become interrupted.

**7. Duty of manager to maintain common parts, fixtures, fittings and appliances**

1. Common parts of HMO kept in good and clean decorative repair, maintained in safe and working condition and kept reasonably clear from obstruction.
2. Manager must ensure all handrails and banisters are kept in good repair, and additional handrails or banisters are provided where necessary for the safety of the occupiers,
3. Any stair coverings are safely fixed and kept in good repair.
4. All windows and other means of ventilation within the common parts are kept in good repair
5. Common parts fitted with adequate light fittings
6. Fittings or appliances used in common by two or more households are maintained
7. Any out buildings, yards and forecourts, gardens, boundary walls fences and railings (if belong to HMO) are maintained in repair.

**8. Duty of manager to maintain living accommodation.**

- 1) Manager to ensure living accommodation and any supplied furniture are in clean condition at beginning of occupation.
- 2) Internal structure, fixture, fittings, appliances, windows and means of ventilation kept in good repair.

**9. Duty to provide waste disposal facilities**

Must provide sufficient bins for storage of refuse pending disposal

**10. Duty of Occupiers of HMOs**

Occupiers must not hinder or frustrate manager in performance of his duties;  
Must allow reasonable access;

Must provide manager with information reasonably required for carrying out of duties;

Must take reasonable care to avoid causing damage;

Store and dispose of refuse in accordance with arrangements

Comply with reasonable instructions of manager in respect of MOE or prevention of fire

Any person who fails to comply with the regulations commits an offence under Regulation 234 (3) of the Housing Act 2004 punishable on summary conviction with a fine not exceeding level 5.

### **Prescribed Amenity Standards**

1. Each unit of living accommodation must be equipped with adequate means of space heating.
2. Where all or some of the units of accommodation do not contain bathing and toilet facilities for exclusive use:
  - a) where there are 4 or fewer occupants sharing there must be at least one bathroom with fixed bath, or shower, and a toilet.
  - b) Where there are 5 or more occupiers sharing there must be:
    - i) one separate toilet with whb for every 5 sharing occupiers
    - ii) at least one bathroom (which may contain a toilet) with fixed bath or shower for every 5 sharing occupiers
3. Where there are 5 or more occupiers every unit of living accommodation must contain a wash hand basin
4. All bath, showers and wash hand basins must be provided with adequate hot and cold water.
5. All bathrooms to be suitably and adequately heated and ventilated.
6. All bathrooms and toilet to be an adequate size and layout
7. All baths toilet and wash hand basins must be fit for the purpose
8. All bathrooms and toilets must be suitably located

### **Kitchens**

Shared facilities

Suitably located kitchen of such layout and size and equipped with such facilities as to enable those sharing the facilities to store prepare and cook food.

Kitchen must be equipped with following equipment, which must be fit for purpose and of sufficient quantity:

- i) sinks with draining boards
- ii) adequate supply of cold and constant hot water
- iii) installations or equipment for the cooking of food
- iv) electrical sockets
- v) worktops for the preparation of food
- vi) cupboards for the storage of food or kitchen or cooking utensils
- vii) refrigerators with an adequate freezer compartment, or a separate freezer
- viii) appropriate refuse disposal facilities
- ix) appropriate extractor fans, fire blankets and fire doors.

**Exclusive facilities**

- i) adequate appliances and equipment for the cooking of food
- ii) sink with adequate supply of cold and constant hot water
- iii) work top for the preparation of food
- iv) sufficient electrical sockets
- v) cupboard for storage of kitchen utensils and crockery
- vi) refrigerator

**Fire Precautionary facilities**

Appropriate fire precaution facilities and equipment must be provided of such a type, number and location as is considered necessary.