



Welcome to your HMO and or
Licenced Home

A Tenant Guide (England)

Staying in a HMO and or a licenced property

Why is the property a HMO/Licenced?

A simple definition of a HMO is a property

- with three or more occupants forming two or more households;
- with shared facilities such as a bathroom/kitchen;
- and the property is their main residence.

A household is classed as members of the same family which can include:

- Married or living as husband and wife or same sex couples
- Aunts/Uncles/Nephews/Nieces/Cousins
- Half-blood or step relationships
- Any person living in the property and employed by the household i.e., nanny, carer etc
- Children count as a person

Mandatory Licensing – Introduced by the Housing Act 2004, this is the standard HMO licence, regardless of the Local Authority. At the absolute minimum, if the property meets the following criteria, then it will require a Mandatory licence.

- 5 or more people
- More than one household

Additional Licensing – Local Authorities may require properties that do not meet the Mandatory requirements to require a licence, for example HMOs with only 3 and 4 occupants, this is known as Additional licensing. These Additional licensing schemes will vary between Local Authorities.

If the property/tenancy falls into one of the above categories, then it will be a HMO/Licenced property.

Selective Licensing

Local Authorities can apply this to properties that are not HMOs in specific roads, boroughs or wards and stipulate that the landlord must adhere to set conditions when letting the property, regardless of how many occupants live there.

Selective licensing is normally introduced in areas where there have been complaints or concerns over the standard of accommodation, or problems with rubbish or anti-social behaviour.

Properties subject to Selective Licensing must comply with the Housing Health and Safety Rating System (HHSRS) but are generally not impacted by the more stringent requirements that apply to HMO Licensing.

How does impact my tenancy?

The good news is that it does not really impact you. It means that the property needs to comply to more stringent requirements as stipulated by the legislation or the Local Authority, which actually works in your favour.

However, under The Management of Houses in Multiple Occupation (England) Regulations 2006 you will have the following responsibilities:

- Not to hinder or frustrate the HMO Manager
- To allow the manager access to inspect the property
- To test the smoke alarm on a weekly basis as per instructions, recording the date and time and report any faults to the HMO Manager immediately
- To provide information reasonably requested by the HMO Manager
- To take reasonable care to avoid causing damage to the property
- To store and dispose of litter properly
- To comply with reasonable instructions regarding means of escape from fire, the prevention of fire or the use of the fire equipment supplied

What does my landlord have to do?

The Management of Houses in Multiple Occupation (England) regulations 2006 states that a landlord must adhere to the below requirements:

- Where a licence is required a landlord must ensure compliance with the licence conditions at all times.
- Reasonable steps must be taken to protect occupiers from injury – subject to design and structure of the property. Housing Health and Safety Rating System (HHSRS) should be used for guidance.
- Firefighting equipment must be supplied, i.e., fire blanket in the kitchen as a minimum. (Some Local Authorities may require additional equipment. All equipment provided must be serviced and tested in accordance with the required British Standard.
- Mains interlinked smoke alarms with battery backup must be fitted – one per floor with a heat sensor fitted in the kitchen. These should be checked on a regular basis.
- A Fire Risk Assessment (FRA) must be completed and reviewed on a regular basis.
- Fire doors to be fitted between the kitchen and the remainder of the property to protect escape routes. Additional fire doors may be required depending on property layout, number of occupants and tenancy set up.
- LACORS Housing fire safety guide should be referred to for guidance.
- Carbon Monoxide alarms must be fitted in all rooms where there is a gas appliance (*except cookers in England*), a solid fuel appliance or where there is an unsealed fireplace.
- Water and drainage systems must be maintained in a good, clean, and working condition.
- Any receptacles for storing water must be covered, clean and in working condition, i.e., water tanks.
- Pipes and fittings should be protected from frost.
- A gas safety check must be carried out annually and a Gas Safety Report (GSR) issued.
- A valid EICR (Electrical Installation Condition Report) must be carried out – there is a requirement that every fixed electrical installation is inspected and tested not less than every five years (unless a lesser period is stated in the EICR) by a competent

person and that a certificate is obtained and held on file.

- Portable Appliance Testing (PAT) is considered best practice for all electrical appliances provided by the landlord. A PAT could be required as standard by some Local Authorities.
- Have a valid EPC (Energy Performance Certificate) rating of A-E.
- Living accommodation, common parts (internal and external), fixtures, fittings, and appliances should be kept clean and maintained.
- Waste Disposal facilities should be sufficient and adequate for the property and the number of occupants.
- The HMO Manager's contact information, to include any out of hours service, must be provided to all occupants and be on display in a prominent position in the property.
- All maintenance items must be addressed in a timely manner.

In addition to ensuring that a HMO complies with statute regulations, a Local Authority may also adopt their own minimum standards for a HMO that may be more detailed.

What if the Local Authority have added conditions?

The Local Authority have the legal power to inspect any rental accommodation and to enforce any required works or actions to be undertaken by the landlord or agent. Possible actions or requirements may include:

- Improvement notices
- Prohibition notices
- Hazard awareness notices
- Notices to undertake emergency measures

If the Local Authority believes there is a risk to health, safety, or amenities they can make interim or final management orders. These orders allow the Local Authority to specify how a HMO is managed and if necessary take over the management themselves. Penalties/notices can be placed against the landlord, agent, or occupiers.

Copy Licence

At the commencement of the tenancy, you will have been provided with a copy of the licence. This will list if there have been any additional conditions. Please make yourself aware of these conditions as failure to comply with the requirements could be deemed a breach of the licence and could not only impact the landlord but also yourselves.

If you were only supplied with confirmation of the licence application, once full details of the licence have been received from the Local Authority, these will be sent to you for your records.

Minimum room sizes / change room usage

It is important that only rooms noted as bedrooms are to be used as bedrooms, for example a dining room cannot be used as a bedroom. The Department of Communities and Local Government has specified minimum room sizes for HMOs to be let privately. A room therefore may not meet the minimum size requirements for the number of occupants.

Using a room not fit for purpose could not only be in breach of the requirements but also put safety at risk.

Notice boards

The property will have a notice board displayed. This will state the following:

- HMO Manager's contact details
- Contact telephone number for out of hours emergencies
- Occupier responsibilities
- Fire Door management for Tenants; keep shut and report any faults/damages
- Escape Route/s and actions to take in the event of a fire.
- Details of refuse collection and recycling schemes available

The property will be visited every 12 months, in addition to standard visits, during these visits it will be checked that the notice board is correctly displayed and is up to date.

It is important to ensure that during the term of your tenancy that the notice board is not removed. Please also update the notice board with any renewed certificates as and when supplied during your tenancy.

Smoke and Carbon Monoxide Alarms

You are required to record on the notice board that you have tested the smoke and carbon monoxide alarms weekly. Please remember that this is vital for your safety. Please ensure any faulty alarms (identified as faulty once battery checked/replaced) are reported to HMO Manager as a matter of urgency.

Fire Safety

In order to comply with the requirements of the Fire Safety (England) Regulations 2022 it is important to ensure that you comply with the following safety guidelines:

- Fire doors should be kept shut when not in use
- Occupants and guests should not tamper with self-closing devices
- Occupants should report any faults or damages to fire doors immediately to the HMO Manager
- Escape routes (hallways/staircase/landing etc) must be kept clear of hazards/Obstacles

Any occupant breaching these regulations could face a fine of up to £5000.

Fire Safety Signage

Please ensure that any notices for Fire Doors, Fire Escapes, Fire Extinguishers, Fire Action Notices, Fire Blankets etc are not removed and remain visible at all times. If damaged, please report to your landlord or HMO Manager immediately.

Waste Management / Refuse

Please ensure that:

- Bins/sacks are placed in the correct area on the required date.

- Empty bins are removed from pavement areas as soon as possible following collection.
- Recycling/household waste items are disposed of in the correct bins.
- Waste does not accumulate. You can contact your Local Authority directly regarding the disposal of bulk items or for details of local recycling centres.

Access Arrangements

Access to the property will be required on occasions by your landlord or agent/HMO Manager. If a set of keys is held, then you will be notified in advance of any prospective visit and you should grant permission for access. All locks for the property must be used at any time the property is left vacant. After any visit by a contractor, landlord or landlord's agent they will always fully secure the property. Requirements of the licence/Local Authority may stipulate the number of property visits required.

Change of Occupants or circumstances / Maximum number of Occupants

Any issued licence will specify the maximum number of persons (if any) who may occupy an individual room and the property as a whole. The total number of occupants in a property must not exceed the maximum set by the licence. Should your circumstances change, regarding the number of occupiers or households at the property, please contact your landlord or agent.

Occupiers main and principle home

The property must be regarded as a person's main or only residence. This means that the property is their only accommodation, the place where they mainly live, or you are living in a HMO as a full-time student in higher education. Should your circumstances change, please contact your landlord or agent.

Further information

Should you require any further information on Houses in Multiple Occupation or Property Licensing, please contact your landlord/agent or Local Authority.



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