



Houses in Multiple Occupation

A property is a House of Multiple Occupation (HMO) if it is let as a main or only home to at least three tenants, who form more than one household and who share a kitchen, bathroom or toilet. A household consists of either a single person or members of the same family who live together, including:-

- People who are married or living together
- People in same-sex relationships
- Relatives who are living together - including step-children, grandchildren, uncles, aunts, nephews, nieces, cousins and foster children
- Certain live-in domestic staff.

Properties can be an entire house, flats or converted buildings or any of the following:-

- Bedsits
- Shared houses
- Households with a lodger
- Purpose-built HMOs
- Hostels
- Guesthouses - if rented out of season
- Bed and breakfasts providing accommodation for homeless people
- Some types of self-contained flats converted from houses.

Examples of HMOs:-

- Four students renting the whole house
- Three friends renting the whole house
- Five working people who have their own room and individual tenancies.

Does a HMO need a licence?

If you have an HMO that is occupied by five or more persons who form more than one household then it must be licensed. You must apply for a HMO licence if one is required, and meet the terms and conditions of the licence.

What are your responsibilities for health and safety in HMOs

Landlords must make sure that the HMO is properly maintained and always meets health and safety requirements. Landlords must: -

- Installation of hard wired smoke alarms
- Give their contact details to the tenants (or we will give ours). The contact details should also be posted in a prominent position in the property, especially emergency contact numbers
- Keep fire escapes clear and maintain fire-fighting equipment and alarms
- Ensure that the property design and structure will not cause any injury
- Provide adequate, uninterrupted water supply and drainage
- Provide adequate supply of gas (if any) and electricity
- Check annual gas safety certification (if gas is supplied) and electricity safety every five years. This should be done by a contractor who is a member of a 'competent person' scheme
- Keep the property and any shared gardens in good repair
- Provide suitable rubbish disposal.

Making the application for an HMO licence

A number of certificates will need to accompany the application form:-

- Landlord's Gas Safety Certificate
- Design, Installation and Commissioning Certificates for the L2 Fire alarm system and/or test certificate
- Emergency Lighting Test Certificate
- Service contract for alarm and fire systems
- Periodic test certificate for the electrical installation
- Portable appliance test certificates (if applicable)
- Building Regulations completion certificate (if applicable)
- Current tenancy agreements

A licence will normally last for five years.

Granting an HMO Licence

The council will assess the applications and certificates and consider:-

- The suitability of the HMO for the number of tenants
- The suitability of room sizes
- Kitchen, bathroom and toilets facilities
- Whether the proposed licence holder is a fit and proper person
- What the management arrangements are.

The council carry out pro-active inspections of HMOs and inspect properties following a complaint from a tenant.

Fire safety in all HMOs

Fire safety measures are now required in all HMOs (whether they need a licence or not) .

Landlord obligations

You must meet the required standards for tenancy agreements, ending tenancies, protecting tenants' deposits and respecting a tenant's rights.

When changes happen to an HMO

As a landlord, you should be aware that the circumstances at your HMO might change in any of the following ways: -

- The house is no longer in multiple occupation
- Your tenant has allowed more people to live there than the HMO licence allows
- The licence holder is no longer suitable - fit and proper - to hold a licence
- The management is no longer suitable to manage an HMO
- You want to change the HMO licence holder
- The HMO is no longer suitable to be considered an HMO
- You want to change the HMO to occupation by a single household
- You want to sell the property.

Some of these changes may be the result of the Council's decisions. Others may happen because of decisions taken by you or your tenants.

If you plan to make changes then you must tell the Council. It may need to change the conditions of your licence, cancel it, or give you a different type of licence.

Penalties for not having a licence

If an HMO is of a description which should be licensed but is not, it will be an offence to allow it to be occupied. If the appropriate person (owner, agent) is convicted of operating a HMO without a licence, they can be prosecuted.