LICENSED HOUSES IN MULTIPLE OCCUPATION (HMO)

Guidance on standards and levels of management required
March 2026

PLYMOUTH CITY COUNCIL

PART ONE - AMENITY STANDARDS

Indicative standards for room sizes, provision of bathrooms, WCs and kitchens etc. for HMOs.

PART TWO - HOUSING HEALTH AND SAFETY RATING SYSTEM (HHSRS)

Guidance on the HHSRS introduced by the Housing Act 2004 which may in some circumstances override the indicative standards given. This system applies to all dwellings not just licenced properties or HMOs and is a method of assessing the risk to health and safety to occupiers and visitors.

PART THREE - MANAGEMENT OF THE PROPERTY.

Summary of the requirements of the Management Regulations and expectations of the Manager of a licensed HMO, including dealing with Anti-Social Behaviour. These requirements apply to ALL HMOs regardless of whether or not they are licensable.

PART FOUR – FIRE SAFETY ORDER

Which properties this applies to and the duties it imposes. The order applies to certain HMOs regardless of whether or not they are licensable.

Please note that your property does not necessarily have to meet all these standards to allow a licence to be issued.

Please contact us if you have any queries about property standards or managing an HMO. In addition, more detailed information on your responsibilities as a landlord can be found in the government's "How to let" leaflet that can be downloaded from the web link below:

https://www.gov.uk/government/publications/how-to-let

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PART ONE - AMENITY STANDARDS

Indicative standards for room sizes, provision of bathrooms, WCs and kitchens and other requirements for HMOs.

1.1 - General

The standard for a licensed HMO is that the house is considered reasonably suitable for occupation by not more than the maximum number of households or persons as specified within the application or by the Local Authority.[1]

As a part of this standard there are regulations which require that the HMO has adequate and suitable provision of; kitchen(s), bathroom(s), WC(s), heating, and fire precautions.

The Council has adopted guidance to give advice to licence holders and HMO managers; this is to help them comply with the legal requirements. This guidance also helps our officers to act in a fair, consistent and appropriate way. The guidance is based upon our understanding of:

- what is reasonable and practical for both licence holder and tenant
- the legal frameworks which would be expected to apply to housing in general and HMOs in particular. These include but are not limited to; the Housing Health and Safety Rating System, the Management Regulations (see Parts Two and Three of this document) and the Housing and Planning Act 2016.

This guidance will be relevant, and applicable, to the majority of HMOs; compliance will help ensure that licence holders are meeting the criteria for licensing. Where an HMO does not meet the guidance our officers will consider the design, layout, occupation and management of the HMO before deciding whether (or not) to demand compliance with the guidance.

As well as guidance, this part of the document sets out the explicit legal requirements for a licensed HMO. These can be identified by the use of the word "must". Use of the words "generally", "typical(ly)", "should" etc. indicate that the phrase is guidance on how to comply with the law; these should be considered in accordance with the preceding paragraph.

Bedrooms

Indicative Sizes for Bedrooms				
Number of people	Age restrictions where applicable	Shared Lounge	Shared Kitchen	Minimum Room Size (m^2)
1	Under 10 years old*	Yes	Yes	4.64

[1] http://www.legislation.gov.uk/ukpga/2004/34/section/64

1	N/A	Yes	Yes	6.51
1	N/A	No	Yes	10
1	N/A	No	No	13
2	N/A	Yes	Yes	10.22
2	N/A	No	Yes	14
2	N/A	No	No	20.5

HHSRS assessments may require a room to be larger than the above.

*Child under 10 – only applicable in properties where there is a shared lounge and shared kitchen provided. In addition, the overall suitability of the property will always be considered, on a case-by-case basis, to ensure that occupation by a child is appropriate. The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 amend Schedule 4 of the Housing Act 2004 to specify mandatory conditions for room sizes.[2]

Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5m^2 is not to be taken into account in determining the floor area of that room[2]

Generally, a single room should not be occupied by more than one household[3].

It is not normally acceptable for a bedroom to be occupied by more than two people in one household. Please consult the Housing Improvement Team or advice in this situation. An assessment using the Housing Health and Safety Rating System (HHSRS) will be carried out to determine the risk from 'Crowding and Space'. Where this is unacceptable improvement will be required.

Shared Lounges

Shared lounges should be of sufficient size and have sufficient soft furnishings. Generally, this should be a minimum of 6m^2 or large enough to allow at least two thirds of occupiers to sit together and socialise. Occupiers should be able to use this room to relax without interference from other activities. In rooms where more than one of the activities of lounging, dining and cooking are carried out the areas allocated to these activities should be arranged to avoid risk of accident and injury.

Dining Rooms/Dining Areas

In some circumstances, these will be required.

Where a person has to carry food or hot drinks more than one floor from the kitchen, a dining area/room is to be provided. A suitable dining area could be a breakfast bar with chairs/stools or dining table and chairs. If space allows, this could be located in a kitchen area or a lounge. Or alternatively in a separate room.

Measurement of Rooms

Room sizes are calculated by taking wall to wall measurements directly above the height of the skirting board. In general, where the layout of the room prevents some parts of it being properly used, these areas will be excluded from the assessment of size.

The following are examples of those areas which may be excluded:

[2] SI 2018/616 R2. Amends schedule 4 of HA2004

[3] The word "household" is defined in law. A simplified meaning is that all the people in the household are all members of the same family, or are husband and wife (or living together as such including in same sex relationships)

- those areas which can only be used for access (for example some "L" shaped rooms with a narrow area in front of a doorway)

- parts of rooms located below sloping ceilings where the ceiling height is less than 1.5m (NB this is not a minimum ceiling height and the ceiling throughout the dwelling should be reasonable for normal usage).

- Parts of rooms occupied by en-suite facilities.

Each bedroom must meet the indicative room size. Equivalent amount of space cannot be made up by using two smaller rooms.

1.2 - Provision of Bathrooms, Toilets and Wash Hand Basins

Preferably each separate occupancy should be provided with its own bath (or shower), WC and wash hand basin. Where this is not practical there must be an adequate number of bathrooms, toilets and wash hand basins for the number of persons sharing those facilities.[4] Generally, those facilities should be as described in the following table:

Number of people [i,iii]	**Typical bathroom and toilet requirements**[5]
1-4	1 bathroom, 1 WC can be combined [ii, iv]
5	1 bathroom and 1 separate WC [ii,iv]
6-8	2 bathrooms and 2 WCs (separate WC not required) [ii,iv]
9-10	2 bathrooms and 2 WCs (1 WC must be separate) [ii,iv]
11-12	3 bathrooms and 3 WCs (separate WC not required) [ii,iv]
13-15	3 bathrooms and 3 WCs (1WC must be separate) [ii,iv]

[i]This refers to the number of people using shared facilities.

[ii]All compartments/rooms containing a WC should contain a wash hand basin. Where this is not possible, a wash hand basin may be required within an adjacent room/space where suitable (e.g. not a kitchen).

[iii]Numbers over 16 will be considered in accordance with the above principles.

Specific requirements for all baths, showers, toilets and wash hand basins:[6]

- All baths, showers and WCs must be located in a proper room of adequate size and layout[7]
- All WCs to must be provided with a suitable seat and lid.
- In bath/shower rooms there must be sufficient room for washing/bathing, drying, dressing and the placing of dry clothing having regard to the location of the bath/shower.[8]

[4] SI 2007/1903 R12(4). Amends schedule SI 2006/373 Sch 3(2)
[5] Derived from standard set out in SI 2006/373 Sch 3(2)[1][b] now repealed
[6] SI 2006/373Sch 3 as amended and other legislation; see specific footnotes
[7] SI 2006/373Sch 3(2)[5]. Also SI 2006/373Sch 3(4)[2] for non shared facilities
[8] Inferred within the words "layout" SI 2006/373Sch 3(2)[5] and "laid out" in SI 2006/373Sch 3(4)[2]

- The room must be suitably located for occupiers using them;[9] this will generally mean within one floor of those occupiers' bedrooms.
- Suitable steps should be taken to protect the privacy of those using the bathroom/WC. Typically, these will include provision of a privacy lock and obscured glazing/film to doors and windows must be fitted to ensure privacy.
- There must be an adequate supply of cold and constant hot water[10]. The hot water supply must be of sufficient capacity, temperature and flow for any wash hand basin, bath or shower and be available at all times. In the case of showers, the water temperature should be thermostatically controlled. In the case of wash hand basins, the cold-water supply should be potable (drinking water quality). All fittings must be permanently plumbed into the hot/cold water system and properly connected to mains drainage[11].
- All bathrooms and WC compartments must be adequately ventilated[12]. An effective means natural/artificial ventilation must be provided. Any WC sited so as to open directly and immediately on to a space intended for the storage or preparation of food (e.g. kitchen) should be provided with mechanical ventilation in addition to any window.
- Heating: see later section on "Space Heating" and "Excess Cold" in Part Two. Note that all bath/shower rooms must be provided with adequate heating[13].
- Electricity, hot and cold water supplies: please see section "Electricity, Gas and Water Supplies" which applies to metering of energy supplies.
- A bathroom/shower room and or WC must have floor covering that is water resistant, readily cleansable and suitably sealed to adjoining surfaces. When choosing floor coverings consideration should also be given to the possibility of slips and falls. On inspection an assessment using HHSRS will be carried out to determine the risk of slips and falls, where this is unacceptable improvement will be required.
- All baths, WCs and wash hand basins must be suitable for their purpose[14]
- Baths: a suitable splashback should be provided to protect each wall adjacent to the bath. Typically, this will be 300mm.
- Showers: a suitable waterproof covering should be provided to the walls to protect each wall adjacent to the shower area. Typically, this will be to a minimum height of 2100mm above the base of the shower. A shower curtain or screen should also be provided.
- Wash hand basins: a suitable splashback should be provided to protect each wall adjacent to the basin. Typically, this will be 300mm.

See also 'Personal Hygiene, Sanitation and Drainage' in Part Two.

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[9] SI 2006/373Sch 3(2)[7]. Also SI 2006/373Sch 3(4)[2] for non shared facilities

[10] SI 2006/373Sch 3(2)[3] and SI 2006/373Sch 3(4)[2]

[11] See footnote 10 above re plumbed in water supplies. Re drainage connections, SI 2006/373Sch 3(2)[6] infers this in respect of shared bathrooms. Otherwise S64(3) Housing Act 2004 and S59 Building Act 1984, HHSRS etc.

[12] SI 2006/373 Sch 3(2)[4] does not mention ventilation of WC compartments for shared use. However para (4)[2] does require ventilation, but assumes that the room is a combined bathroom/WC; this paragraph does not consider the possibility of separate WC compartments. In all cases inferred under S64(3) Housing Act 2004 and HHSRS

[13] SI 2006/373 Sch 3(3[2]) applies to shared bathrooms. No explicit provision for single household bathrooms, but inferred under SI 2006/373 Sch 3(1), S64(3) Housing Act 2004 and HHSRS.

[1414] SI 2006/373Sch 3(2)[6]. For single household amenities. Inferred under S64(3) Housing Act 2004 and HHSRS.

1.3 - Facilities for the Storage, Preparation and Cooking of Food and for the Disposal of Wastewater

Shared kitchens. There must be a kitchen/s suitably located in relation to the living accommodation, arranged and equipped as to enable users to store, prepare and cook food[15]. The numbers of fittings must be adequate for the number of users, and the equipment must be fit for its purpose[16]. These fittings must include sinks with a drainer (with adequate constant hot and cold water), cooking appliances, electrical sockets, worktops, storage cupboards, refrigerators (and freezer capacity), refuse disposal bins, a fire blanket and fire door[17].

Single household kitchens. This applies where a unit of accommodation contains kitchen facilities for the exclusive use of the individual household; the facilities[18] must include a sink with a drainer (with adequate constant hot and cold water), cooking appliance, electrical sockets, worktops, storage cupboards and a refrigerator. These must be adequate and fit for their purpose[19].

All kitchens. In all cases safe kitchen facilities must be provided for the preparation of food and hot drinks[20] These facilities should be available for all occupiers at all times.

Kitchens should be provided as close to living accommodation as possible. Where a person has to carry food or hot drinks more than one floor from the kitchen, a dining area/room is to be provided. A suitable dining area could be a breakfast bar with chairs/stools or dining table and chairs. If space allows, this could be located in a kitchen area or a lounge. Or alternatively in a separate room.

The layout of the kitchen facilities provided must permit the safe preparation of food and hot drinks[21]. The size, layout and location of these facilities must be satisfactory and safe for the numbers of occupiers using them. Although no minimum size has been set you should aim to provide around 3m^2 for each person using any shared kitchen. The amount of space needed will depend on the layout of the facilities, shape of the room etc. and whether or not there are associated dining facilities.

On inspection kitchens will be assessed using HHSRS to determine if there are risks of burns and scalds, collision, falls, fire or poor ergonomics with regard to size, layout and potential number of users. Where risks are considered to be unacceptably high improvements will be required.

Electricity, hot and cold-water supplies: please see section "Electricity, Gas and Water Supplies" which applies to metering of energy supplies.

Flooring

- A Kitchen must have a floor covering that is water resistant, readily cleansable and suitably sealed to adjoining surfaces. When choosing floor coverings consideration should also be given to the possibility of slips and falls. On inspection an assessment using HHSRS will be carried out to determine the risk of slips and falls, where this is unacceptable improvement will be required.
- Where a kitchen is provided within a bedroom, a floor covering that is water resistant, readily cleansable and suitably sealed to adjoining surfaces must be provided up to a distance of 1 meter from any kitchen facility.

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[15] SI 2006/373Sch 3(3)[a]
[16] SI 2006/373Sch 3(3)[b]
[17] SI 2006/373Sch 3(3)[b]
[18] SI 2006/373Sch 3(4) amended by SI 2007/1903 R12(8). There are exceptions where (a) the landlord is not contractually bound to provide these (b) the occupier is entitled to remove same or (c) the appliances are otherwise outside the control of the landlord. Generally, the landlord would be expected to provide these in licenced HMOs.
[19] Not explicitly supported by SI 2006/373 Sch 3(4). Para 4 does refer to adequate appliances for cooking of food, but otherwise "adequate and fit for purpose" is inferred from S64(3)Housing Act 2004 and HHSRS
[20] With reference to provision, SI 2006/373 Sch 3(3)+(4)[1][a] apply. However, the word "safe" is not explicitly referred to. For shared kitchens, Sch 3(3)(a) refers to "adequately enable those sharing….to store, prepare and cook food" which implies doing so in safety. For single household kitchens this is inferred by S64(3)Housing Act 2004 and HHSRS
[21] See footnote 20 above

Ventilation

Adequate ventilation must be provided including artificial ventilation where necessary[22].

Lighting

There must be adequate artificial lighting to safely use, and cleanse, the kitchen and its fittings. Light switches must be suitably located.[23]

Kitchen Facilities

The following table sets out the typical minimum requirements:

Fittings	**Single household use kitchen**	**Shared kitchen (for every 5 persons using unless otherwise stated)**[i]
Electrical sockets	2 number 13-amp sockets[ii]	2 number 13-amp sockets[ii]
Refrigeration	A refrigerator with freezer compartment[ix]	A refrigerator with freezer compartment
Dry food store	0.1m³ storage (i.e. a 500mm wall unit) for each person using the kitchen[iii]	0.1m³ storage (i.e. a 500mm wall unit) for each person using the kitchen[iii,iv]
Storage for cooking utensils, etc.	0.15m³ cupboard (i.e. a 500mm base unit) storage for cooking utensils, crockery and cutlery	0.15m³ cupboard (i.e. a 500mm base unit) storage for cooking utensils, crockery and cutlery
Fixed cleansable worktop(s)	A total of two metres run with a minimum depth of 500mm[v,vi]	A total of two metres run with a minimum depth of 500mm[v,vi]
Sink and disposal of wastewater	A sink (with drainer) with its own permanently connected supplies of hot and cold (drinking) water and suitably connected to mains drainage and with a splashback of at least 300 mm[viii]	A sink (with drainer) with its own permanently connected supplies of hot and cold (drinking) water and suitably connected to mains drainage and with a splashback of at least 300 mm,[viii]
Waste bin	A general refuse bin and a recycling bin both with lids including food waste caddies (Plymouth City Council are currently rolling out a new food waste collection service) Additional recycling bins may be required in accordance with any changes to Plymouth City Councils waste policy, sufficient for the number of people using the facilities.	A general refuse bin and a recycling bin both with lids including food waste caddies (Plymouth City Council are currently rolling out a new food waste collection service) Additional recycling bins may be required in accordance with any changes to Plymouth City Councils waste policy, sufficient for the number of people using the facilities.

Cooking appliances

Occupancy	**Cooking appliances**

[22] SI 2006/373 Sch 3(3) applies to shared kitchens and requires "appropriate extractor fans". We have taken this to mean that it is appropriate where needed (for example, inadequate opening windows, mould problems). However, for single household kitchens there are no explicit requirements for ventilation. Inferred by S64(3) Housing Act 2004 and HHSRS

[23] SI 2006/373 Sch3(3)for shared kitchens ("equipped"). Inferred under safety (see note 19 above). Also management regulations R4(4) and R7(e) and HHSRS

1-5	For a single person, an appliance with two rings/hotplates together with either an oven or a grill[ix.] Otherwise, an appliance with three or four rings/hotplates together with a grill and oven[ix.]
6-7	Two appliances, each with three or four rings/hotplates together with a grill and oven or a six-ring hob with a double oven and grill[vii.] Alternatively, an additional cooking appliance is acceptable as a second cooker (i.e. combination microwave or double Air fryer).
8-10	Two appliances, each with three or four rings/hotplates together with a grill and oven or a six-ring hob with a double oven and grill[vii.] No alternative is acceptable.
11-12	Three appliances, each with three or four rings/hotplates together with a grill and oven or a six-ring hob with a double oven and grill[vii] Alternatively, an additional cooking appliance is acceptable as a third cooker (i.e. combination microwave or double Air fryer).
13-15	Three appliances, each with three or four rings/hotplates together with a grill and oven or a six-ring hob with a double oven and grill[vii.] No alternative is acceptable.
16+	Contact the Housing Standards team for advice and guidance.

[i]In some cases, this may be reduced to one set to ten persons where meals are provided by the business.

[ii]For use with worktop appliances. Excludes any electrical sockets used for microwave cookers, refrigerators, and other large kitchen appliances.

[iii]The space below a sink unit is not generally suitable for food storage

[iv]Kitchen cupboards should be lockable or, may be provided in individual accommodation where located on the same floor as the kitchen. Locks on cupboard doors may be required if problems arise (i.e. theft of food).

[v]An area of work surface (minimum 500 wide by 500 deep) should also be provided adjoining each cooking appliance.

[vi]Any area of a worktop on which items such as microwaves are permanently sited is to be excluded from the measurement of "free" worktop area.

[vii]Provision of additional cooking facilities and dishwashing machines in addition to the standard set of facilities may allow variation to this guidance if more than one set of facilities is required within a kitchen.

[viii]Hot water should be provided from an instantaneous gas water heater, hot water cylinder (hot water from a gas boiler or immersion heater), or 5 litre point of use electric storage water heater. Hot water must be available at all times.

[vii]There are exceptions to this[24].

1.4 - SPACE HEATING

Adequate space heating must be provided to all units of accommodation[25]. Heating must also be provided for bathrooms and shower rooms[26].

[24] SI 2006/373Sch 3(4) amended by SI 2007/1903 R12(8). There are exceptions where (a) the landlord is not contractually bound to provide these (b) the occupier is entitled to remove same or (c) the appliances are otherwise outside the control of the landlord. Generally, the landlord would be expected to provide these in licenced HMOs.

[25] SI 2006/373 Sch 3(1)

[26] SI 2006/373(2)[4] in relation to shared bathrooms/shower rooms. No explicit provisions apply to single household bath/shower room; inferred by SI 2006/373 Sch 3(1) and HHSRS

Heating should be provided for all the rooms in each unit of accommodation and all the common parts associated with those units. The heating provision should always be controllable by the tenants. Where a fair usage limit is applied within the tenancy, this should not result in the restriction of heating.

Further guidance is given in the section on "Excess Cold" in Part Two.

1.5 - FIRE SAFETY

Appropriate fire precautions must be provided in the property[27]. Consider the standards within LACORS Housing – Fire Safety to minimise the risk of additional works being identified following inspection of a property.[28] Specific provisions apply to shared kitchens; see Facilities for the Storage, Preparation and Cooking of Food.

The minimum standard we expect in a licensed HMO is:

- Grade D2 System with smoke detection fitted to the ceiling of each landing/hall of the communal parts, extended to include a heat detector in each shared kitchen.
- A fire blanket in a proper container in any shared kitchens. The container should be securely fixed to the wall in a prominent and readily accessible position, sited so as to prevent a user from being trapped in the event of the fire becoming out of control.
- A fire door separating each shared kitchen from the common hallway/stairwell. Fire doors must;
  - Be 30-minute fire resistant.
  - Have a self-closing mechanism fitted.
- Ensure that a suitably competent and qualified fire safety professional is consulted to identify inclusions of strips and seals, appropriate to the property detection and layout.
- Egress from each bedroom should be possible without the use of a key.
- Egress from any door leading to outside of the property should be possible without the use of a key.
- Where kitchen facilities are contained within the letting room, a stand-alone smoke detector fitted to the ceiling in close proximity to the kitchen facilities.
- Power to any fire alarm system is not to be supplied from a from a coin or card meter.
- A Fire Risk Assessment carried out by a competent person and reviewed annually to ensure that appropriate fire safety provisions are present in the HMO.

Further guidance is given in the section on "Fire" in Part Two.

1.6 - ELECTRICITY, GAS AND WATER SUPPLIES

The supplies of electricity, gas (where provided) and water to each letting (and the common parts) must[29] be sufficient to carry out normal domestic activities.

Sufficient electrical sockets must be provided to units of accommodation and kitchens to avoid the excessive use of extension leads and multi point adaptors[30]. This includes provision in common areas to allow the use of vacuum cleaners etc.

All gas and electrical installations must be safe for use.[31]

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[27] SI 2006/373 Sch 3(5)

[28] https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf

[29] Implicit requirements for heating, bathroom and kitchen facilities SI 2006/373 Sch 3. Also inferred by S64(3) Housing Act 2004, Management Regulations, HHSRS etc.

[30] This is a requirement of the Management Regulations R4(4) and R8. See Part Three

[31] This is a requirement of the Management Regulations R4(4) and R7; see Part Three. Also see gas safety regulations SI 1998/2451, and electrical safety regulations SI2020/312

Where landlord's sub meters are provided, the charge for the power used must be within the limits set for the maximum retail price of electricity and gas[32].

Where they are provided, prepayment card/key sub meters should be rechargeable by the tenant at his/her convenience. Tokens or cards provided by the landlord may lead to disconnection if the tenant cannot contact the landlord to obtain further credit.

Where lighting,[33] heating,[34] ventilation,[35] hot water,[36] electrical power,[37] kitchen facilities[38] or alarm systems[39] are provided for the shared use of all, or several, households, then:

- These services must be available at all times, and sufficient for the needs of the users in the function being carried out and
- The electricity and gas (where provided) should be provided from quarterly meters. Normally these will be landlords' meters. However, in the case of some smaller shared housing, metering may be the collective responsibility of all the occupiers.

See 'Carbon Monoxide etc', 'Uncombusted Fuel Gas', 'Water Supply', 'Electrical Hazards' in Part Two.

1.7 - CARBON MONOXIDE SAFETY

Solid fuel appliances

A carbon monoxide alarm must be fitted in any room of the property that contains a fixed combustion appliance other than a gas cooker. This includes solid fuel cookers, gas boilers, wood burning stoves and fire grates.

Gas, LPG and oil-fired appliances

You are advised to install a carbon monoxide alarm in the room containing that appliance, **especially where the appliance is not room sealed** (that is it takes combustion air from, or through, the room containing the appliance rather than directly from the exterior).

1.8 - REFUSE STORAGE AND DISPOSAL

Refuse storage facilities must be provided sufficient for the needs of the number of people occupying the house and of a type acceptable to the Local Authority (and in accordance with its recycling requirements)[40]. If additional bins are required, this will likely need the co-operation of the tenant/s to set up a self-service account, with Plymouth City Council, to request additional bins. If there is an associated cost with this, then the HMO Licence Holder or HMO Manager should support the tenant/s with this element.

The licence holder must comply with any scheme which is provided by Plymouth City Council to the licence holder and relates to the storage and disposal of household waste at the HMO pending collection. For further information on waste management, please visit https://www.plymouth.gov.uk/binsrecyclingandwaste

Also see 'Domestic Hygiene, Pests and Refuse' in Part Two.

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[32] These are requirements set out in the legislation covering gas and electricity supply https://www.ofgem.gov.uk/

[33] Re lighting for kitchens; this must be available to satisfy "adequately enable those to …prepare food" (etc). This infers continuous supplies to achieve this 2006/373Sch 3(3)[a]. Under the requirements of the Management Regulations there is a duty to ensure the availability of artificial lighting. See Part Three.

[34] Re heating; for common bathrooms/shower rooms these must be adequately heated (by inference at all times) 2006/373Sch 3(2)[4]. Otherwise HHSRS

[35] Re ventilation, 2006/373Sch 3(2)[4] and 2006/373Sch 3(3)[b][ix] which refer to adequate ventilation in bathrooms and in kitchens. This infers that ventilation is available for use at all times. No comparable provision for ventilators in WCs; however, S64(3) Housing Act 2004 and HHSRS in these cases

[36] Re hot water in shared amenities: SI 2006/373 Sch 3(2)[3] and (3)[b][ii] refer to constant supplies of hot water in shared facilities.

[37] Inferred under S64(3) housing Act 2004

[38] Re power for cooking, this must be available to satisfy "adequately enable those to …prepare food" (etc). This infers continuous supplies to achieve this 2006/373Sch 3(3)[a]. For Refrigeration sockets should be live at all times to ensure food safety (HHSRS).

[39] Sch 4 requires the alarms to be operable. Under the requirements of the Management Regulations there is a duty to ensure the operating condition of the fire alarm system. See Part Three.

[40] This is a requirement of the Management Regulations R9. See Part Three

1.9 – Planning Permissions

It is the Licence Holder's responsibility to ensure that the property, for which an HMO licence application has been submitted, has the correct planning permissions in place for use as an HMO. If you are in doubt, please contact our Planning department by emailing planningconsents@plymouth.gov.uk .

If it is found that the property does not have the correct planning permissions in place, when deciding whether to grant a licence, we may look to issue a licence with a shorter licence period. We would expect the licence holder to make application to obtain the relevant permissions and notify the Housing Standards Department.

Plymouth City Council's Planning department are notified when new HMO licence applications have been submitted. This presents an opportunity to review at the earliest stage if the correct planning permissions are in place. In addition, we also periodically share the HMO register with planning to ensure that planning permissions are correct. Where there are discrepancies, we will notify the relevant person/s and work with them to identify the most appropriate course of action to take on a case-by-case basis.

Part Two – Housing Health and Safety Rating System (HHSRS)

Guidance on the HHSRS introduced by the Housing Act 2004 which may in some circumstances override the indicative standards given. This system applies to all dwellings not just licenced HMO properties or non-licensable HMOs and is a method of assessing the risk to health and safety to occupiers and visitors.

There are no 'set' standards in this section. The following are all 'hazards' that need to be assessed in each property. Improvement will be required where the hazards are found to give rise to unacceptable risks. Some hazards occur frequently and others very rarely. Those that occur most regularly are indicated with an asterisk.

Damp and Mould*

The property must be reasonably free from damp and mould that would be prejudicial to health. This includes the presence of black spot mould resulting from condensation. Typically, this requires that there are adequate heating, ventilation and insulation and that these provisions, and the property as a whole, are maintained in good order.

Excess Cold*

Each unit of accommodation, including associated bathrooms, must be provided with an adequate fixed heating system. Associated common areas should also be adequately heated. This must be sufficient to maintain the internal temperature at 19°C when the external temperature is -1 °C.[41]

The outputs of the system should reflect the thermal characteristics of the accommodation which include the heat losses through walls (including walls to the stairwell) etc, draughts and the volume of the room.

An appropriate and properly designed heating system throughout the property, which is controllable by the individual occupiers, combined with adequate insulation, would meet this requirement.

On inspection an HHSRS assessment will be carried out to determine the risk from excess cold and where this is unacceptable, improvement will be required. The assessment will include consideration of heating provision, its control, and the thermal characteristics of the property.

Also note information on metering in Part One "Electricity, Gas and Water Supplies".

[41] SI 2006/373 sch3(1) and 3(2)[4]

Excess Heat

Provision must be made to allow heat to disperse from the property and prevent excessive heat gain for example in loft conversions.

Asbestos

Any asbestos in the property must be adequately protected against damage and dispersal of fibres into the air. Particular care must be taken when contractors are on site, and their work may disturb asbestos. Note also the requirements of the **Control of Asbestos Regulations 2006** which apply to the common areas of HMOs.[42]

Biocides

This covers threats to health from those chemicals used to treat timber and mould growth in dwellings.

Carbon Monoxide and fuel combustion products

This category includes hazards resulting from the presence of excess levels in the atmosphere of carbon monoxide, nitrogen dioxide, sulphur dioxide and smoke. These are products associated with the combustion or incomplete combustion of gas, oil and solid fuel for heating and cooking. Problems can arise with poor installation and inadequate servicing/maintenance.

Lead

This covers threats to health from the ingestion of lead – mainly relates to small children unless there is still lead piping in the water supply.

Radiation

This covers the threats to health from radon gas and its progeny[43], primarily airborne, but also radon dissolved in water. Plymouth is a Radon Affected Area and there may be problems in some lower ground floor/ground floor rooms.

Uncombusted Fuel Gas

This category covers the threat of asphyxiation resulting from the escape of fuel gas into the atmosphere within a dwelling.

Volatile Organic Compounds

These are a diverse group of organic chemicals, which includes formaldehyde, that are gaseous at room temperature and are found in a wide variety of materials in the home. This is more likely to be a problem when materials have been used without due regard to safety or where there is inadequate ventilation.

Crowding and Space

[42] Management Regs.
[43] http://www.ccnr.org/radon_chart.html

There must be adequate space for normal household activities to be undertaken safely. This relates to room sizes and numbers of people occupying the property[44]. In addition the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 amend Schedule 4 of the Housing Act 2004 to specify mandatory conditions for room sizes.[45] There is further guidance on overcrowding that can also be found in LACORS – Regulation of 'Crowding and Space' in residential premises, and this document is freely downloadable from the internet. Depending upon the type and size of the accommodation, an HHSRS assessment may be required to determine suitability.

Entry by Intruders*

The property must have a reasonable level of security. A higher level may be required in some areas than others depending on the crime statistics for that area. Areas with high numbers of HMOs typically have a higher incidence of crime.

Lighting

Adequate artificial lighting must be provided in all areas sufficient for (a) the safe use of the accommodation (including external and common areas) (b) the maintenance of its cleanliness and (c) the carrying out of normal domestic activities[46]. Adequate natural lighting and outlook should also be available. This can be a problem in lower ground floor rooms.

Also note information on metering in Part One "Electricity, Gas and Water Supplies".

Noise

This covers threats to physical and mental health resulting from exposure to noise inside the dwelling or within its curtilage.

Domestic Hygiene, Pests and Refuse*

This covers hazards which can result from:

- Poor design, layout and construction such that the dwelling cannot be readily kept clean and hygienic
- Access into, and harbourage within, the dwelling for pests; and
- Inadequate and unhygienic provision for storing and disposal of household waste.

Food Safety

This covers threats of infection resulting from inadequacies in provision and facilities for the storage, preparation and cooking of food.

Personal Hygiene, Sanitation and Drainage*

This covers threats of infection and threats to mental health associated with personal hygiene, including personal washing and clothes washing facilities, sanitation and drainage. This can arise where poorly designed, installed or maintained facilities dissuade occupiers from their use. Defects become more serious where facilities are shared, in particular where these concern hand washing in shared WCs.

Also note information on metering in Part One "Electricity, Gas and Water Supplies".

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[44] S65 Housing Act 2004

[45] SI 2018/616 R2. Amends schedule 4 of HA2004

[46] S64(3) Housing Act 2004. SI 2006/373 Sch 3(3)[a] inferred for shared kitchens. Management regulations. R4 and R7

Water Supply

This category covers the quality and adequacy of the supply of water within the dwelling for drinking and for domestic purposes such as cooking, washing, cleaning and sanitation. It includes threats to health from contamination by bacteria, protozoa, parasites, viruses and chemical pollutants.

Falls*

This covers hazards which can result from falls:

- Associated with baths, showers or similar
- On level surfaces – where any change in level is less than 300 mm
- On stairs/steps/ramps etc. – where any change in level is more than 300 mm
- Between levels – where the change is more than 300 mm – this refers to falls from windows, balconies, landings, roofs etc.

Typical problems include lack of handrails, uneven steps, steps different in height, unguarded landings/roofs, low windowsills, windows without restrictors, slippery surfaces and lack of external lighting.

Electrical Hazards*

This category covers hazards from shock and burns resulting from exposure to electricity, including from lightning strikes (protection would be required in buildings with significant risk of lightning strike only).

Fire*

Appropriate fire precautions must be provided in the property. The minimum standard we expect in a licensed HMO is:

- Grade D2 System with smoke detection fitted to the ceiling of each landing/hall of the communal parts, extended to include a heat detector in each shared kitchen.
- A fire blanket in a proper container in any shared kitchens[47]. The container should be securely fixed to the wall in a prominent and readily accessible position, sited to prevent a user from being trapped in the event of the fire becoming out of control.
- A fire door separating each shared kitchen from the common hallway/stairwell. Fire doors must:
  - Be 30-minute fire resistant.
  - Have a self-closing mechanism fitted.
- Ensure that a suitably competent and qualified fire safety professional is consulted to identify inclusions of strips and seals, appropriate to the property detection and layout.
- Egress from each bedroom should be possible without the use of a key. Where kitchen facilities are contained within the letting room, a stand-alone smoke detector fitted to the ceiling in close proximity to the kitchen facilities.
- Egress from any door leading to outside of the property should be possible without the use of a key.
- Power to any fire alarm system is not to be supplied from a from a coin or card meter.
- A Fire Risk Assessment carried out by a competent person and reviewed annually to ensure that appropriate fire safety provisions are present in the HMO.

[47] SI 2006/373 Sch3(3)

On inspection an HHSRS assessment may be carried out to determine the risk from fire and where this is unacceptable improvement may be required. It is possible that the minimum requirements quoted above will not be sufficient for your property. The assessment will take account of what fire precautions are provided, the layout and size of the property and whether there are any factors which increase the likelihood of fire.

Also note information on metering in Part One "Electricity, Gas and Water Supplies".

Flames and hot surfaces*

This category covers threats of:

- Burns – injuries caused by contact with a hot flame or fire, and contact with hot objects or hot non-water-based liquids and
- Scalds – injuries caused by contact with hot liquids and vapours.

It includes burns caused by clothing catching fire from a controlled fire or flame e.g. by reaching across a gas flame.

Typically, these are problems associated with poorly designed kitchen layouts; see Part One "Facilities for the Storage, Preparation and Cooking of Food and for the Disposal of Wastewater.

Collision and entrapment

This category includes risks of physical injury from:

- Trapping body parts in architectural features, such as trapping limbs or fingers in doors or windows; and
- Striking (colliding with) objects such as architectural glazing, windows, doors, low ceilings and walls.

Explosions

This category covers the threat from the blast of an explosion, from debris generated by the blast, and from the partial or total collapse of a building as the result of an explosion.

Position and operability of amenities etc.

This category covers threats of physical strain associated with functional space and other features at dwellings. An example would be having to stand on a chair to open a window or operate a switch.

Structural collapse and falling elements.

This category covers the threat of whole dwelling collapse, or of an element or a part of the fabric being displaced of falling because of inadequate fixing, disrepair or as a result of adverse weather conditions. Structural failure may occur internally or externally within the curtilage threatening occupants, or externally outside the curtilage putting at risk members of the public.

PART THREE - MANAGEMENT OF THE PROPERTY

Summary of the requirements of the Management Regulations and expectations of the Manager of a licensed HMO, including dealing with Anti-Social Behaviour.

A Manager of a house in multiple occupation (HMO) has a duty to properly manage that house. This section explains:

- Some of the requirements and
- Who is responsible for complying with them

If you are employing a property management company to manage your HMO you need to consider how well they will meet these obligations. It is recommended that you review a number of companies to see which one will meet your needs. In addition, you should check to see whether they are 'accredited' by a professional organisation and what protection there is for your money should the company fail.

More detail on the relationship between landlords and their agents and the different types of contracts available can be found in the government's "How to let" leaflet that can be downloaded from the web link below:

https://www.gov.uk/government/publications/how-to-let

The Management of Houses in Multiple Occupation (England) Regulations 2006 apply to all licenced HMOs.

The purpose of the regulations is to ensure that "the manager" exercises proper standards of management. These duties include ensuring the house is in and maintained in a good state of repair, all facilities are kept in proper working order, and all steps are taken to protect tenants from risk of injury

The main requirements are as follows:

- The manager is to provide his name, address and telephone number to all the occupiers, and display this in a prominent position
- All means of escape from fire to be kept free from obstruction
- Fire alarms and firefighting equipment to be kept in good order
- Take all reasonable steps to ensure the safety of the occupiers. This includes protecting occupiers from falls (e.g. from low windows, off flat roofs and into light-wells as well as other hazards), but will also cover electrical, gas and other safety
- The water supply is maintained, tanks covered and fittings protected from frost. The water supply is not to be unreasonably interrupted
- The drainage system (including rainwater drainage) is maintained
- The manager must supply a copy of the latest gas certificate within seven days of the Council requiring it
- Ensure that the electrical wiring is tested at no less than five yearly intervals, and supply a copy of the test certificate within seven days of the Council requiring it
- Ensure that the supply of gas and electricity to each tenant is not unreasonably interrupted
- Maintain the common parts and fittings of the HMO in good order, clean decorative repair and free from obstruction. This includes handrails, stair-carpets, windows, light fittings and appliances
- Common parts lighting is to be adequate and lighting available at all times
- The common outbuildings, yards etc. are kept in good order
- The boundary walls, fences etc. are kept safe and in good order
- The doors to each letting are kept in good order
- Each unit of accommodation, and any furniture provided with it, should be clean at the beginning of the occupation
- Each unit of accommodation, its windows and ventilators are to be kept in good repair and working order. The fittings and appliances are to be kept clean and in good working order. There are exceptions where problems arise from poor tenant behaviour

- Proper facilities and arrangements are provided for the storage and disposal of refuse. This may require greater provision than the Council may ordinarily make. Full copies the regulations can be obtained from http://www.legislation.gov.uk

Who is the Manager?

The manager can be:

- The owner of the property
- A person receiving rent or other monies (for example meter money)

It is important that if you delegate some management duties to someone else, you are each clear about your respective responsibilities. If you are an agent collecting rent or other monies, you may be held responsible for complying with the regulations. This applies even if the function falls outside your management role as defined in your contract with the owner.

What happens if things go wrong?

When there is a failure to comply with a requirement of these regulations, we would normally seek your agreement to deal with the problem. Where this is not possible:

- The Council may prosecute
- The Council may issue a civil penalty and/or take other action/s as considered appropriate under the Housing and Planning act 2016.
- (In the case of a licensed HMO) there may be grounds to revoke the licence.

Isn't the Tenant responsible?

Tenants may be responsible under the terms of the tenancy agreement, but under the regulations the manager is responsible for ensuring that things are put right when problems do occur. This is because the failure of one tenant can result in all the others being put at risk.

Under the regulations tenants do have some legal responsibilities; these are to:

- Take care not to hinder the manager in the performance of their duties under these regulations
- Allow access to the manager at reasonable times so that he can carry out his duties
- Provide information which the manager may require to comply with his duties
- Take care and avoid damaging the property
- Comply with the manager's arrangements for the storage and disposal of rubbish

  And:
- Comply with the manager's reasonable instructions in respect of means of escape from fire, prevention of fire and the use of fire equipment.

Although the Council can prosecute the tenant for failing to comply with these requirements, it will usually be more appropriate, and effective, for the manager to use his powers under the tenancy agreement.

General advice on management practice

These are some of the factors that will help you to determine how frequently you need to visit the house and what to look for.

You will know the physical nature of your property. You will be aware that the fire alarm system needs to be checked at regular intervals, when light bulbs need to be replaced, that the parapet gutters are liable to obstruction, etc. etc. You will also be aware of the nature of your tenants, and whether any are likely to cause

problems in the management of the property. Disposal of refuse can be a problem, so visiting after the refuse collection can be helpful.

You will need to balance your duties as a manager with a tenant's right to "quiet enjoyment" of their home. Inspection of their accommodation must be with their knowledge and consent. Except in emergencies you must always give at least 24 hours' notice that you would like access to the accommodation. This notice does not give you an automatic right of entry into the accommodation if it is not convenient for your tenant. (If reasonable access is refused you should obtain advice from your solicitor or a professional organisation before taking any action.)

Management records

You should keep records of your visits and any repairs or action taken, as this will help demonstrate an effective management system. You also need to keep certificates and other records to demonstrate that the necessary maintenance checks (e.g. gas safety checks and servicing of fire alarm systems) have been carried out. You may be asked to produce these documents on inspection and as required by the Council.

You should encourage your tenants to report problems and respond promptly when they do.

It is a requirement to display your (and your manager's), name, address and telephone contact number, so that in the event of an emergency, contact can be made and the appropriate action taken. Although not a requirement of the regulations, it is good practice to have a notice board displaying information on tenancy rules, how to reset the alarm system, copies of certificates and how to report any problems to the landlord. This board can also be used to display documents as required by any HMO licence.

Common parts lighting

The manager is responsible for ensuring that the light fittings are in working order. This includes light bulbs, so it is worth considering a lighting system where the fittings have a long life, and bulbs are protected from theft. The switches are to be properly sited, and all the lighting must be supplied from a single quarterly meter, which will usually be in the control of the manager.

Services

The water, gas or electricity supplies must not be cut off unannounced. For repair work, residents must be notified in advance and the supply restored as soon as possible. Where necessary, alternative facilities should be provided until the supply is restored.

Heating

Lack of an adequate fixed heating system is a major contributory factor to both fire and illness. It increases the use of portable gas heaters, electric fires and extension leads. These also contribute to dampness, electrocution and falls. The Council will require improvement to the heating and insulation of the property, usually to a minimum standard of full central heating and 270mm of loft insulation (or equivalent standard). Further guidance can be found in 'The Domestic Private Rented Property Minimum Standard' document that is freely downloadable from the internet.[48]

Gas safety

Each year people are known to die from carbon monoxide poisoning caused by poorly installed or badly maintained gas appliances and flues. It is believed that the number of non-fatal illness is considerably higher.

[48] SI 2015/962

The Gas Safety (Installation and Use) Regulations 1998 place wide-ranging duties on landlords of all rented property to ensure that the gas appliances, flues and supply are:

- installed and maintained in a safe condition, works only being carried out by a competent contractor whose name appears on the "Gas Safety Register" (the "GSR" replaced CORGI),
- annual safety checks must be carried out; the contractor must be a competent GSR fitter
- certificates are issued to tenants and
- records are kept for 2 years.

Electrical safety

A landlord of any rented property has a duty to ensure that the electrical installation is safe and in good order; a current electrical installation test certificate will demonstrate this. In HMOs the possession of such a certificate is a requirement (see above), as is the need to show this to every new tenant from 1st July 2020. Every landlord must ensure that the condition of the electrical installation is safe and that they are compliant with the *Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.*

We also advise you that to avoid trailing cables and overloading, it is recommended that at least two twin 13A power points are available in each room and are conveniently located. Consideration should be given to latest product developments (e.g. combination sockets that provide 2 x 13A power points and 2 x additional USB points). It is also recommended that two additional twin 13A sockets are conveniently located above a kitchen worktop.

Landlords' electrical appliances must also be safe, and a yearly test certificate will help demonstrate this.

Maintenance of fire precautions

- Fire alarm systems, escape lighting and firefighting equipment should be maintained in accordance with the relevant British standards. Guidance is available from the Housing Improvement Team; it is recommended that you enter into a maintenance contract with a specialist contractor.
- Fire doors must be kept in good condition, including the integrity and effectiveness of the smoke seals, and should be checked on a regular basis. Fire doors should not be propped open.
- The protected (or escape) route must be kept free of all obstruction and flammable items or sources of ignition. Tenants should be advised of this requirement and the area checked on a regular basis.

Expectations of you as a Manager or Licence Holder

- You will comply with the Management Regulations above and any licence conditions that are imposed.
- You will issue your tenants with:
  - comprehensive written agreements (i.e. tenancy, or licence) that set out the rights and obligations of both parties and include requirements prohibiting anti-social behaviour. You will also make sure that they are aware of the contents of the agreement they are signing.
  - a 'how to rent' guidance leaflet (freely downloadable from the internet)
  - details of the deposit protection scheme, where their deposit will be placed.
  - a copy of the latest Gas Safety Certificate pertaining to the property (if applicable)
- You will fully comply with the 'Right to Rent' requirements unless the property qualifies for an exemption.[49]
- You will be aware of the requirements for the production and provision of an Energy Performance Certificate (EPC) for the property and fully comply with the requirements under *The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.* These include requirements relating to restrictions and offences when letting F or G energy rated accommodation.

[49] https://www.gov.uk/check-tenant-right-to-rent-documents

- You will be aware of, and fully comply with, the requirements placed on landlords to remain compliant with *The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.*
- You will have a clear process for tenants to report faults and procedures for responding to these reports and undertaking repairs. Responses should be appropriate to the urgency of the repair.
- You will have a programme of planned maintenance work in order to prevent break downs, failures and elements falling into disrepair.
- You will have a list of contractors who are available to deal with problems as they arise and to carry out planned maintenance work.
- You will provide information on when household waste and recyclable waste will be collected and how it should be put out for collection. You will also ensure there is sufficient storage for waste awaiting collection.
- You will provide information on the operation of facilities within the property e.g. heating system, alarm system and landlord appliances
- You will comply with the Anti-Social Behaviour Code and work with statutory bodies to resolve issues in your properties and
- You will have adequate procedures for commencing and ending tenancies/licenses and addressing any tenancy/licensee problems as they may arise. If you are uncertain of the complexities of tenancy issues, we recommend that you join a landlord's association so that you have access to expert advice and support. They can also assist you with additional training and accreditation.

Failure to maintain a good standard of management would be an indication that you are not a 'Fit and Proper' person to hold a licence or be a manager of a licenced property.

Advice on complying with Condition 9 of your licence – dealing with anti-social behaviour.

Condition 9 states: The licence holder shall investigate complaints of anti-social behaviour arising from this HMO and being caused by occupiers or occupiers' visitors. Where appropriate, the licence holder will seek legal advice or lawfully evict to address the problem. Anti-social behaviour is defined in Section 57(5) of the Housing Act 2004.

Anti-social behaviour is defined as:

Conduct on the part of occupiers of, or visitors to, residential premises—

(a) which causes or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or

(b) which involves or is likely to involve the use of such premises for illegal purposes.

The City Council wishes to support landlords who must deal with anti-social behaviour in their properties. Most commonly this arises as noise from the property and poor management of household waste e.g. accumulations of waste in the garden or in the lanes, leaving bins out in the street. This could be in the form of advice or practical support in taking specific actions.

Please visit our website on www.plymouth.gov.uk or contact us on 01752 668000

The following sections set out advice and guidance for landlords in order to help them meet their responsibility.

The Written Statement of the Terms of the Tenancy.

Any new tenancy agreement should include an express prohibition on anti-social behaviour. This should include the following points. The government has published a model agreement and accompanying guidance that you may consider useful.[50]

1. Anti-social behaviour is anything which causes:
- a nuisance or annoyance to other occupiers and nearby neighbours,
- harassment to anyone in the local area (because of their race, colour, nationality, ethnic origin, sexuality, sex, religion, politics, age, medical condition, or disability) or
- violence (including domestic abuse) against any person (including the landlord or persons acting on their behalf).

2. Anti-social behaviour also includes:
- interfering with security or safety equipment,
- using the property (including all communal areas bin stores, yards and gardens etc) for any criminal, immoral or illegal purpose, including buying, selling or using any illegal drugs, or storing or handling stolen goods, or
- damaging any part of the premises.

3. It is also anti-social behaviour to encourage anyone else to carry out or threaten to carry out any of the above. The occupier, under the terms of the tenancy, is responsible for the behaviour of themselves, their family and their visitors.

4. The terms of the tenancy should also state that the landlord will not tolerate anti-social behaviour and include a warning that legal action against the occupiers breaching the terms of tenancy may be taken. This could lead to them losing their accommodation.

Dealing with Anti-Social Behaviour

1. The licence holder or his/her manager shall fix, in a prominent position, within the communal area, a sign containing a statement that anti-social behaviour will not be tolerated and encouraging the reporting of those responsible (should it arise). The appropriate contact details for reporting incidents to be included.

2. It is recommended that contact details for the licence holder or his/her manager are given to neighbours who may be affected and can give you early notice of problems at the house.

3. The licence holder or his/her manager should keep a record of all complaints received from occupiers, neighbours etc about noise and anti-social behaviour.

   The record will contain the following information:

- Date of complaint
- Name and address of complainant
- Details of the complaint
- Name and address of the alleged 'perpetrator'
- Action taken by the landlord to resolve the problem

  (Note action could include making contact with the 'alleged perpetrator' face to face or by letter or both)

4. The licence holder or his/her manager should encourage the complainant to

[50] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/695945/Model_Agreement_for_an_Assured_Shorthold_Tenancy_and_Accompanying_Guidance.pdf

complete diary sheets as a record of the frequency and seriousness of the incidents.

5. The licence holder and/or his/her manager should liaise cooperatively with officers from Plymouth City Council when they are investigating complaints of anti-social behaviour, (including noise) from members of the public.

6. The licence holder or his/her manager shall inform the police or City Council's Anti Social Behaviour Unit where he has reason to believe that a criminal offence has been, or is being, committed on the premises.

7. The licence holder or his/her manager will take action to evict tenants who do not cooperate with requests to modify behaviour.

Signs

The Licence Holder shall affix in a prominent position, within the communal area, a sign containing a statement that the licence holder will not tolerate anti-social behaviour and to encourage the reporting of those responsible, including a telephone number or an address to which complaints should be made. This sign shall be replaced if it is torn, defaced or removed. (sign on following page)

NOISE AND ANTI SOCIAL BEHAVIOUR

NOTICE TO TENANTS AND THEIR VISITORS

Whilst you occupy this property you and your guests must respect the rights of other people and not do anything (either in or near the property or on the street where the property is) which would cause a nuisance or annoyance, including harassment of other people.

In particular (but not limited to the examples given) please:

- Be respectful of your neighbours into whose community you have moved.

- Be conscious of the level of noise coming from the house and garden at all times but especially after 10pm at night. This includes playing music, raised voices, door banging, running up and down stairs etc. Please keep noise levels down at all times and especially if a neighbour lets you know that you are disturbing them.

- Be conscious of the level of noise you may be making as a group on the street when you are going out or coming home after an evening out. Try not to disturb people in the houses you pass, especially late at night when they will be sleeping.

- Ensure that you store refuse appropriately in the bins provided and put it out for collection on the correct day. You should also bring the bins in after collection. Do not allow refuse to accumulate inside or outside the property.

Your tenancy agreement prohibits behaviour which causes nuisance or annoyance to others and such behaviour will not be tolerated.

If complaints are received, you will be reminded of your obligations under your tenancy agreement. If conditions continue to be broken, or in the case of serious incidents, legal action may be taken to evict you from the property.

If you are suffering from the noisy or anti-social behaviour of others within the property you can report them to:

Name: ……

Tel No: …….

Email: …….

PART FOUR – FIRE SAFETY ORDER

Regulatory Reform (Fire Safety) Order 2005

Fire risk assessments are required in housing covered by the above (the FSO) which is administered by the Devon and Somerset Fire and Rescue Service (DSFRS). It applies to buildings occupied as bedsits, self-contained flats, non-self-contained flats, hostels and bed and breakfast premises.

The aims of a fire risk assessment are to:

- identify the fire hazards,
- reduce the risks of those hazards to as low as reasonably practicable and
- decide what physical fire precautions and management arrangements are necessary to ensure the safety of people in the premises if a fire does start.

The duties under the FSO (where it applies) are for the "responsible person" (the landlord or a managing agent acting on his behalf) to:

- complete a fire risk assessment,
- carry out/instigate remedial and management improvements as identified and
- record the risk assessment where:
- the HMO is licensable or
- 5 or more people are employed in the course of the business, either at the property or elsewhere

The Order does not apply to HMOs let as shared houses. These are properties occupied by persons who collectively have a single tenancy and also comprise a clearly identifiable group. Typically, these might be students, work colleagues or friends. Further guidance on what constitutes a 'shared house' can be found on page 39 of LACORS Housing - Fire Safety guidance document which is freely downloadable from the internet.

Although it may not be a requirement that a fire risk assessment is carried out in all cases, it is a recommendation.

Further information is available from DSFRS, the Council's web pages and reading the document "LACORS Housing - Fire Safety; guidance on fire safety provisions for certain types of existing housing". The following links may be helpful:

www.plymouth.gov.uk

www.dsfire.gov.uk