

Conditions of Licence for a House in Multiple Occupation (HMO)

(These conditions apply to all our licensed HMOs, but additional conditions may be applied, if relevant, to particular properties).

The Licence Holder must meet the following conditions in respect of the house in multiple occupation (HMO) that this licence applies to:-

Use and occupation

1. Provide the occupiers of the property with tenancy agreements stating the terms on which they occupy it.
2. Ensure that a copy of the licence together with a copy of these licence conditions are clearly displayed within the common parts of the property for the benefit of all tenants.
3. Ensure that the floor area of any room used as sleeping accommodation is not less than:
 - 6.51m² for one person over 10 years of age
 - 10.22 m² for two persons over 10 years of age
 - 4.64 m² for one child under the age of 10 years

(Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken into account in determining the floor area of that room).

4. Ensure that any room with a floor area of less than 4.64 m² is not used as sleeping accommodation, and that you notify Spelthorne Borough Council of any room in the HMO with a floor area of less than 4.64 m². *(Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken into account in determining the floor area of that room).*
5. Ensure that the maximum number of persons over 10 years of age and/or persons under 10 years of age who may occupy specified rooms for sleeping accommodation as detailed in the schedule of occupation to the licence is not exceeded.
6. Ensure that you do not permit the property to be occupied in any other way or by more than the number of persons specified in the licence.

Management

7. Ensure that tenants receive written confirmation detailing arrangements in place to deal with repair issues and emergencies should they arise.
8. Ensure that the Licence Holder's name, address and contact telephone number(s) is displayed in a prominent position in the building where all occupants of the property are able to view the details.

9. The Licence Holder must take all reasonable and all practicable steps for preventing and dealing effectively with anti-social behaviour by people occupying or visiting the premises; and for preventing the use of the premises for illegal purposes. These steps must include:
 - i. Ensuring that a written statement of the terms and conditions upon which the house is occupied contains a clause holding the occupants responsible for any anti-social behaviour by themselves and/or their visitors, and that this clause is drawn to the attention of occupants when they take up residence.
 - ii. Responding to complaints of anti-social behaviour that concern occupiers of the premises or their visitors. Where anti-social behaviour is discovered, the Licence Holder must inform the tenant of the matter within 14 days and of the consequences of its continuation.
 - iii. Ensuring that all outhouses, garages and sheds are kept secured and used for their intended purpose. The Licence Holder must not allow them to be occupied as individual habitable rooms (e.g. playrooms, living rooms), kitchens or bathrooms.
10. Inform the Local Authority of any change in ownership or management of the property.
11. Consult with the Local Authority before making any changes to the construction, layout, amenity provision and occupation of the property.
12. To not cause or permit the water supply or drainage system that is used by the occupiers of the property to be interrupted without good reason.
13. To not unreasonably cause or permit the gas or electricity supply that is used by occupiers of the property to be interrupted.
14. Take reasonable steps to protect occupants from injury especially in relation to:
 - 14.1. Any roof or balcony that is unsafe- ensuring that it is either made safe or access to it restricted.
 - 14.2. Any window sill that is at or near floor level- ensuring that bars or other such safeguards are fitted as necessary to protect occupants from falling.
15. Ensure that all common parts and fixtures are maintained and in a safe condition including handrails, windows, stair coverings, fixtures, fittings and appliances.
16. Ensure that all outbuildings, yards, forecourts and gardens surrounding the property are maintained in good repair and kept in a clean, tidy and safe condition.
17. Ensure that living accommodation and common parts of the property are repaired and maintained as necessary, ensuring that all areas are well lit and do not present any unreasonable hazard to the health and safety of the occupants or visitors to the property.

18. Ensure that only bedrooms are to be used to sleep in. No persons shall sleep within any common areas including shared lounges. Licence Holders must carry out checks to ensure that the property is not being occupied other than in the manner stated in the licence.
19. Make suitable arrangements for the regular cleaning of the common parts of the properties including shared bathrooms, toilets and kitchens.

Household waste

20. Ensure that waste bins, which are provided by the Council in line with our bin allocation policy, are made available for all residents of the accommodation. Ensure that suitable refuse bins are provided within the accommodation including within all kitchens. Additional arrangements should be made for the storage and disposal of household waste from the property to ensure compliance with Spelthorne Borough Council's refuse and recycling disposal scheme. For further details about the scheme please go to <https://www.spelthorne.gov.uk/rubbishwasterecycling> or contact Neighbourhood Services on 01784 446411 or email at neighbourhoodservices@spelthorne.gov.uk.

Gas and solid fuel appliances

21. If gas is supplied to the property, ensure that on an annual basis, all gas appliances at the property are checked by a gas safe registered engineer, and that you send, every year for the duration of your licence, a copy of the certificate provided in respect of these checks to Spelthorne Borough Council.
22. If there are any solid fuel combustion appliances in the property, ensure that a carbon monoxide alarm is installed in any room in the property which is used wholly or partly as living accommodation (including bathrooms/wcs) and contains a solid fuel burning combustion appliance.
23. Ensure that any carbon monoxide alarms installed at the property are kept in proper working order.

Electrical Appliances

24. Make arrangements to ensure that any electrical appliances supplied must be safe and maintained in a safe condition. In order to meet this condition, portable appliance testing (PAT) needs to be carried out for all portable appliances supplied by the landlord or manager.
25. Make arrangements to ensure that the electrical installation is inspected and tested at least every five years by a suitably qualified person who is registered with an approved inspection organisation, e.g., NICEIC, NAPIT or equivalent. In addition:
 - a) to ensure that every electrical installation in the house is in proper working order and safe for continued use; and
 - b) to supply the authority, on demand, with a declaration by him as to the safety of such installations.

Furniture and furnishings

26. Ensure that any furniture supplied in the property is compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended in 1989 and 1993).
27. Supply on demand to Spelthorne Borough Council a declaration as to the safety of the furniture provided at the property.

Fire safety

28. Appropriate fire precaution facilities and equipment must be provided of such type, number and location as is considered necessary by Spelthorne Borough Council and Surrey Fire and Rescue.
29. Ensure that the means of escape from fire in the property is compliant with the requirements of Spelthorne Borough Council and Surrey Fire and Rescue Service. This includes the fitting of fire doors in accordance with the current British Standard in appropriate locations including to any kitchens or rooms containing kitchen facilities. These must then be maintained along with their frames and any self-closing devices, smoke seals and intumescent strips.
30. Ensure that any smoke/heat alarms installed at the property are kept in proper working order.
31. Ensure that all automatic fire detection equipment installed at the property is serviced at least annually by a competent person and is adequately maintained.
32. Ensure that the fire alarm system is tested in accordance with BS 5839 Fire detection and fire alarm systems for buildings, and that a log is kept of these tests. This log must be made available for inspection on request by an officer of Spelthorne Borough Council.
33. Ensure that all rooms containing cooking facilities are provided with a wall-mounted fire blanket, fixed in accordance with the appropriate British Standard.
34. Ensure that any firefighting equipment provided at the property is serviced annually by a competent person.
35. If fire extinguishers are provided at the property, ensure that all occupants are provided with clear written instructions on when and how to safely use them, and a demonstration of how to use them.
36. Under the Regulatory Reform (Fire Safety) Order 2005, it is a requirement for the Licence Holder of an HMO to undertake a Fire Risk Assessment and to record the significant findings, and to remedy any defects identified. The assessment must be carried out within 6 months of the licence being issued and a copy provided to Spelthorne Borough Council. The risk assessment is to be carried out by a person competent to make such an assessment. Any works identified as being necessary in such an assessment must be carried out, and the risk assessment must be regularly reviewed. There are a small number of fire risk assessor registration schemes in operation for persons and companies that carry out fire risk assessments. These can provide details of competent risk assessors:

- The Institution of Fire Engineers (www.ife.org.uk)
- Warrington Fire (www.warringtoncertification.com)
- The Institute of Fire Safety Managers (www.ifsm.org.uk)
- Fire Industry Association (www.fia.uk.com)

Energy performance

37. If your property has been rated as F or G, you must have energy efficiency improvement works carried out, within 6 months of your licence being granted, to bring the property up to a rating of E or above. Following these improvement works, a new certificate must be provided demonstrating that the property is rated at E or above.

Heating provision

38. Ensure that each unit of living accommodation must be provided with a safe and economical means of space heating which is capable of maintaining an indoor temperature of at least 18°C in habitable rooms when the outdoor temperature is -1°C.

Washing facilities

39. Ensure that there is one suitably drained separate toilet with wash hand basin provided for every five occupants, but that the toilet and wash hand basin can only be sited in a bathroom if there are four or less occupants sharing this facility.
40. Ensure that there is one fixed bath or shower provided for every five occupants.
41. Ensure that all wash basins, baths and showers are provided with suitable drainage and taps providing a constant supply of hot and cold water.
42. Ensure that all bathrooms are adequately heated and ventilated. Ventilation may be in the form of an openable window or extractor fan.
43. All baths, showers, toilets and wash hand basins must be appropriately located, of an adequate size and layout, fit for purpose and maintained in proper working order.
44. Where reasonably practicable, there must be a wash hand basin with appropriate splash back provided in each separate unit of accommodation (in every bedroom or bed-sit) that doesn't already have a sink.
45. Where a unit of accommodation has its own washing facilities and they are necessary to ensure the requirement of one set of facilities per five occupants is met; then they must be in an enclosed, adequately laid out and ventilated room with a toilet and bath or fixed shower with suitable drainage and taps providing a constant supply of hot and cold water.

Kitchen facilities

46. Kitchens/cooking facilities must not be located more than one storey from any living accommodation and must have adequate space and layout.

47. Ensure that one set of shared kitchen facilities is provided for every five occupants that do not have facilities for their exclusive use within their unit of accommodation.
48. Ensure that a sink with draining board and taps providing a constant supply of hot and cold water are provided within every kitchen.
49. Ensure that adequate facilities for the storage, preparation and cooking of food are provided within every kitchen.
50. Ensure that a suitably located extractor fan is supplied in every kitchen.
51. Ensure that refrigerators with an appropriately sized freezer compartment or separate freezer to meet the needs of the occupants are provided within each kitchen.
52. Ensure that an adequate number of electrical sockets to safely allow multiple electrical appliances to be used without multipoint adapters are provided and appropriately sited within kitchens.

Schedule of works

53. If a schedule of works is included with your licence, then these works are required to be completed within the specified time frames.

Informative

54. It is recommended that the Licence Holder attends an accredited training course for landlords during the period of the licence if not done so already. Further details of such training can be obtained from Spelthorne Borough Council.

