



HOUSES IN MULTIPLE OCCUPATION: A GUIDE FOR TENANTS



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If you live in a House in Multiple Occupation, the owner of the property should have a licence from the local authority. This guarantees that the accommodation is safe, well-managed and of good quality.

What is a House in Multiple Occupation?

Your home may be a House in Multiple Occupation (an HMO) if:

- at least three people live there; and
- the people who live there belong to three or more families (If the owner lives there, they and their family are not counted); and
- you share a kitchen, bathroom or toilet.

The most common types of HMO are shared flats and houses, but they also include:

- Hostels, for homeless people or temporary workers
- Staff accommodation in hotels, hospitals, etc.
- Bedsits
- Student halls of residence
- Some types of supported accommodation.

What does HMO licensing mean?

The owner of an HMO is required by law¹ to have a licence from the local authority. Before granting a licence the local authority will check that the property meets required standards in three areas. A licence can be suspended if the standards are not maintained throughout the period of the licence.

1. The owner and any manager of the property must be “fit and proper persons” to hold a licence.

The main requirement is that they do not have any convictions that would make them unsuitable to rent out property, such as for fraud. Other information may also be taken into account.

2. The property must be well managed.

- You should have a clear statement of what is expected of you and what you can expect of the landlord. This will cover things like how much rent you have to pay and who is responsible for cleaning and maintenance.
- The landlord must ensure the property and fittings are kept in good condition, and any furniture provided is suitable for its purpose.
- The landlord must comply with the law in dealing with your rent and other payments.
- Tenants must not be evicted illegally.

- Tenants should make sure their behaviour does not cause nuisance or distress to other people in or around the HMO. If there are any complaints the landlord must take action to address the problem.

3. The property must meet required physical standards.

- Rooms must meet minimum size standards.
- There must be adequate kitchen and bathroom facilities, and hot and cold water supplies.
- Adequate heating, lighting and ventilation must be provided.
- There must be appropriate fire safety measures. This includes providing smoke alarms, making sure doors are suitable to stop fire spreading, and making sure escape routes are safe.
- Gas and electrical appliances supplied by the landlord must be safe.
- There should be secure locks to prevent intruders and theft.

How can I find out if a landlord is licensed?

Contact your local authority. They are required to keep a register of all the licensed landlords in their area. It is in your interest only to rent from a licensed landlord.

What if I think the standards are not being met?

Contact your local authority. They will be able to give you more advice on the standards. If there is a possible problem they will take it up with the landlord. They will not tell your landlord who made the complaint.

What happens when my landlord applies for a licence, or to renew it?

When a landlord applies for a licence, or applies to renew a licence, a notice must be displayed outside the property to inform people living in the area.

Officers from the local authority, and possibly the fire brigade, will probably need to inspect the property to make sure the physical standards are met. Your landlord should give you 24 hours' notice before the inspection. (This may not be necessary if cleaners or other staff routinely have access to your rooms.) If you have any concerns about this you should discuss them with your landlord, or contact the local authority.

Local authority officers may also contact you, usually in writing, to ask about the management of the HMO. If you raise any concerns they will be taken up with the landlord as part of the licensing process.

Anyone may submit an objection to the local authority against a licence application. The authority will not automatically refuse an application just because there is an objection to it. They will consider whether the objection is reasonable, and take into account all the information they have about the HMO and the landlord.

The local authority has up to 12 months to consider an application for an HMO licence.

If my landlord's application is refused, will I be evicted?

If a landlord is refused a licence, he must stop using the property as an HMO. This may mean some tenants are asked to leave. But the landlord must act legally and give you the period of notice set down in your tenancy or occupancy agreement. If you have difficulty finding other accommodation in time, contact the local authority housing department.

You can also get advice about any problems with your housing from the following organisations:

Shelter can give you immediate advice or direct you to a local advice centre.

Call free on **0808 800 4444**,
or visit **www.shelter.org.uk**

Your local **Citizens Advice Bureau** can also help. You can find their details in the phone book or through local libraries, or visit **www.cas.org.uk**

For more copies of this leaflet
phone **0131 244 5528**