



Living in shared accommodation

If you live in a property in which three or more people live, at least one of whom is unrelated to the others and where you share facilities your council will call this type of accommodation a 'House in Multiple Occupation' or HMO. Special rules apply to the management of HMOs and some may need a property licence.

Do I live in an HMO?

If you live in a property with two or more people who are not related to you or a partner and at least one of you pays rent, share kitchen, bathroom or toilet facilities you probably live in an HMO.

The following types of accommodation are often described as an HMO:

- some shared houses or flats
- a house converted into bed sits
- some hostels
- some guesthouses
- some bed and breakfast establishments and hotels
- some types of houses converted into flats

Certain types of shared accommodation are not considered HMOs. Examples include:

- a house or flat occupied by only two persons
- a house or flat with a resident landlord plus two other occupiers
- houses converted entirely into self contained flats with appropriate Building Regulations approval, where at least two thirds are owner occupied
- a house or flat managed by the council or a registered social landlord
- a house or flat registered under the Care Standards Act 2000
- accommodation managed by certain higher educational establishments
- health, police or fire authority accommodation

What are the standards?

Your landlord is responsible for making sure your home is kept in repair and is suitable for multiple tenants. If your home has to be licensed the local housing authority can impose conditions to ensure that the property is occupied by no more than the permitted number of persons. Your council will also check the facilities and ensure that the property is properly managed.

Whether or not the HMO in which you live is licensed by the council, your landlord must comply with management regulations. Your home should be also be free of any hazards likely to seriously impact upon your health and safety. If you think there is a hazard in your home you should contact the council.

In all rented properties utilities, like gas, must comply with safety regulations and all furniture should pass fire safety standards. The landlord has a duty to ensure that a gas safety check is performed annually and a certificate issued. You are entitled to see the certificate.

Licensing requirements and exemptions

As of 6 April 2006 it is compulsory to license shared accommodation of three or more storeys which is occupied by five or more people who live in two or more separate households. A household may be made up of two people who are married, to each other, or are civil partners. The household may also be made up of people related to each other, or may include nannies or other domestic staff living with the family.

Local authorities also have powers to operate additional HMO licensing schemes to apply to properties with less than three storeys and occupied by less than 5 people in their areas. If you are not sure about any of the licensing issues surrounding your accommodation, you should contact your council.

Your landlord is not allowed to evict tenants in order to bring the number of occupants in the property below the threshold for licensing it. If your landlord threatens you with eviction you should contact your council immediately. Your council will have details of out-of-hours information lines and emergency contact numbers. Contact your housing advice centre for full information on the support services that are available to you.

If you think you are living in a property which should be licensed but isn't, you can report your landlord to the council.

How do you apply for a licence?

The responsible person i.e. the landlord or person having control or managing an HMO, or other property that will need to be licensed, will need to apply to the local council for the licence and pay the appropriate fee. As of 6 July, 2006, it is an offence to operate a HMO without a licence.

What if standards aren't being met?

If you think your home is below an acceptable standard you should approach your landlord and voice your concerns. If this is not possible or you are still concerned, you should speak to your council. The council has the power to take action against a landlord to ensure that all standards for shared housing are met; including physical and management issues.

The following links will let you enter details of where you live and then take you to your local authority website where you can find out more about council inspections.