

New Mandatory HMO Licensing Criteria from October 2018

All HMOs (regardless of number of storeys) with five or more occupiers living as two more or more separate households and one of the following tests is met:

- Standard test – (a) it consists of one or more units of living accommodation not consisting of self-contained flats; (b) the living accommodation is occupied by persons who do not form a single household; (c) the living accommodation is occupied by those persons as their only or main residence; (d) their occupation of the living accommodation constitutes the only use of that accommodation; (e) at least one occupier pays rent or other consideration; and (f) two or more of the households who occupy the living accommodation share one or more basic amenities (or the living accommodation is lacking in one or more basic amenities).
- Self-contained flat test – the standard test above is met and the HMO is a self-contained flat except where it is a purpose-built flat situated in a block comprising three or more self-contained flats
- Converted building test (section 257 HMOs) - a building or part of a building which has been converted into, and consists of self-contained flats and (a) building work undertaken in connection with the conversion did not comply with the appropriate building standards and still does not comply with them; and (b) less than two-thirds of the self-contained flats are owner-occupied.

New mandatory HMO licence conditions

- To specify which rooms in an HMO are suitable for sleeping accommodation, and by how many adults and children
- To comply with the provision of facilities for the proper disposal and storage of domestic refuse
- To prescribe the numbers and use of receptacles for the storage and disposal of domestic waste from the HMO.

Minimum room sizes

- Minimum national room sizes for sleeping accommodation in HMOs (first stated in the Housing Act 1985 in the context of Statutory Overcrowding) :
- Separate living room:
 - 6.5 square metres single (70 square feet)
 - 10.2 square metres double (100 square feet)
- No separate living room:
 - 10.2 square metres single
 - 15 square metres double