

Advice Leaflet 9 Houses In Multiple Occupation

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Introduction

The following information may be of use if you are a landlord or tenant of residential rented property

The Housing Act 2004 governs housing conditions and standards in rented property. Certain types of high-risk rented property require a license. The local housing authority enforces the provisions of the Housing Act 2004.

Houses In Multiple Occupation (HMO)

In general terms an HMO is an entire house or flat which is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet. This includes bedsit type property. For a more detailed description of what constitutes an HMO or a household please see WYFRS Note For Guidance (NFG027) Houses In Multiple Occupation, available via <http://www.westyorksfire.gov.uk>. – “About Us” – “Departments & Functions” – “Notes for Guidance Index”

Licensing

Under the national mandatory licensing scheme an HMO must be licensed if it is a building consisting of three or more storeys and is occupied by five or more tenants in two or more households. *However, HMOs which do not meet the licensing criteria must maintain adequate fire safety standards.* Licensing is dealt with by the local housing authority.

Fire Service Role

West Yorkshire Fire and Rescue Service (WYFRS) enforce the provisions of The Regulatory Reform (Fire Safety) Order 2005 (RRFSO) This applies to the common areas of HMOs (premises occupied as single private dwellings or shared houses are not included).

This places legal duties on the landlord, managing agent or other responsible person, to assess the fire risk and take adequate fire safety measures to ensure the safety of relevant persons.

Enforcement

Note: - The enforcing authority for the provisions of the Housing Act is the Local Housing Authority and not the Fire Authority and it would be normal for the housing authority to take the lead in enforcement matters.

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However, where dangerous conditions are reported to the fire authority and no representative of the housing authority can be contacted it may be necessary for the fire authority to judge whether the building is an HMO and to exercise its own powers of restriction or prohibition. The RRFSO, provides for prohibition or restriction of premises where a serious risk to occupants exists.

Guidance on fire precautions

The LACoRS document "Housing – Fire Safety – Guidance on fire safety provisions for certain types of existing housing" has been adopted by WYFRS as the standard reference for fire precautions in this type of property. This can be downloaded free of charge from the LACoRS website.

The following additional guidance documents provide information on how to comply with the RRFSO. They can be downloaded free of charge from www.communities.gov.uk

Entry Level Guide - A short guide to making your premises safe from fire
Guide 3 - Sleeping accommodation

Further Information

Further information is available in the housing section of the DCLG website www.communities.gov.uk and in WYFRS Note For Guidance ([Houses In Multiple Occupation](#))

Contact details of local HAs :-

Leeds - Tel 0113 2476248
Email - hmo.team@leeds.gov.uk

Wakefield - Tel 01977 722260
Email - HSG-PsectorEast@wakefield.gov.uk

Kirklees - 01484 221396
Email - housing.services@kirklees.gov.uk

Calderdale - 01422 392373
Email - environmental.health@calderdale.gov.uk

Bradford - 01274 437107 (no direct email address)