



HMO

Management

Handbook

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What is this about?

A pack of guidance that summarises the responsibilities for the management of Licensed & Unlicensed Houses of Multiple Occupation and useful template documents.

What do I have to do?

Comply with:

- The legal requirements for all HMOs as set out in current legislation (see section below).
- All licence conditions, if licensable
- The Essex HMO Amenity Standards
- General landlord duties e.g. Right To Rent checks, protecting tenancy deposits in a government approved scheme, legal eviction procedures etc see the government leaflet 'How to Let'

Guidance is included in this pack on how best to comply.

What happens if I don't?

- **Increased cost** - of HMO licensing at renewal, see the Landlord Guide to HMO Licence Renewal
- **Prosecution** - you could be prosecuted (unlimited fine) or up to 2 years imprisonment for gas safety offences, or 6 months for illegal eviction.
- **Civil penalty** – a financial penalty (up to £30,000) imposed by the Council as an alternative to prosecution for some offences
- **Banning order** – You could receive an Order that bans you from: letting housing, engaging in letting agency work or property management work; or doing two or more of those things. Breach of a banning order is a criminal offence
- **Rent repayment order** – if prosecuted, you may be ordered to pay back up to 12 months rent and housing benefit.
- **Rogue landlord database** - you could be placed on the database that is shared by all councils in the country
- **Improvement notice and/or emergency remedial action** with recovery of expenses

HMO landlords/managers have the following responsibilities:

Occupation level - occupation must be controlled and must not exceed the maximum number of households, maximum number of occupiers, or the maximum number of people per room as stated on the licence.

If the occupation of an unlicensed HMO increases to 5 or more occupants then an HMO licence is a legal requirement (penalties for non-compliance - prosecution or civil penalty of up to £30,000.)

Fire safety – ensure that all **exit routes** (fire doors and corridors) are kept clear, **fire alarms** tested regularly (weekly/monthly) and serviced at specified frequency (6-monthly/ annually), any **emergency lighting** serviced annually, and **fire doors** are maintained in good order, close effectively, checked regularly and not wedged open.

Gas safety - Landlords must have gas installations (boilers, gas cookers/hobs etc) checked by a Gas Safe engineer and provide a Gas Safety Certificate (GSC) to tenants at the outset of a tenancy and then annually (managers of licensed HMOs must also proactively send a copy of the certificate to the private sector housing team at the council every year).

Electrical installation - Landlords must have inspections of electrical installations and provide the Electrical Installation Condition Report (EICR) to tenants at the outset (for all new tenancies from 1/7/20 & all existing tenancies from 1/4/21) and 5 yearly thereon.

Electrical portable appliances – Managers must ensure that all electrical appliances are maintained in a safe and working condition. See 'Maintaining Portable Electrical Equipment (Landlord Supplied)'.

Cleaning – Managers must make arrangements for all common parts (including the shared kitchen, shared bathrooms, corridors etc), fixtures, fittings and appliances to be cleaned regularly e.g. a weekly/monthly cleaner. This is not the responsibility of the tenants. A clean bedroom must also be provided when each new tenant moves in.

HMO landlords/managers have the following Responsibilities:

Maintenance - Managers must make arrangements for all common parts (including the shared kitchen, shared bathrooms, corridors, gardens, yards, outbuildings and building structure), fixtures, fittings and appliances, to be maintained and kept in good repair. This includes regular garden maintenance (2-weekly/monthly) and a reasonable response time to remedy reported defects.

Refuse - managers must make satisfactory arrangements for the storage and removal of refuse (e.g. food, general waste & recycling storage bins inside & outside the property) and provide instructions to tenants (see - HMO Waste Collection poster) Managers must also deal with any non-compliance by tenants and any build-up of excess refuse or 'side-waste' at the property.

Supply of utilities – managers must ensure maintenance of supplies of water, electricity and gas (if supplied) to the house & ensure that it is not unreasonably cut off.

Safety - Make sure that the house is free from health hazards and generally safe for occupation.

Display of manager's contact details - on a notice, in a prominent position (usually to the left of the front door), giving their name and telephone number (24/7 with answerphone or voicemail).

Furniture - Landlords must ensure that any furniture and furnishings (e.g. curtains) supplied by the landlord have the required labels and fireproofing.

Fire risk assessment - The Regulatory Reform Fire Safety Order 2005 applies to the common parts of HMOs and places a legal duty on the responsible person to carry out a fire risk assessment and in licensed HMO's to record the significant findings. This legal requirement is enforced by the Fire Rescue Authority. The keeping of a fire log book for all maintenance (including testing) and servicing is also recommended.

HMO landlords/managers have the following Responsibilities:

Energy performance - Landlords must ensure that properties that are within the scope of the legislation reach at least an Energy Performance Certificate (EPC) rating of E and have a current EPC certificate.

Licence renewal – Submit your application to renew your HMO licence at least 6 weeks before its expiry date. Make a note in your diary.

General landlord duties – e.g. Right To Rent checks, protecting tenancy deposits in a government approved scheme, legal eviction procedures etc.

Legal eviction - Only evict tenants using legal procedures - notify them in writing, give correct amount of notice and if necessary, obtain a court order. Tenants can only legally be evicted with a court order.

Legislation and guidance

The manager's duties for ALL HMOs are set down in [The Management of Houses in Multiple Occupation \(England\) Regulations 2006](#)

All HMOs must comply with legal prescribed standards in schedule 3 of [The Licensing and Management of Houses in Multiple Occupation and Other Houses \(Miscellaneous Provisions\) \(England\) Regulations 2006](#)

All HMOs, in addition to compliance with the prescribed standards, will be expected to comply with [The Essex HMO Amenity standards.](#)

All HMOs will be expected to comply with the guidance for fire safety as set out in – [Housing - Fire Safety, Guidance on Fire Safety Provisions for Certain Types of Existing Housing.](#)

Licensable HMOs have additional manager's duties for refuse management and minimum room sizes as set out in [The Licensing of Houses in Multiple Occupation \(Mandatory Conditions\) \(England\) Regulations 2018](#)

All HMOs, with 5 or more people from 2 or more households sharing an amenity, require a licence under [The Licensing of Houses in Multiple Occupation \(Prescribed Description\) \(England\) Order 2018](#)

[Gas safety \(Installation & Use\) regulations 1998, regulation 36](#)

[The smoke and carbon monoxide alarm \(England\) regulations 2015](#)

[The electrical safety standards in the private rented sector \(England\) regulations 2020](#)

[The furniture and furnishings \(fire\) \(safety\) regulations 1988, as amended](#)

[Housing act 2004](#)

[The energy performance of buildings \(England & Wales\) regulations 2012](#)

[The energy efficiency \(private rented property\) \(England & Wales\) regulations 2015](#)

Index of checklists/posters

- HMO manager's diary checklist
- Fire alarm system maintenance & service log sheet
- Notice to tenants - fire precautions
- Maintaining portable electrical equipment (landlord supplied)
- Poster - responsibilities of manager and tenants
- [Download HMO waste collection poster](#)

HMO manager's diary checklist

Weekly	Monthly	Annual	2 Yearly	5 yearly	10 yearly
Fire alarm call points/ detectors testing (grade A systems)	Fire alarm call points/ detectors testing (grade D & E systems)	Fire Detection & Fire Alarm System Inspection & Service Report			
		Fire extinguisher servicing (where provided)			
	Emergency light testing (where fitted)	Emergency lighting Inspection & test Certificate (where fitted)			
	Visual check of common parts/escape routes				
		Landlords Gas Safety Cer- tificate (& submit to council for licensed HMOs)			
		Portable electrical appli- ances – Visual Inspection. Testing for some applian- ces	Portable electrical appliances testing by a competent person (relevant appliances - see HSE's leaflet – Maintaining Portable Electrical Equipment in Low-risk Environments)	Electrical Installation Condition Report (EICR)	
					Energy Performance Certificate

Licence renewal date: (Submit application least 6 weeks before expiry date)

[See our website for more information](#)

**Notice to tenants
FIRE PRECAUTIONS**

**FIRE PRECAUTIONS HAVE BEEN PROVIDED IN
THIS PROPERTY BY THE LANDLORD**

TO PROTECT YOUR HEALTH AND SAFETY

DO NOT WEDGE FIRE DOORS OPEN

DO NOT TAMPER WITH FIRE DOOR CLOSERS

DO NOT TAMPER WITH FIRE ALARM/DETECTORS

**DO NOT STORE POSSESSIONS IN CORRIDORS
OR THE STAIRCASE AREA**

**TAMPERING WITH FIRE PRECAUTIONS RISKS
LIVES**

PLEASE DO NOT DO IT

**It is against the law and you could be prosecuted or
issued with a civil penalty by the council**

Maintaining portable electrical equipment (Landlord supplied)

In all cases, tenants must be instructed to report defects

Not every electrical item needs a portable appliance test (PAT)

In some cases, visual inspection by the manager is enough, e.g. checking for loose cables or signs of heat damage and, if possible, checking inside the plug for internal damage, bare wires and the correct fuse.

Portable Appliance Test (PAT)

Other equipment, e.g. a floor cleaner, kettle, toaster may need a portable appliance test, but not necessarily every year

Suggested initial intervals for checking portable electrical equipment:

Equipment/environment	User check	Forma visual inspection	Combined inspection & testing
Battery operated (less than 40 Volts)	No	No	No
Extra low voltage: (less than 50 volts AC): Telephone equipment, low voltage desk lights.	No	No	No
Equipment rarely moved	No	Yes, 2-4 Years	No, if double insulated, otherwise up to 5 years
Double insulated (Class II) equipment: Not hand-held. Moved occasionally, eg fans, table lamps	No	Yes, 2-4 Years	No
Double insulated (Class II) equipment: Hand-held, eg some floor cleaners, some kitchen equipment	Yes	Yes, 6 monthly - yearly	No
Earthed equipment (Class I): Electric kettles, some floor cleaners, some kitchen equipment and irons	Yes	Yes, 6 monthly - yearly	Yes, 1-2 years
Cables (leads and plugs connected to the above) and mains voltage extension leads and battery-charging equipment	Yes	Yes, 6 months – 4 years depending on the type of equipment it is connected to	Yes, 1–5 years depending on the type of equipment it is connected to

Maintaining portable electrical equipment (Landlord supplied)

Visual inspections

To carry out a visual inspection you don't need to be an electrician, but you do need to know what to look for and you must also have sufficient knowledge to avoid danger to yourself and others. Simple training can equip you (or a member of staff) with some basic electrical knowledge to enable you to carry out a visual inspection competently.

The visual inspection should, where possible, include removing the plug cover and checking internally that:


- There are no signs of internal damage, overheating or water damage to the plug;
- The correct fuse is in use and it is a proper fuse, not a piece of wire, nail etc;
- The wires including the earth, where fitted, are attached to the correct terminal;
- The terminal screws are tight;
- The cord grip is holding the outer part (sheath) of the cable tightly (no coloured wires visible outside the plug); and
- No bare wire is visible other than at the terminals.

For equipment/cables fitted with moulded plugs only the fuse can be checked.

Double insulated equipment

Class II equipment is sometimes referred to as 'double insulated' equipment. This means that there is extra insulation within the construction of the equipment to prevent accidental contact with live parts, even if there is a fault.

Class II equipment does not need an earth connection to maintain safety. It will not need a portable appliance test, although you should ensure that user checks and visual inspections are carried out as the integrity of the equipment casing is a key safety feature.

Double insulated/Class II equipment is marked with the symbol: 
If you cannot see this symbol, you should assume that the item is a Class I appliance and carry out a portable appliance test.

Responsibilities of the manager and tenants

PROPERTY ADDRESS:	
MANAGER'S NAME:	MANAGER'S CONTACT NUMBER: (Available 24/7 with an answersphone or voicemail)

The manager's responsibilities are to:

- Ensure that a satisfactory **MEANS of ESCAPE FROM FIRE** is maintained and that all fire doors and corridors are kept clear and all **FIRE ALARMS** and **FIRE DOORS** are maintained in good order, close effectively and checked regularly.
- Provide Annual **GAS SAFETY** certificate to the tenants, 5 yearly **ELECTRICAL** Installation Condition Report & other equipment/installations tested/serviced as required.
- Ensure all **COMMON PARTS** (including the shared kitchen, shared bathrooms, corridors, gardens, yards, out-buildings and building structure), fixtures, fittings and appliances are kept **CLEAN** and in **GOOD REPAIR**.
- Provide a **CLEAN BEDROOM** when the tenant moves in
- Make satisfactory arrangements for the storage and removal of **REFUSE**
- Maintain the supply of utilities (water, electricity and gas (if supplied)) to the house & to ensure that it is not unreasonably cut off.
- Make sure that the house is **GENERALLY SAFE** for occupation.
- **DISPLAY** their **NAME & CONTACT DETAILS** in a prominent position (usually to the left of the front door)

The tenant's responsibilities are to:

- **Must not interfere with or cause wilful damage** to **any** fire doors, fire door closers, fire alarms, 'smoke heads' or other fixtures (including removing or damaging light bulbs or other fittings in the common parts).
- **Must not obstruct the fire escape route in any way**
- Must put all rubbish in the correct bins
- **Must report** any defects or disrepair to the manager as soon as possible
- **Not hinder the Manager** in the course of carrying out his duties under these regulations and allow reasonable access to all rooms to allow the manager to carry out their duties under these regulations