



St. Helens
Council

Information Sheet 4

Managing HMOs

Good management is crucial to health and safety in HMOs and HMO managers have legal duties to ensure it., as explained in this document.

The duties referred to above are detailed in The Management of Houses In Multiple Occupation (England) Regulations 2006 and The Licensing and Management of Houses in Multiple Occupation (Additional Provisions)(England) Regulations 2007 (SI 1903)

The regulations are available from the Office of Public Sector Information website at <http://www.opsi.gov.uk> or, if you do not have access to the internet, you can order copies from TSO (The Stationery Office) on 0870 600 5522.

This information sheet explains the duties and the action that can be taken by the Private Housing Initiatives Section if an HMO is not properly managed. For further information or advice, please contact the HMO Team. This document is for guidance only. It is not exhaustive and you are advised to refer also to the Regulations.

Who is the manager?

The manager is usually the owner of the property. However in some cases, particularly where a managing agency is responsible for maintenance and minor repairs to

the property, the agency itself may also be considered the manager.

The Regulations require that the manager's name, with a contact address and telephone number, are displayed in the property where all tenants can see them.

What are the manager's duties?

Common Parts, Fixtures, Fittings and Appliances

Ø The manager must ensure that the common parts of the HMO are:

n in a clean condition and reasonable state of repair/decoration

n reasonably clear of obstructions

n maintained in safe, clean working condition, with specific reference to:

handrails and banisters

stair coverings, which must be fixed and in good repair

windows



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adequate lighting
any fixtures, fittings and
appliances in common use

- Ø You must ensure that any outbuildings, yards, driveways, car-parks and gardens are maintained in good, safe repair and clean working order.

Living Accommodation

You must ensure that each unit of living accommodation is in a clean condition at the beginning of a tenancy and that, throughout the tenancy, any fixtures, fittings or appliances are maintained in good repair and clean working order, and that all windows and other means of ventilation are kept in good repair.

This duty does not apply to fixtures, fittings or appliances brought to the letting by the tenant; neither does it apply to repairs that have arisen due to negligence of the tenant.

Water Supply and Drainage

You must ensure that the water supply and drainage system serving the house is maintained in good, clean, working condition. Any cold water storage tanks must be compliant with the Water Supply (Water Fittings) Regulations 1999 i.e. they must be suitably covered and have measures in place to prevent access by pests. Water fittings and pipes must be insulated

against frost damage where necessary

You must not cause or permit the water supply or the drainage to be unreasonably interrupted.

Gas and Electricity

You must ensure that every gas appliance in the house is tested annually by a CORGI registered gas fitter. You must provide the latest gas safety certificate to the Council within 7 days of receiving a written request.

You must ensure that every fixed electrical installation in the house is inspected and tested at intervals not exceeding five years. The inspection should be carried by a suitably qualified engineer. You must provide the latest certificate specifying the results of the inspection within 7 days of receiving a written request from the council.

You must not cause or permit the gas and electricity supply to be unreasonably interrupted.

Waste and Waste Disposal

You must provide a suitable waste receptacle that is acceptable to the local authority for each household living in the house.

Fire Safety

- Ø You must maintain the means of escape from fire and other



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fire precautions, by making sure that:

- § The automatic fire detection and emergency lighting systems are maintained in good working order by regular testing and servicing
- § All fire doors are in good condition with effective self-closers
- § The fire escape routes are kept free from obstructions, and that under-stairs cupboards are kept locked shut
- § All notices indicating the means of escape from fire must be in prominent positions and clearly visible.

What are the tenants' duties?

The management regulations don't apply only to the landlord. Tenants have responsibilities to allow managers to fulfil their legal obligations by:

- n Allowing access to the manager at reasonable times to carry out management duties
- n Complying with the manager's arrangements for means of escape from fire and refuse storage
- n Taking reasonable care to avoid damaging the property
- n Not overcrowding the property
- n Dispose of litter/waste in accordance with arrangements made by the landlord

What happens when a property is badly managed?

We will assess the standard of management within the property. If we find standards are low we will write to you and let you know what you must do. If you do not take appropriate steps to remedy the problems, or if upon initial inspection the property is in severe neglect of management we may take steps to prosecute you.

Employing a letting agent to manage your HMO

The services of a letting agent can range from simply finding suitable tenants and letting the property, to also arranging for repair and maintenance works to be carried out on your behalf.

You should note that where a formal notice is served by the Private Housing Initiatives Section to require works, the owner is generally the recipient regardless of whether an agent is employed.

Additional information

You may wish to consider the following points:

Insurance You are legally required to have public liability insurance for a tenanted property. If you employ anybody at the property, employer's liability insurance is also required. It is advisable to check that you have the correct buildings and contents insurance for your property. Your cover will not extend to the belongings of



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your tenants, and accidental damage is often restricted or excluded from your policy.

Mortgaged properties -You may need to inform your building society or bank if your property is tenanted.

Disclaimer

The information and advice given in this leaflet is accurate to the best of our knowledge. However, you are advised not to rely exclusively on what we say here, as legislation or government advice may have changed since this leaflet was printed.

If you have a particular problem you should take the advice of a qualified expert in the relevant area. St Helens Council will not accept liability for loss resulting from relying on advice from this leaflet.