WELSH STATUTORY INSTRUMENTS

2006 No. 1713 (W.175)

HOUSING, WALES

The Management of Houses in Multiple Occupation (Wales) Regulations 2006

Made - - - -	*27 June 2006*
Coming into force - -	*30 June 2006*

The National Assembly for Wales, in exercise of the powers conferred by section 234(1) of the Housing Act 2004(**1**), makes the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is The Management of Houses in Multiple Occupation (Wales) Regulations 2006 and they come into force on 30 June 2006.

(2) These Regulations apply to any HMO in Wales other than a converted block of flats to which section 257 of the Act applies.

Interpretation

2.—(1) In these Regulations—

(a) "the Act" ("*y Ddeddf*") means the Housing Act 2004;

(b) "fixtures, fittings or appliances" ("*gosodion, ffitiadau neu gyfarpar*") are—

(i) lighting, space heating or water heating appliances;

(ii) toilets, baths, showers, sinks, or wash basins or any cupboards, shelving or fittings supplied in a bathroom or lavatory;

(iii) cupboards, shelving or appliances used for the storage, preparation or cooking of food; and

(iv) washing machines or other laundry appliances;

(c) "HMO" ("*ty amlfeddiannaeth*") means a house of multiple occupation as defined by sections 254 to 259 of the Act; and

(**1**) 2004 c. 34. The powers conferred by section 234(1) of the Act are exercisable, as respects Wales, by the National Assembly for Wales and, as respects England, by the Secretary of State. *See* the definition of "the appropriate national authority" in section 261(1) of the Act.

(d) the "manager" ("*rheolwr*"), in relation to an HMO, means the person managing the HMO(**2**).

Duty of manager to provide information to occupier

3. The manager must ensure that—

(a) the manager's name, address and any telephone contact number are made available to each household in the HMO; and

(b) such details are clearly displayed in a prominent position in the HMO.

Duty of manager to take safety measures

4.—(1) The manager must ensure that all means of escape from fire in the HMO are—

(a) kept free from obstruction; and

(b) maintained in good order and repair.

(2) The manager must ensure that any fire fighting equipment and fire alarms are maintained in good working order.

(3) Subject to paragraph (6), the manager must ensure that all notices indicating the location of means of escape from fire are displayed in positions within the HMO that enable them to be clearly visible to the occupiers.

(4) The manager must take all such measures as are reasonably required to protect the occupiers of the HMO from injury, having regard to—

(a) the design of the HMO;

(b) the structural conditions in the HMO; and

(c) the number of occupiers in the HMO.

(5) In performing the duty imposed by paragraph (4) the manager must in particular—

(a) in relation to any roof or balcony that is unsafe, either ensure that it is made safe or take all reasonable measures to prevent access to it for so long as it remains unsafe; and

(b) in relation to any window the sill of which is at or near floor level, ensure that bars or other such safeguards as may be necessary are provided to protect the occupiers against the danger of accidents which may be caused in connection with such windows.

(6) The duty imposed by paragraph (3) does not apply where the HMO has four or fewer occupiers.

Duty of manager to maintain water supply and drainage

5.—(1) The manager must ensure that the water supply and drainage system serving the HMO is maintained in good, clean and working condition and in particular the manager must ensure that—

(a) any tank, cistern or similar receptacle used for the storage of water for drinking or other domestic purposes is kept in a good, clean and working condition, with a cover kept over it to keep the water in a clean and proper condition; and

(b) any water fitting which is liable to damage by frost is protected from frost damage.

(2) The manager must not unreasonably cause or permit the water or drainage supply that is used by any occupier at the HMO to be interrupted.

(**2**) For the meaning of "person managing" *see* section 263(3) of the Act.

(3) In this regulation "water fitting" means a pipe, tap, cock, valve, ferrule, meter, cistern, bath, water closet or soil pan used in connection with the supply or use of water, but the reference in this definition to a pipe does not include an overflow pipe or the mains supply pipe.

Duty of manager to supply and maintain gas and electricity

6.—(1) The manager must supply to the local housing authority within 7 days of receiving a request in writing from that authority the latest gas appliance test certificate which the manager has received in relation to the testing of any gas appliance at the HMO by a recognised engineer.

(2) In paragraph (1), "recognised engineer" ("*peiriannydd cydnabyddedig*") means an engineer recognised by the Council of Registered Gas Installers as being competent to undertake such testing.

(3) The manager must—

(a) ensure that every fixed electrical installation is inspected and tested at intervals not exceeding five years by a person qualified to undertake such inspection and testing;

(b) obtain a certificate from the person conducting that test, specifying the results of the test; and

(c) supply that certificate to the local housing authority within 7 days of receiving a request in writing for it from that authority.

(4) The manager must not unreasonably cause the gas or electricity supply that is used by any occupier within the HMO to be interrupted.

Duty of manager to maintain common parts, fixtures, fittings and appliances

7.—(1) The manager must ensure that all common parts of the HMO are—

(a) maintained in good and clean decorative repair;

(b) maintained in a safe and working condition; and

(c) kept reasonably clear from obstruction.

(2) In performing the duty imposed by paragraph (1), the manager must in particular ensure that—

(a) all handrails and banisters are at all times kept in good repair;

(b) such additional handrails or banisters as are necessary for the safety of the occupiers of the HMO are provided;

(c) any stair coverings are safely fixed and kept in good repair;

(d) all windows and other means of ventilation within the common parts are kept in good repair;

(e) the common parts are fitted with adequate light fittings that are available for use at all times by every occupier of the HMO; and

(f) subject to paragraph (3), fixtures, fittings or appliances used in common by two or more households within the HMO are maintained in good and safe repair and in clean working order.

(3) The duty imposed by paragraph (2)(f) does not apply in relation to fixtures, fittings or appliances which the occupier is entitled to remove from the HMO or which are otherwise outside the control of the manager.

(4) The manager must ensure that—

(a) outbuildings, yards and forecourts which are used in common by two or more households living within the HMO are maintained in repair, clean condition and good order;

(b) any garden belonging to the HMO is kept in a safe and tidy condition; and