STATUTORY RULES OF NORTHERN IRELAND

# 2019 No. 31

# HOUSES IN MULTIPLE OCCUPATION

## The Houses in Multiple Occupation (Living Accommodation Standard) Regulations (Northern Ireland) 2019

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|---|---|
| *Made - - - -* | *7th March 2019* |
| *Coming into operation* | *1st April 2019* |

The Department for Communities (**1**), in exercise of the powers conferred by section 13(3) and (7) of the Houses in Multiple Occupation Act (Northern Ireland) 2016 (**2**), makes the following Regulations:

### Citation and Commencement

**1.** These Regulations may be cited as the Houses in Multiple Occupation (Living Accommodation Standard) Regulations (Northern Ireland) 2019 and shall come into operation on 1st April 2019.

### Minimum Standards

**2.** These Regulations set out the minimum standards which must be met in order for accommodation to be regarded as suitable for occupation by a prescribed number of persons.

### Natural lighting

**3.**—(1) All habitable rooms shall have adequate natural lighting to enable domestic activities to be undertaken safely. A clear glazed window equivalent in size to 1/10th of the room floor area shall be adequate to meet this standard.

(2) Where practical all kitchens, bathrooms and water closet compartments shall be provided with natural light via an area of clear glazing in the kitchen and obscure glazing in the bathrooms and water closet compartments, situated in either a window and/or door equivalent in total area to at least 1/10th of the floor area of the room.

### Artificial lighting

**4.**—(1) Adequate electric lighting must be provided to all accessible parts of the building.

(**1**) 2016 c.5 (N.I.)
(**2**) 2016 c.22 (N.I.)

(2) Time switches shall not be permitted in kitchens and bathrooms.

(3) Light switches shall be suitably positioned so that they can be operated directly upon entering a room, hallway or landing with two way switches to enable operation at both top and bottom of a staircase.

**Ventilation**

**5.**—(1) All habitable rooms shall be ventilated directly to the external air by an opening window.

(2) Kitchens, bathrooms and water closets shall be ventilated directly to the external air:—

(a) by a window, capable of being opened, the area of which shall be equivalent to at least 1/20th of the floor area of the room; or

(b) by mechanical ventilation providing a minimum of three air changes per hour; such installations shall be fitted with an overrun device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

(3) A door capable of being opened giving access directly to the external air, or a louvered opening in such a door shall not be acceptable for the purposes of meeting the requirements mentioned in paragraph (2).

(4) All rooms containing an open flue gas heating appliance must be provided with suitable and sufficient permanent ventilation.

**Installations for the supply of water, gas and electricity and for sanitation, space heating and heating water**

**6.**—(1) All units of accommodation must be equipped with adequate means of space heating which is capable of maintaining a temperature of 21 degrees Celsius when the outside temperature is -1 degrees Celsius. Electrical heating appliances must have a dedicated electrical socket.

(2) The heating must be available at all times and must be under the control of the occupant. The method of heating must be safe and efficient.

(3) The landlord must ensure that the water supply and drainage system serving the HMO is maintained in good, clean and working condition and in particular they 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.

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

(5) 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 other than an overflow pipe or the mains supply pipe.

(6) The landlord must supply to the council within 7 days of receiving a request in writing from that council the latest gas appliance test certificate he has received in relation to the testing of any gas appliance at the HMO by a Gas Safe registered contractor.

(7) The landlord 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 council within 7 days of receiving a request in writing for it from that council.

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

**Personal washing facilities**

**7.**—(1) Where a dwelling is not capable of occupation by more than 3 persons, as determined under section 41 of the Houses in Multiple Occupation Act (Northern Ireland) 2016, the provision of a suitably located bath or shower, water closet and wash hand basin (separated or not), with continuous supplies of hot and cold running water, shall be adequate to meet these standards.

(2) Where an en-suite bathroom or en-suite shower room, or a bathroom or shower room for the sole use of an occupant or household, containing a suitable bath or shower, wash hand basin and water closet, is available, this shall be adequate.

(3) Where the bathroom or shower room is shared, each occupant or household sharing shall have a readily accessible bathroom or a shower room provided in the following ratios as per Table 1:—

**Table 1**

| *Household* | |
|---|---|
| 5 occupants | 1 bathroom or shower room |
| 6-10 occupants | 2 bathrooms or shower rooms |
| 11-15 occupants | 3 bathrooms or shower rooms |

(4) Where a bathroom or shower room is shared, it shall contain a wash hand basin within the compartment. However if due to the physical constraints of the bathroom or shower room a wash hand basin cannot be accommodated within the space, an additional wash hand basin shall be provided within each bedroom.

(5) Where paragraph (4) does not apply and the bathroom or shower room is shared, each occupant shall have an accessible water closet compartment, separate from the bathroom or shower room, and containing a water closet and a wash hand basin in the following ratios as per Table 2:—

**Table 2**

| *Household* | |
|---|---|
| 1-5 occupants | 1 water closet |
| 6-10 occupants | 2 water closets |
| 11-15 occupants | 3 water closets |

(6) Where 2 water closets are required (6-10 occupants sharing), 1 water closet may be in a room also containing a bath or shower and a wash hand basin. Where 3 water closets are required (11-15 occupants sharing), 1 water closet may be in a room also containing a bath or shower and a wash hand basin.

(7) External water closets shall be disregarded for the purpose of paragraph (6).

(8) Where facilities are shared, each occupant should be able to reach a water closet, wash hand basin and bath or shower without having to pass through accommodation which is occupied exclusively by another occupant or household.

(9) A unit of accommodation shall be more than one floor vertically, or 30 metres horizontally, from the nearest water closet, wash hand basin and bath or shower.

(10) Bathrooms, shower rooms and water closet compartments shall be constructed as to ensure privacy.

(11) Baths, showers, water closets and wash hand basins shall not be permitted in kitchens.

(12) Baths shall be 1.67m minimum in length; shower trays 800mm x 800mm minimum and wash hand basins 360mm x 265mm minimum, each with its own continuous supplies of hot and cold running water.

(13) Bathrooms, shower rooms and water closet compartments shall have surfaces which are designed to be reasonably smooth and non-absorbent and capable of being readily and easily cleaned. Floors shall be slip resistant.

**Facilities for the storage, preparation and provision of food**

**8.**—(1) The walls, floor, ceilings, work tops and cupboards of the kitchen must be sound, clean and, as appropriate, well decorated at the commencement of any tenancy.

(2) The kitchen must be laid out in such an arrangement as to allow for its safe use and be easy to keep clean and hygienic by the occupant.

(3) A kitchen, kitchen/dining room or kitchen/living room shall not be shared by more than 10 occupants or 6 households, irrespective of its total floor area.

**Food storage**

**9.**—(1) Each occupant shall be provided with a proper food store, 0.18$m^3$ dry storage and 0.06$m^3$ cold storage, within the unit of accommodation. Households comprising of more than one occupant will require a greater proportionate amount of each type of storage space. Where shared kitchens are provided, each occupant or household sharing shall have their own proper food store either within the unit of accommodation or in the kitchen.

(2) The space in a sink unit below the sink shall not be adequate to meet the standard mentioned in paragraph (1).

**Food Preparation**

**10.**—(1) A securely fixed worktop shall be provided for each occupant or household using a kitchen, the minimum size of such worktops should be as follows as per Table 3:—

**Table 3**

| *Household* | |
|---|---|
| 1 occupant or household | 600mm x 600mm |
| 2 occupants or households | 1200mm x 1200mm |

(2) Increasing in width thereafter by 300mm per additional occupant or household sharing.

(3) In addition to any socket or point used for an electric cooker or oven, there shall be provided in each kitchen a minimum number of double sockets as per Table 4:—