

Houses in Multiple Occupation Conditions and Amenity Standards

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Community and Public Protection

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This document is considered as Appendix 1 of any License issued under the Mandatory or Additional Houses in Multiple Occupation schemes by the London Borough of Harrow

It is the licence holder's responsibility to ensure compliance with all requirements set out in this document, and failure to do so can lead to prosecution for a breach of licence conditions, service of a civil penalty notice of up to £30,000, and / or revocation of the licence. The proposed licence holder is a fit and proper person or that the proposed manager, if there is one, is fit and proper.

It is the responsibility of the licence holder to ensure any person acting on their behalf in the management of their property is made aware of, and complies with, all aspects of this document.

This document contains general advice and suggested specifications based on the national fire safety guidance produced by LACORS (Housing – Fire Safety available at www.lacors.gov.uk/lacors/upload/19175.pdf) and along with The Regulatory Reform (Fire Safety) Order 2005. Both the national guide and this document are only guidance and the requirements in individual properties may vary dependent on the risks presented. The requirements specific to your property may change following a site visit or advice from an officer.

<u>Note:</u> the licence holder must ensure that the licence is displayed at all times within the communal area of the property, and that a copy of this document and any other conditions associated with the licence are made available to all tenants.

Contents

Introduction	4
PERMITTED OCCUPATION	5
Condition 1: Space Standard	_
Space Standards Assessment	
Condition 2: Amenity & Space Standards	6
PROPERTY MANAGEMENT	
Condition 3: Gas Safety	
Conditions 4: Electrical Safety	
Condition 5: Furniture and Furnishings	
Condition 6: Heating	7
Condition 7: Security	
Condition 8: Waste	
Condition 9: Pests	
Condition 10: Water Supply and Drainage	
Condition 11: External Areas	
Condition 12: Property Conditions	
TENANCY MANAGEMENT	
Condition 13: References	
Condition 15: Terms of Occupation	
Condition 16: Tenants Rights	
Condition 17: Licence Holder / Manager Details	
Condition 18: Complaints	
Condition 19: ASB and Damage	11
FIRE SAFETY	12
Condition 20: Smoke Alarms	
Condition 21: Fire Precautions	
Condition 22: Carbon Monoxide Detector	
Condition 23: Electricity Supplies and Fire Safety	
Condition 24: Doors	
Condition 25: Means of Escape	
Condition 26: Fire Blankets	
Condition 27: Fire Safety Compliance	
Condition 28: Electrical Installations	
GENERAL	
Condition 30: General	
Condition 31: Changes	
Condition 32: Management	
Condition 34: Display of the HMO Licence	
FURTHER INFORMATION	
DEFINITIONS	
APPENDIX A: AMENITY AND SPACE STANDARDS	
Room Sizes	
Washing Facilities Kitchens	
Natural and Artificial Lighting	
Ventilation	
APPENDIX B: FIRE SAFETY STANDARDS FOR HMO'S	
ALL LIVE D. LINE DALE L. ULANDANDO LON LINO D	

Introduction

This document sets out the conditions applicable to all Houses in Multiple Occupation, be it under the Mandatory or Additional Schemes. It also sets out the minimum standards required for a House in Multiple Occupation (HMO) located in the London Borough of Harrow in relation to meeting these standards. The document may be varied at the discretion of the Head of Public Protection, mainly on changes to national legislation and quidance amendments, and will be used in deciding suitability of occupation of HMOs.

It is accepted that in some circumstances, minor alterations in some areas of these standards may be needed dependent on the premise, and this will only take place on agreement from a Manager or Head of Service in writing. Such alterations in the applied standard would only apply to the individual property concerned in exceptional circumstances and will depend on the occupation, condition, facilities and layout of the property as a whole. The decision will be based on evidence of a reduced risk that negates the need to adhere to the set standard and will not form the basis of a future standard to be applied to any other property in the Borough.

These standards should also be assessed alongside the following Operating Guidance scheduled in the Housing Health and Safety Rating System (the Housing Act 2004); The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006; The Licensing and Management of Houses in Multiple Occupation and Other Houses (Additional Provisions) Regulations 2007; The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018; The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 and The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018.

These standards apply to:

- HMO's of any number of storeys occupied by three or more unrelated people.
- Buildings which are converted into self-contained flats which do not comply with the Building Regulations 1991 and more than ⅓ of flats are rented, as defined under section 257 of the Housing Act 2004.

These premises will require a licence to operate, as the London Borough of Harrow has adopted Mandatory and Additional Licensing schemes for Houses in Multiple Occupation.

Certain HMOs require planning consent depending on the number of residents, the nature of the works carried out to convert the property and whether or not there is an Article 4 Declaration in place. Advice should be sought from the Councils Planning Department prior to carrying out any improvement or works to meet the standards or to convert the premises. Owners and managers of HMOs also need to make sure they have planning permission if they subdivide a house into self-contained units; change the use of a house from a single dwelling to an HMO with 7 or more occupiers. Change of use to HMO for up to 6 occupiers does not require planning permission. The issuing of a licence under the Housing Act 2004 and related legislation does not grant automatic planning permission.

All properties must also meet the minimum level of safety and repair and comply with Building Regulations.

PERMITTED OCCUPATION

(All text in **Bold** indicates the condition)

Condition 1: Space Standard

The Licence holder must ensure that:

- the floor area of any room in the HMO used as sleeping accommodation by one person over the age of 10 years is not less than 6.51 square metres
- the floor area of any room in the HMO used as sleeping accommodation by two persons over the age of 10 years is not less than 10.22 square metres
- the floor area of any room in the HMO used as sleeping accommodation by one person under the age of 10 years is not less than 4.64 square metres
- any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation

Please note, if any of the room sizes do not meet the national minimum space standards, we do not give discretion.

It is the landlord's responsibility to ensure that rooms are of appropriate size and if they are not this will be displayed as a condition on the HMO licence.

En-suites must not be included in the room size measurements

The Licence holder must ensure that:

- where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence;
- where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence;
- where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified.

Space Standards Assessment

- The assessment of number of people sharing will take into account babies and children, with each having their own allocation of space
- Everyone over the age of 10 years old must be able to occupy sleeping
 accommodation so that they do not have to share with someone who is not a close
 relative or with someone of the opposite sex unless they are living together / cohabiting. For the definition of close relative, this means parent, grandparent, child,
 grandchild, brother, sister, uncle, aunt, nephew, niece or cousin
- A bed shall be provided for exclusive use by the child.
- Only usable floor space will be used to calculate a room's floor area. This will be the floor area remaining after deductions of corridors, toilet compartments, bathroom/shower rooms, chimney breasts etc. Any floor area occupied by fitted furniture shall be included.
- The ceiling height must be a minimum 1.9m over at least half of the floor space, and any area with a ceiling height of less than 1.5m shall not be counted as part of the habitable floor area.
- No staircase or landing nor any room which has been appointed as a kitchen or bathroom shall be deemed suitable for sleeping accommodation.
- The standards are set for a maximum of 5 people to share one set of facilities (e.g. a

kitchen)

• All bedrooms to be within one floor distant of the kitchen, unless a lounge/dining room is provided where tenants can sit down and have their meal without carrying their meals down two or more flights of stairs.

Condition 2: Amenity & Space Standards

The number of occupiers and household allowed to occupy the property will relate to the amenities that are provided within the property and the size and layout of the rooms available. The licence holder must ensure that the house is compliant with the Amenity and Space Standards adopted by the Council (Appendix A)

PROPERTY MANAGEMENT

Condition 3: Gas Safety

If gas is supplied to the property, the licence holder must provide the Council with a copy of the current gas safety certificate(s) obtained in the last 12 months to cover the common parts and all rented parts of the property.

- This certificate should state that the full gas installation, covering the supply pipes, flues and gas appliances, are safe for operation.
- The annual inspection should be carried out by a qualified engineer (i.e. Gas Safe Registered). The Gas Safety (Installation & Use) Regulations 1998 require an inspection to be carried out annually.

Conditions 4: Electrical Safety

All electrical appliances made available by the licence holder must be in a safe condition.

- Declarations as to the safety of the appliances must be provided.
- Operating instructions for the appliances must be given to the occupier / tenant at the start of their tenancy.

Condition 5: Furniture and Furnishings

All soft furnishings supplied by the landlord to tenants must comply with the relevant safety tests (as prescribed under the Furniture and Furnishings (Fire)(Safety) Regulations 1988 (as amended).

- All furniture will be labelled to show that it complies with these tests. These labels
 must not be removed.
- Advice on fire safety in respect of furnishings may be sought from the London Boroughs of Brent & Harrow Trading Standards Service on 020 8937 5555/6 or email trading.standards@brent.gov.uk

Condition 6: Heating

The licence holder must provide a form of adequate and efficient fixed heating with adjustable controls, which is capable of maintaining an indoor temperature of at least 21° in habitable rooms.

- This provision should be cost-efficient, safely designed and be as sited and guarded as to minimise the risks to health and safety.
- All such appliances shall be maintained annually by a competent person.
- All additional living rooms shall be provided with suitable number of sockets which
 could reasonably be dedicated for a fixed heating appliance. Such sockets shall not
 be positioned on the same wall. Alternatively a suitable supply pipe for gas shall be
 provided, where it is possible to safely site a gas appliance in the room.
- Heating appliances fueled by gas cylinders (e.g. Calor gas), portable paraffin or oil fired heaters are not acceptable as a main form of heating under any circumstances, whether provided by the landlord or tenant.

Condition 7: Security

The licence holder, for the purposes of security, must ensure that:

- The access to the property such as locks, latches and entry systems are maintained and in good working order at all times
- The front door of the property is fitted with a mortice lock (thumb turn) or equivalent, to a five lever security level.
- That keys are provided to relevant occupiers for any window locks fitted
- Details of any burglar alarm are provided to occupiers including instructions for use, circumstances when the code can be changed, and reporting such changes to the licence holder
- Where previous occupants have not returned keys on leaving, that new locks will be fitted prior to any new occupant taking residence

Condition 8: Waste

The licence holder must comply with any scheme put in place by the authority in connection with storage and disposal of household waste at HMOs pending collection

The London Borough of Harrow reserves the right to introduce or amend such a scheme for HMOs, but will inform all licensed landlords 2 months prior to any implementation.

Where no specific scheme has been introduced, the licence holder must ensure:

- Suitable refuse and recycling containers provided which are on a scale adequate to the requirements of the residents;
- Supplementary arrangements for the disposal of refuse and recyclable materials from the house as may be necessary having regard to any service provided by the local authority.
- If there is no adequate space to store rubbish within the boundaries of the house from week to week and no way of providing extra space, the landlord may have to make arrangements for extra collections
- The tenants must be informed in writing at the beginning of their tenancy on which days refuse and recycling collections take place. This information should also be permanently displayed in a prominent position within the property

If you are granted more than 5 occupants, there should be more than 1 refuse and 1 recycling bin to manage the rubbish that would be accumulating. Bins should be never allowed to be over filled and tenants should be briefed what goes into what bin at the start of their tenancy

Condition 9: Pests

The licence holder must ensure that the property (which includes all parts, including the Garden areas) are kept free as reasonably practicable from pest infestations, and any such infestations are managed effectively within 7 days from being brought to their attention.

Condition 10: Water Supply and Drainage

The licence holder must ensure that there is no unreasonable interruption to the water supply to the property and that the drainage system to the property is kept free from obstruction

Condition 11: External Areas

The licence holder must ensure that all gardens, yards and forecourts within the curtilage of the property are kept in a reasonably clean and tidy manner. The licence holder must ensure that any breach of the above by a tenant or their visitor is addressed immediately including a warning letter to the tenant within 14 days

- Reasonably clean and tidy means no old furniture, bedding, rubbish or refuse from the premise left outside the property, on public highway or private land by any person connected to the premise including the licence holder, tenants and tenants visitors.
- Rubbish and refuse must, at all times, be stored in bins
- Any bulky items left out for collection must be put out on the day of collection, and proof that items are to be collected that day kept and provided to the authority on request within 7 days
- Any warning letters given to tenants must be provided to the authority on request within 7 days

Condition 12: Property Conditions

The licence holder must ensure that the property is free from any Category 1 (serious) hazards under the Housing Health and Safety rating System (HHSRS)

Where the licence holder becomes aware of a potential Category 1 hazard, he/she must ensure that all reasonable steps are taken to remedy without undue delay, and evidence of this is able to be provided to the authority on request within 7 days

• Further details about the HHSRS are provided under the section "Further Information"

TENANCY MANAGEMENT

Condition 13: References

The licence holder shall ensure they get references from persons seeking to occupy the premise prior to them moving in. The reference must, where reasonably practical, be satisfied that the prospective occupier is of good character and is unlikely to be responsible for causing anti- social behavior within the area. Landlord should also provide in writing, if continuous ASB is caused by tenants to other tenants within the house or to neighbors what steps they would take to ensure to tackle the ASB related issues.

Copies and records of all references must be kept for the duration of the tenancy

Condition 14: Tenancy Agreements

The licence holder must ensure that all tenants are provided with a written tenancy / licensing agreement that clearly set out the terms of their occupation at the start of their tenancy

Condition 15: Terms of Occupation

The licence holder must ensure that the occupation levels do not exceed those set within the licence granted

When the occupancy level exceeds the level permitted at the time of granting the licence, the licence holder must take all appropriate legal steps to reduce the numbers to the permitted levels at the earliest opportunity

When a tenant (or tenants) allows someone to move into their accommodation so that the permitted number for that accommodation is exceeded, the licence holder must take all appropriate legal steps to reduce the numbers to the permitted levels at the earliest opportunity as this would be breach of HMO license conditions.

Condition 16: Tenants Rights

The licence holder must ensure that at no time are the legal rights of the tenants are breached, including but not limited to:

- a. Issuing prior notice of entry (24 hours for emergency repairs, 7 days for nonemergency repairs / inspections)
- b. Correctly terminating tenancies and licences
- c. Protecting rent deposits in line with legislation i.e. Deposit protection scheme
- d. Ensuring utilities to the property are not disconnected or unreasonably interrupted

Condition 17: Licence Holder / Manager Details

The manager or licence holder must clearly display a notice in a suitable position in the house containing the name and address and telephone number of the person managing the house. This should include an emergency contact number.

The manager or licence holder should ensure that any necessary amendments are made to the notice.

Condition 18: Complaints

The licence holder must give details of the complaint procedure at the start of any tenancy

• It is recommended that this is a written procedure, but if not then the licence holder would need to be able to demonstrate this condition was met

Condition 19: ASB and Damage

The licence holder must ensure that the tenancy agreement or terms of occupation contains a clause on anti-social behavior

The licence holder must ensure that all reasonable and practical steps are taken to prevent and deal with anti-social behavior and ensuring any complaints made of ASB, including from the authority or Police, are investigated and actioned

The licence holder must ensure that where ASB is a breach of the tenancy agreement or terms of occupation, that they take appropriate steps to address, that records are kept of this action, and that these are provided on request to the authority or Police within 7 days

The licence holder must ensure that appropriate signage is put up in the common part(s) reminding the tenants not to cause any anti-social behavior to any person(s) or properties, and to take all reasonable care to avoid causing damage in the property or nuisance to their neighbours.

- In the case of serious ASB, reasonable action by the landlord would be deemed as taking procession proceedings against those involved
- Reasonable and practical steps would include regular (no more than quarterly)
 inspections of the premise to ensure the state of the premise and compliance to the
 tenancy agreements / occupation terms

FIRE SAFETY

Please see Appendix B for further mandatory requirements on Fire Safety

Condition 20: Smoke Alarms

Each and every property will differ in terms of their smoke and heat alarm requirements, however if you refer to LACORS fire guidance, we require as a minimum standard, mains wired and interlinked smoke alarms with battery back up to BS 5446 that should be provided of the ceiling in the dwelling in hallway and in each landing area and heat detector in the kitchen and smoke detectors in the dining areas/living room all mains wired and interlinked to the rest of the system.

- At least one smoke detector should be provided on each floor level. Larger properties with corridors in excess of 5m in length will require additional smoke detectors.
- Smoke detectors shall be inspected and tested periodically to ensure their proper operation.
- There should be suitably fixed fire blankets (conforming to BS EN 1869:1997) in kitchens.

All HMO's should meet the requirements listed above as a minimum. Landlords should refer to Regulatory Reform (Fire Safety) Order 2005 and LACORS for further information on fire detection and protection.

The licence holder must supply the authority, on demand and within 14 days, with a declaration as to the condition and positioning of such alarms. This includes having an annual inspection and test certificates for Grade A automatic fire detection systems or confirmation annually that a Grade D system has been tested and is operating correctly

If / When the authority notifies the licence holder of any deficiencies, a new test / completion certificate must be submitted to the authority within 14 days from the date of notification

LACORS Guidance provides information on this and links can be found under "Further information"

Appendix B also covers fire safety requirements

Condition 21: Fire Precautions

Appropriate fire precaution facilities and equipment must be provided of such type, number and location as are considered necessary. Requirements will be in accordance with relevant British Standards, Building Regulations and other guidance/advice documents for the time being in force.

The licence holder must ensure that all fire precautions provided to the property e.g. fire doors, automatic fire alarm system and emergency lighting system(s), are maintained in full working order at all times.

If a fire alarm and emergency lighting system is installed, the licence holder must provide the logbook to show that correct maintenance of the systems has been

carried out including annual and periodic checks, in accordance with British Standard 5839 Part 6 and Part 1. The applicant must make provision for future inspections to be carried out and allow the logbook to be inspected by the Council.

Condition 22: Carbon Monoxide Detector

The licence holder must ensure that a carbon monoxide alarm is provided in any room of the premises which is used wholly or partly as living accommodation (which includes the kitchen) and contains a solid fuel combustion appliance

The licence holder must ensure checks are carried out to ensure that each prescribed alarm is in proper working order on the day the tenancy begins if it is a new tenancy and that regular checks are made thereafter. All alarms must be kept in proper working order at all times

 You are advised to install a carbon monoxide detector where a gas boiler is installed to ensure safety of those within the premise should the boiler suffer a fault.

Condition 23: Electricity Supplies and Fire Safety

The licence holder must ensure that electricity supplies to fire detection and emergency lighting systems are not disconnected, or threatened with disconnection, due to non-payment of monies owed to the relevant provider

Condition 24: Doors

The licence holder must ensure that the main entrance / exit doors and all unit doors leading to common areas are openable from the inside without the use of a key. This includes kitchen and living rooms doors leading to garden or side of the building.

Please note that half hour fire door (FD) FD30S should be installed to the kitchen, lounge, dining room, and all bedrooms conforming to British standard (BS) BS 476-22:1987 and installation to BS 8214:2008.

Condition 25: Means of Escape

The licence holder must ensure that all means of escape from fire are free from obstruction and fire precautions are maintained, and this requirement is communicated to tenants (e.g. signage in premise)

The licence holder must ensure that all tenants are aware of the procedures to follow in the event of a fire, including means of escapes.

Condition 26: Fire Blankets

The licence holder must ensure that a fire blanket conforming to current British Standards is provided in each kitchen within the premise

Condition 27: Fire Safety Compliance

The premise must comply with the current LACORS (Local Authorities Coordinators of Regulatory Services) Fire Safety Guidance or demonstrate a safe alternative is in

place. Deviations away from this guidance that lowers the standard must be consulted on with the authority before being out in place to ensure acceptable

- Information on the LACORS guidance is found in the section "Further Information"
- Appendix B also covers fire safety requirements

Condition 28: Electrical Installations

The licence holder must provide the Council with a copy of a periodic inspection report based on Appendix 6 of BS 7671 which is used when carrying out routine periodic inspection and testing of existing electrical installations. The report must cover the whole installation.

The inspection must be carried out by a competent electrical engineer (preferably N.I.C.E.I.C or E.C.A or N.A.P.I.T) to show that the installation is safe and satisfactory and may have been obtained within the last 5 years or as recommended by the engineer

The electrical installation must be maintained in a safe manner, including ensuring any alterations are carried out by a competent person and deemed safe.

 Any urgent attention and improvements noted on the report must be carried out within 28 days of the report to demonstrate the electrical installation is safe.

Condition 29: Fire Risk Assessment

The licence holder must undertake a Fire Risk Assessment and ensure that all known hazards and risks are documented and minimised (where possible).

- Fire safety in the common areas of HMOs, blocks of flats or Maisonettes are controlled by the Regulatory Reform (Fire Safety) Order 2005 (RRO), and this order lays down the legal requirements. The RRO Guidance Note No. 1 will help you understand the Order. Because the RRO applies to HMO's, the landlord or managing agent is usually designated as the Responsible Person (RP) under the Order.
- Landlords should note that they are not expected to train tenants in fire safety, but that this is merely a document to outline where the hazards lie and how they can be avoided.
- The document Guide 3 <u>Sleeping Accommodation Guide</u> should provide all the information you require to conduct a Fire Risk Assessment.
- A brief summary of what actions are required by the Responsible Person (RP) are;
 - 1) Complete a fire risk assessment and consider the fire precautions in the common areas and eliminate or reduce risks identified to the lowest possible level
 - 2) Consider escape routes which may require the provision of a fire barrier between the common areas and the living accommodation to create a protected route to a place of ultimate safety.
 - 3) Consider the need for a fire detection and warning system and whether it should be extended into the living accommodation.
 - 4) Consider the need for emergency escape lighting.
 - 5) Consider firefighting equipment and facilities.
 - 6) Consider the need for signs and notices



GENERAL

Condition 30: General

The license holder must ensure the common parts of the house are repaired and maintained in a clean condition and in good order and similarly, that the living accommodation, which is let by the person responsible is let in a suitable condition.

The licence holder must ensure that all are aware that smoking is not permitted in any common part as per the requirements of the Health Act 2006 and associated regulations

• In shared properties it is recognised that the cleaning of shared facilities is usually the tenant's responsibility. However, it is the license holder's responsibility to ensure this is monitored and addressed should any problems arise.

Condition 31: Changes

The licence holder must ensure that the premise is fully compliant with planning and building regulations, especially if changes are made

Any changes to the property or persons holding the licence or management responsibility must be confirmed with the authority in writing within 21 days of any such change (unless legislation requires prior notification), and includes:

- a. Change of ownership or management of the house;
- b. Proposed changes to construction, layout or amenity provisions that would affect the licence or the licence conditions:
- c. Any changes to the circumstances of the licence holder that would impact their status as a fit and proper person (i.e. cautions, convictions associated with fraud, dishonesty, violence, drugs, discrimination, housing law breach etc.)
- d. Please note HMO licence fees are non-refundable and the license itself is non-transferable.

Condition 32: Management

The license holder must comply with all the requirements of the Housing Act 2004 and relevant regulations which relate to the management of HMOs. The Management of Houses in Multiple Occupation (England) Regulations 2006 places duties upon the manager of a house in multiple occupation (HMO). Failure to comply with the regulations without a reasonable excuse is a criminal offence. The local authority could prosecute for failure to comply with the regulations and on conviction a landlord could be fined £5000 and more.

The licence holder must ensure whoever is managing the premise complies with the requirements of regulations 3 to 9 of the Management of Houses in Multiple Occupation (England) Regulations 2006 or the equivalent requirements of any law that supersedes this.

Condition 33: Training

The licence holder must attend training courses in relation to any approved code of practice as determined under Section 233 of the Housing Act 2004.

Condition 34: Displaying the HMO Licence

A copy of the HMO licence must be displayed in a prominent place within the above property at all times, it is recommended that the license should be placed on a notice board on the front entrance of the property so that it is easily found should any authorities need to check occupancy of the house and know that the property is registered as HMO.

FURTHER INFORMATION

External

The roof coverings, flashings, chimney stacks, chimney flaunching, brickwork, pointing, render, windows, doors, rainwater goods, wastewater goods and drainage shall be in good condition and repair.

The dwelling should be free from any threat to the occupants relating to the collapse of an element of part of the fabric of the building being displaced because of inadequate fixing, disrepair or adverse weather conditions.

External decoration should be in good condition and should not require redecoration for a further five years.

Flues serving gas appliances (including fires and stoves) should terminate in accordance with either Building Regulation approval or Development Control consent.

Building elements should be watertight and free from significant cracking.

The property should show no visible signs of damp, wet or dry rot. The damp proof course should not be bridged by external render, paving or earth. Air bricks should be free from obstruction and should have grilles to prevent access by rodents.

Surface and Foul Water Drainage

There should be adequate provision for surface and foul water drainage.

All rainwater pipes should discharge properly into the drainage system.

All access covers to drainage and other services should be fitted with suitable flush mounted covers adequately marked to indicate purpose.

Polystyrene ceiling tiles

Polystyrene ceiling tiles should not be used within the premises as they pose fire risk. Polystyrene will begin to soften at relatively high-temperatures approaching 100°C and at that point will begin to shrink. When heated further they will melt and at this point they give off a gaseous and flammable product. If exposed to further heat such as during a house fire, the gases will ignite. The products that are released during melting can also be highly toxic.

Portable heaters using gas cylinders or flammable liquids must not be used or stored in the premises.

Floor Plans of the HMO Property

When you are making an application for your HMO to be licensed, you <u>must</u> include a set of floor plans with your application, showing the layout and the location of baths, showers, wash hand basins, WCs, kitchen sinks, cookers and work surfaces. You must also include details of the fire doors, fire alarms, fire resistant construction, emergency lighting (if installed) fire-fighting equipment and fire blankets.

You may submit plans you already have, employ a surveyor or architect or submit a sketch plan (the sketch plan must be proportionate, preferably to scale, and **must detail the room sizes**). <u>If you do not provide</u> room sizes your application will be rejected.

DEFINITIONS

For the purposes of this document, the following definitions apply:

Shared houses:

Houses occupied on a shared basis, where occupiers each enjoy exclusive use of bedroom but would share other facilities including a communal living space

Bedsit / Non-Self Contained Units:

Houses occupied as individual rooms where there is some exclusive occupation (usually bedroom / living room) and some sharing of amenities (bathroom and/or kitchen). Each occupant lives otherwise independently of all others.

The current regulations relating to the management of HMOs subject to licensing under the Housing Act 2004 are The Management of Houses in Multiple Occupation (England) Regulations 2006. For help and advice, email the Residential Licensing Team on residential.licensing@harrow.gov.uk

For help and advice on fire safety in respect of furnishings, telephone the London Boroughs of Brent & Harrow Trading Standards Service on 020 8937 5555/6 or e-mail trading.standards@brent.gov.uk

For help and advice on noise or other nuisances, contact Environmental Health on environmental.health@harrow.gov.uk

For help and advice on storage and collection of waste, telephone on (020) 8863 5611 Email: waste@harrow.gov.uk

LACORs guidance on fire safety can be found at https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf

HHSRS Guidance can be found at https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-guidance-for-landlords-and-property-related-professionals

APPENDIX A: AMENITY AND SPACE STANDARDS

Room Sizes

Occupancy	Amenities	Room	Minimum Sizes
	Bedroom with separate	Bedroom	10m ²
	Kitchen	Kitchen	5m ² (minimum for 3 sharing), plus 1m ² for additional
			people sharing
	Bedroom with kitchen in it	Bedroom	13m ²
	Bedroom with separate	Bedroom	6.51m ²
	kitchen/Diner	Kitchen/Diner	10m ² (minimum for 3 sharing), plus 1m ² for additional
	Kitchen/Diner		people sharing
One Person		Bedroom	6.51m ²
Occupancy	Bedroom with separate kitchen and common room	Kitchen	5m ² (minimum for 3 sharing), plus 1m ² for additional
			people sharing
		Common Room	8.5m ² (minimum for 3 sharing), plus 1m ² for
			additional people sharing
		Combined Floor	13m ²
	Two or more rooms let to	size	2
	occupant	Kitchen area	5m ² minimum
		Sleeping area	6.51m² minimum
	Bedroom with separate	Bedroom	13m²
	Kitchen	Kitchen	5m ² (minimum for 3 sharing), plus 1m ² for additional
			people sharing
	Bedroom with kitchen in it	Bedroom	16m ²
	Dodroom with concrete	Bedroom	10.22m ²
	Bedroom with separate kitchen/Diner	Kitchen/Diner	10m ² (minimum for 3 sharing), plus 1m ² for
	kitchen/Diner		additional people sharing
Two Person	Bedroom with separate kitchen and common room	Bedroom	10.22m ²
Occupancy		Kitchen	5m ² (minimum for 3 sharing), plus 1m ² for additional
			people sharing
		Common Room	8.5m ² (minimum for 3 sharing), plus 1m ² for
			additional people sharing
	Two or more rooms let to occupant	Combined Floor	16m ²
		size	
		Kitchen area	5m ² minimum
		Sleeping area	6.51m ² minimum (1 person) or 10m ² (shared)
	Bedroom with separate Kitchen	Bedroom	16m ²
		Kitchen	5m ² (minimum for 3 sharing), plus 1m ² for additional
			people sharing
	Bedroom with kitchen in it	Bedroom	19m ²
	Bedroom with separate	Bedroom	13.22m ²
	kitchen/Diner	Kitchen/Diner	10m ² (minimum for 3 sharing), plus 1m ² for additional
			people sharing
Three	Bedroom with separate	Bedroom	13m ²
Person Occupancy	kitchen and common room	Kitchen	5m ² (minimum for 3 sharing), plus 1m ² for additional
		Kilchen	people sharing
		Common Room	8.5m ² (minimum for 3 sharing), plus 1m ² for additional
		Common Room	people sharing
	Two or more rooms let to	Combined Floor	19m ²
	occupant	size	10111
	Cooupain	Kitchen area	5m ² minimum
		Sleeping area	6.51m ² minimum (1 person) or 10m ² (shared)
		J Sieeping area	0.5 mi minimum (1 person) or rom (snared)

Note: the standard applied will be to avoid sharing of any sleeping room by more than 2 persons. The exception is where there are two parents and their child under the age of 5 years old.

Washing Facilities

No. of People	Washing Facilities
1-4	At least one bathroom and 1 WC (bathroom and WC can be combined). Wash hand
	basin required in bathroom and in separate WC (if provided)
5	1 bathroom AND 1 separate WC with wash hand basin (but the WC can be contained within a
	second bathroom)
6-10	2 bathrooms AND 2 separate WCs with wash hand basins (but one of the WCs can be contained
	within one of the bathrooms)
11-15	3 bathrooms AND 3 separate WCs with wash hand basins (but two of the WCs can be contained
	within 2 of the bathrooms)

- Where there are no adequate shared washing facilities provided for a unit of living accommodation, an
 enclosed and adequately laid out and ventilated room, with a toilet, wash hand basin and bath or fixed
 shower supplied with adequate cold & constant hot water must be provided for the exclusive use of the
 occupiers of that unit either
 - o within the living accommodation; or
 - o within reasonable proximity to the living accommodation (maximum one floor distant).
- These amenities should be located not more than one floor distant form the unit of accommodation.
- Bathroom means a room containing a bath or shower
- External toilets (WCs) will not be counted.
- All baths must be readily accessible of minimum dimensions 1700mm x 760mm in a bathroom
- All showers must be readily accessible of minimum dimensions 800mm x 800mm in a suitable shower room together with adequate drying and changing space where practicable. These shall be provided not more than one floor distant from any user
- All baths, showers and wash hand basins must be equipped with taps providing an adequate supply of cold and constant hot water and be connected to an appropriate drainage system.
- All baths, showers and wash hand basins must be equipped with adequate splashbacks (300mm to baths and wash hand basins, full heights for showers or within separate water tight enclosure) with an adequate waterproof seal.
- All bathrooms must be suitably and adequately heated and ventilated (see heating section at Page 7 earlier in this document) - adequate mechanical ventilation in accordance with Approved Document F of the Building Regulations 2000
- All bathrooms and toilets must be of an adequate size and layout.
- All bathrooms and toilets must be suitably located in or in relation to the living accommodation in the HMO
- Landlords should ensure the provision of suitable floor covering to WCs and bathrooms; these should be slip resistant, impervious and easily cleansable.
- No toilet should open directly onto an area of kitchen where food is prepared unless mechanical extract ventilation and a wash hand basin is provided

Kitchens

FACILITY			MORE THAN 5 PERSONS – UP TO 9
Sinks with draining boards; An adequate supply of cold & constant hot water to each sink supplied;	A fixed impervious sink of minimum dimensions 500 x 600 mm with a drainer. It should be provided with an adequate and wholesome supply of cold water and an adequate supply of constant hot water and connected to the drainage system via a suitable trap	1 for up to 5 occupiers	1 per 4 occupiers or part thereafter. Dishwashers may be considered an alternative to a second sink
Installations or equipment for the cooking of food;	The primary facility should comprise an electric or gas hob with 4 rings (2 if for an individual) and an oven with a grill. Alternatively a microwave oven may be substituted for one or two of the burner / hobs respectively	1 for up to 5 occupiers	1 per 4 occupiers or part thereafter – a microwave oven may be considered as an alternative to an additional cooker
Electrical sockets;	30 amp supply for an electric cooker. Points should be set at a convenient height and safe position.	2 twin outlet power sockets set at a convenient height and safe position in addition to dedicated sockets serving major appliances such as cooker, refrigerator and washing machine.	An additional twin outlet power socket for each two persons over 5 sharing. Additional sockets are needed for additional cookers, refrigerators and washing machines.
Worktops or tables for the preparation of food;	The worktops or tables should be secure, fixed and of an impervious material	1500mm (length) x 500mm (depth) in usable sections (1000mm x 500mm if exclusive use within individual person(s) accommodation)	Additional 500mm length per user.
Cupboards for the storage of food or kitchen & cooking utensils;	Single cupboard (wall or floor mounted) of not less than 0.08m ³ per person. This excludes any cupboard under a sink.	0.08m ³ per person (0.16m ³ if exclusive use within individual person(s) accommodation)	Capacity to be increased proportionately for each additional occupant.
Refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezer);	Not less than 0.075m ³ of refrigerator space per person (0.15m ³ if exclusive use within individual person(s) accommodation)	A standard sized combined fridge/freezer	Additional fridge/freezer for up to 9 persons

FACILITY	MINIMUM STANDARD	UP TO & INCLUDING 5 PERSONS	MORE THAN 5 PERSONS – UP TO 9
disposal facilities;	The refuse facilities should not cause problems of hygiene or attract pests and should not obstruct the means of escape in case of fire.	refuse receptacles must be provided for the storage of refuse awaiting collection both	A sufficient number of refuse receptacles must be provided for the storage of refuse awaiting collection both internally and externally
Appropriate extractor	Mechanical extractor fan in accordance with Approved Document F under the Building Regulations 2000	As minimum standard	As minimum standard
Appropriate fire blankets;	immediately adjacent to or over a cooker	to be sited immediately adjacent to or over a	To be supplied but not to be sited immediately adjacent to or over a cooker

- Kitchen floors should be slip resistant, impervious and easily cleansable.
- Kitchen walls adjacent to cookers, sinks and food preparation areas should be provided with impervious splash backs.
- Kitchen ceilings to be in good repair.
- If there are 10 or more occupants a second fully equipped kitchen should be provided.
- Kitchen facilities must be available for use 24 hours a day
- No more than 2 sets of facilities shall be provided in any one kitchen, and where there are 2 sets they
 shall be reasonably separate from each other to allow their safe and simultaneous use by 2 or more
 households
- No furniture or curtains shall be within 600mm of the cooker

Where all or some of the units of accommodation within the HMO do not contain any facilities for the cooking of food –

- there must be a kitchen, suitably located in relation to the living accommodation and of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food;
- the kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in a sufficient quantity for the number of those sharing the facilities:

There should be suitable dining facilities, either within the kitchen or in a separate room on the same storey. This can include within the bedroom area as long as it meets the room size standards for a room with separate kitchen facilities and no lounge / common room

Natural and Artificial Lighting

- All habitable rooms shall have an adequate level of natural lighting, provided via a clear glazed window
 or windows and/or door(s), the glazed area to be equivalent to at least one-tenth of the floor area and
 to extend normally to a point 1.75m above floor level.
- Basement rooms used for human habitation should, in addition to the requirement in the first paragraph, have sufficient natural lighting for their purpose.
- All staircases, landings, passages, kitchens, bathrooms and water closets are to be provided, where
 practicable, with natural lighting. Windows to bathrooms and water closets are to be glazed with
 obscured glass.
- Adequate electric lighting points are to be provided to all habitable rooms, staircases, landings, passages, kitchens, bathrooms and water closets. All lighting to common parts to be provided, maintained and paid for by the landlord or their agent. Lighting to staircases, landings and passages may be controlled by time switches or other devices having a similar effect.

Ventilation

- All habitable rooms, kitchens and bathrooms shall have a minimum floor to ceiling height of 2.14m, except in the case of existing attic rooms, which shall have a minimum height of 2.14m over an area of the floor equal to not less than three-quarters of the area of the room, measured on a plane 1.5m above the floor.
- All habitable rooms shall be ventilated directly to the external air by a window which has an openable area not less than 1/20th of the floor area.
- If a room is not ventilated directly to the outside then it will not be classed as habitable
- All kitchens, bathrooms and water closet compartments shall be ventilated directly to the external air, either by a window the openable area of which shall be equivalent to at least 1/20th of the floor area of the room or by suitably sited mechanical ventilation providing a minimum of three air changes per hour operated from the lighting circuit of the room and fitted with a 20 minute overrun. For kitchens, mechanical ventilation providing one air change per hour will be deemed sufficient.
- Basement rooms used as habitable rooms should be provided with natural ventilation direct to the
 external air. In addition, there should normally be an unobstructed space immediately outside the
 window opening which extends the entire width of the window or more and has a depth of not less than
 0.6m measured from the external wall or not less than 0.3m in the case of a bay window with side
 lights.
- Suitable and sufficient permanent ventilation shall be provided and maintained in any room in which there is a gas heating appliance.
- Suitable and sufficient means of permanent ventilation shall be provided in all kitchens, dining/kitchens, bathrooms, water closet compartments and other rooms containing cooking or washing facilities.
- Window sills (to windows on the first floor upwards) less than 1100,, shall be fitted with window restrictors. It shall be possible to override the window restrictors for escape purposes.
- The use of patio doors or other similar methods to ventilate a room shall only be considered if the risk from security (e.g. left open at night) is negated.

APPENDIX B: FIRE SAFETY STANDARDS FOR HMO'S

Fire Alarms

2 or 3 Storey Shared HMO

Generally it is required for two or storey buildings that a Grade D LD3 system is installed throughout the whole house, however if in doubt please seek advice either from our department or your independent fire safety risk assessor if you have.

Grade D, LD3 systems are;

A system of mains powered automatic smoke detectors and heat detectors with battery backup and built in alarm to achieve BS 5839 Part 6:2004 Grade D (or equivalent). Detectors must be sited in all areas containing a fire risk. In kitchens a heat alarm rather than a smoke alarm must be installed. All detectors must be interlinked so that if one detector is triggered, the alarm sounds in each and every alarm location.

Grade D: a system of one or more mains-powered smoke (or heat) alarms each with integral battery standby supply. These are designed to operate in the event of mains failure and therefore could be connected to the local lighting circuit rather than an independent circuit at the dwelling's main distribution board. There is no control panel.

LD3 coverage: a system incorporating detectors in circulation spaces that form part of the escape routes from the dwelling only.

Grade D, LD3 System:

- Provide an interlinked mains wired smoke alarms with integral battery back-up located in the escape route at all floor levels. Generally bathrooms and WC's will not require any detection within them.
- Provide an additional interlinked heat alarm with integral battery back-up located in the kitchen.
- Provide an additional interlinked smoke alarm with integral battery back-up located in the lounge/dining
 areas. Smoke and Heat alarms shall be capable of achieving 75db(A) when measured from a distance
 of 3 metres. All detectors to be optical beam devices.

For Bedsit 3 or 4 storeys

Grade A: A fire detection and alarm system that is designed and installed in accordance with the recommendations of BS 5839 part 1:2002, except clauses relating to alarm audibility, alarm warnings for the hearing impaired, standby supplies, manual call points and radio linked systems, which are replaced by part 6.

Grade A systems are electrically operated smoke and or heat detectors which are linked to a control panel. The control panel must conform to current BS 5839:part 4 (or equivalent). In general the system must incorporate manual call points which should be located next to final exists and in larger multi-storey properties, on each landing. The alarm signal must achieve sound levels of not less than 65dB (A) in all accessible parts of the building and not less than 75db (A) at all bed-heads when all doors are shut, to arouse sleeping persons.

Mixed Grade System

Installations where more than one or more alarm system is installed to serve the whole building are termed 'mixing systems'. These system are installed to meet differing life safety objectives and may be to differing grades, having regard for the need to avoid false alarms from one dwelling unit affecting all occupiers.

AFD mixed system Grade A, LD2 and Grade D

Smoke alarms with integral battery back-up located in the escape route at all floor levels.

Where cooking facilities are sited within the bed-sit:

- Interlinked heat alarms with integral battery back-up located in each bed-sit; and
- Additional Grade D, non-interlinked smoke alarm with integral battery backup located in each bedsit.

Where cooking facilities are sited in a shared kitchen, not within bedsits:

- Interlinked smoke alarms located in each bedsit
- Interlinked heat alarms with integral battery back-up located in each kitchen

For Properties above Commercial Premises

Automatic Fire Detection and Alarm System

Generally it is required to have a Grade A, LD2 system in place. Grade A: fire detection system incorporating control and indicating equipment to BS EN 54-2, and power supply to BS EN 54-4, installed to BS 5839 part1:2002 and part A2:2008

LD2 coverage: a system incorporating detectors in all circulation spaces that form part of the escape routes from the dwelling and in all rooms or areas that present a high fire risk to occupants i.e. risk rooms.

- The Control Panel must confirm to BS EN 54-2:1997, and should be sited in a prominent position within the entrance hallway near the main front door. Fire retardant cabling should be used in the installation.
- Manual break glass call points must be located at each external exit from the property and each landing in the property.
- Smoke detectors with integral battery back-up power to be located in the escape route at each floor level within the property. Generally bathrooms and WC's will not require any detection within them.
- Heat detector with integral battery back-up power supply to be located in the in the kitchen and linked to the commercial floor.
- The alarm system shall be capable of achieving 75db(A) when measured from all bed-heads from a distance of 3 metres. All detectors to be optical beam devices.
- Provide a certificate of design, installation and commissioning in accordance with BS 5839 part 1: 2002 and part A2:2008.
- Note that BS 5839-6:2004 recommends that the occupiers should receive the manufacturer's instructions concerning the operation and maintenance of the alarm system.

Maintenance of Fire Protection

Once the fire precautions have been installed, the owner and the residents both have responsibility for their maintenance.

The owner or manager must be familiar with how the fire alarm system operates and know how to recognise and remedy faults. The alarm installer will have provided an operator's manual and a contact telephone number. It is very important that faults are reported and remedied immediately.

The alarm system should be tested, by checking that all alarms activate simultaneously and air intake grilles should be cleared of dust, insects and cobwebs.

Back-up batteries should be replaced when necessary, in line with the manufacturer's recommendations. This should be carried out monthly and a written record kept. It is recommended to replace the detector after 10 years of operation. Ten years is a detector useful lifetime and for continued reliable safety and protection.

Owner's Responsibility

The owner must make sure the structural fire precautions, the fire alarm system, and other equipment are maintained in good condition and proper working order

Fire Doors

HMO's must have half hour fire doors (FD) FD30S to the **kitchen, lounge, dining room, and all bedrooms** conforming to British standard (BS) BS 476-22:1987 and installation to BS 8214:2008. These should be hung on three hinges, which comply with BS EN 1935:2002 to leave gaps not greater than 4mm (millimetres) to the head and stiles and not more than 8mm at the bottom. The fire doors are required to be able to shut into its frame from any angle.

These fire doors must have an intumescent strip/smoke seal to the door – these should not be painted over as it will prevent adequate sealing in case of fire.

All doors must have self-closing devices as approved under BS EN 1154:1997. Over-arm self-closing devices are required to be used for fire doors, however perco chain style door closers are also accepted even though their reliability for wear and tear, tenants' being able to remove these chains easily and children trapping their fingers in between the chains have been highlighted as issues before, therefore we do not recommend perco closers as self-closing mechanism.

Security devices on bedrooms and final exit doors must be capable of being opened from the inside without the use of keys (thumb turn cylinder locks). The holes created to fit the locks must be filled with intumescent paste.

These should be checked regularly to ensure that the doors and frames are undamaged and that self-closing devices work properly. The smoke seals to the doors must be undamaged and form a good seal between the door and frame, it is important not to paint over smoke seals.

Any glazing above a Fire Door must be of fire resistant glazing (such as Pyroshield) in a fixed frame, each pane of which must not exceed 1.2m² in area. The Glass in its framework must satisfy BS 476-22&23:1987.

All glazing in a fire resisting wall, partition, screen or door is to be installed in accordance with PD6512-3:1987, to provide a fire resistance of not less than 30 minutes.

Cupboards and other items within the Hallway/Landing areas

All airing, utility supply and storage cupboards within these areas must be fireproofed with minimum 30 minute fire resistance.

Fire Blankets and Extinguishers

A competent person should professionally service all portable fire extinguishers at least once a year. The services includes checking all parts, gauges, strainer tubes, breather valves, safety devices and operating

mechanisms to ensure they are safe and in good working order. The engineer should provide a record of this test.

It is recommended that the Landlord carry out regular visual inspections of all portable fire extinguishers and fire blankets. It suggested these inspections should be at least monthly.

These inspections should ensure:

- a. Fire extinguishers are in their correct positions and show no signs of use
- b. The means of escape are clear of all obstructions

Emergency Lighting

Should be installed in accordance with BS5266 part 1 to cover the protected escape route.

Signage

Signage should be used, in accordance with the latest BS 5499. Ensure fire doors are clearly signed and exit routes and directions, where necessary. A clear sign at eye level should be used, to show the change in level (step) in the hall.

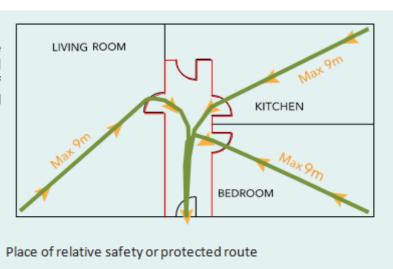
Escape Routes

Travel distances within HMOs are an important matter, as in the event of fire, occupiers need to be able to reach a safe place within reasonable time and in a safe manner. The layout of the premises needs to be such that occupiers can quickly find their way across the room they are in and then through any protected route to the final exit. This must be achieved despite possible heat, flames and most importantly smoke. Smoke is often toxic but can also reduce visibility both by fogging and by causing irritation to the eyes. Occupiers need to be able to get through the escape route with a minimum of exposure to these hazards particularly by inhalation.

Like most elements of fire safety, judging the adequacy of travel distances is a matter of risk assessment and needs to be considered along with all other risks.

The distance between any point on the premises and a place of relative safety should ideally be a maximum of 9 metres. A place of relative safety would, for example, be a protected route within the building.

In HMOs without a protected route (for example in smaller two storey shared houses) the travel distance will generally need to be calculated from the furthest corner of the most distant bedroom to the front door



Where 9m travel distance is exceeded, landlords should consider this as an item of additional risk. Some examples of the ways that excessive travel distances can be offset are:

- provision of alternative escape means (e.g. an escape window) or routes;
- provision of portable fire fighting equipment:
- provision of a suppression system;
- upgrading the passive fire resistance.

Premises converted after 1991 with full Building Regulation Approval should already comply with travel distance requirements.

Routes should be checked regularly to make sure they are clear from obstruction and free from combustible materials and there are no hazards i.e. loose carpets.

Escape Windows

Where window openings are likely to be used for means of escape purposes the following guidance must be referred to:

The window must have an unobstructed openable window area that is at least 0.33msq with at least the width or height dimension being a minimum of 450mm. Side hung opening lights are recommended. Care must be taken when considering the design (particularly with uPVC windows and their various hinge designs) to ensure the necessary openable area required is provided.

The bottom of the openable area (window cill level) must be not more than 1100mm, and not less than 800mm above floor level. Windows are suitable for means of escape where the drop from the window to ground level is one storey only (not exceeding 4.5m from first floor level to outside ground level).

Note: The ground below the windows must be flat and free from hazards (low walls, railings etc). Where security is provided on windows, means of opening must be readily available within the room. Where primary access to a sleeping room is through a high risk room (i.e. communal, kitchen or living room) an alternative suitable means of escape must be provided via a door or escape window directly to the outside.

Informing Residents about Fire Protection

Existing residents should be informed about the fire protection system as soon as it is installed, and new residents should be informed as soon as they move in.

All residents should know:

- What the fire alarm is for and how to recognise the sound
- What the escape route is; a practice fire drill is a good idea
- The importance of not propping open fire doors or interfering with the alarm system

Residents' Responsibility

Residents must allow the owner reasonable access to the accommodation to carry out checks on fire precautions and must comply with reasonable instructions given to them by the Landlord. Residents must not interfere with the fire protection system and equipment, for example, by:

- Removing safety equipment;
- Propping fire doors open;
- Covering or removing smoke detectors
- Blocking escape routes with furniture bicycles or refuse etc