



WEST OXFORDSHIRE
DISTRICT COUNCIL

HMO Amenity Standards

**Guidance for landlords on the standards required for
space and amenities in Houses in Multiple Occupation**



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Introduction

This guidance sets out standards for Houses in Multiple Occupation (HMO), these standards are based on legislative requirements and relevant guidance, as well as the Council's expectations. All HMOs, whether requiring a licence or not, are required to meet relevant fire safety, health and safety, and space and amenity standards.

The property remains the responsibility of the landlord, manager and/or owner and the Council accepts no responsibility for any loss caused as a result of application of these standards.

The Council has the power to enforce, but encourages landlords to meet the standards proactively.

What is a House in Multiple Occupation (HMO)

An HMO is property occupied by 3 or more people, forming more than one household, who share toilet, bathroom or kitchen facilities. Exclusive use bathrooms/ensuites and/or cooking facilities, and self-contained flats in some cases, may also form part of an HMO. The full definition is provided by the [Housing Act 2004, sections 254 to 260](#). Traditionally HMOs are let as 'bedsit' type where rooms in a property are let on individual agreements and the occupiers share other facilities. HMOs let on a single tenancy agreement and occupied by an identifiable group of people such as students, work colleagues or friends may be considered a 'shared house'.

Unsure whether your property is an HMO?

If you are unsure or have any other queries regarding HMOs, please contact the Private Sector Housing Team, at: ers@publicagroup.uk

Managing an HMO

All HMOs, whether requiring a licence or not, must be managed in compliance with [The Management of Houses in Multiple Occupation \(England\) Regulations 2006](#).

Licensing an HMO

All HMOs occupied by 5 or more people require a mandatory HMO Licence; the licence holder and manager must be fit and proper; see [Housing Act 2004, s.66](#). There is no minimum age applied when calculating HMO occupiers; children count as an occupier from birth. See also the [Licensing of Houses in Multiple Occupation \(Mandatory Conditions of Licences\) \(England\) Regulations 2018](#).

How to apply and further information

More information about HMOs, including how to apply for an HMO Licence and the licence fees can be found here: [Houses in multiple occupation - West Oxfordshire District Council](#).

HMO Licensing offences and penalties

Offences in relation to licensing of HMOs are described in [section 72](#). Offences include:

- not having a licence for a property that requires one;
- allowing occupation of an HMO over the number of people permitted;
- failing to comply with any conditions of the licence.

If you control or manage an HMO requiring a licence, but you don't have a licence, you could get an unlimited fine. If you breach a condition of an HMO licence you could be fined up to £5,000 upon conviction. Local authorities are also able to issue landlords with civil penalty notices of up to **£30,000 per offence** as an alternative to prosecution.

Section I: Standards for all types of HMO

This section provides guidance on the standards which apply to all types of HMO.

I.1 Fire Safety

There is a significantly higher risk of fire in HMOs compared to other types of accommodation. A higher level of fire safety provisions is therefore essential to ensure adequate means of escape in the event of a fire, including a suitable fire detection and alarm system and protected escape route.

The [LACORS 'Housing – Fire Safety' guide](#) is referred to by the Council and the Oxfordshire Fire and Rescue Service in relation to the fire safety provisions for HMOs and is a good reference for landlords and developers. As properties vary, the standards for each individual property will be determined following an inspection by the Private Sector Housing Team.

All HMOs require fire detection/alarms throughout the escape route, in kitchens and in the principal habitable room. Bedsit type HMOs also require detection/alarms in all risk rooms – this includes letting rooms, communal areas such as lounges and dining rooms and may include cupboards if they open on to the escape route. It is recognised shared houses can present a lower fire risk than traditional bedsit-type HMOs. The occupation, fire safety risk and therefore the required fire safety precautions, will need to be assessed for each individual property based on how it is occupied and used. Final exit doors and doors to individual lettings must be openable from the inside without the use of a key.

The [Regulatory Reform \(Fire Safety\) Order 2005](#) and [Fire Safety Act 2021](#) requires a suitable and sufficient fire risk assessment is carried out; this is regulated by the fire service. However, a copy of the assessment must be submitted as part of a licence application.

I.2 Heating

The heating system must be fixed and controllable, of an appropriate design and layout to efficiently heat the whole property. As a minimum it must be capable of maintaining the following temperatures when the outside temperature is -1°C: Reception rooms 21°C, Kitchens 21°C, Bedrooms 18°C, Bathrooms 22°C, Hallways 19°C.

All common parts, units of sleeping accommodation and bathrooms/shower rooms (whether shared or exclusive use) must be fitted with suitable fixed and controllable heating.

Heating must always be available, and the occupiers must be able to adjust the controls for their accommodation, for example via a thermostatic radiator valve (TRV).

The heating system provided must meet the above requirements without the use of any additional heating, such as any type of portable heater.

The HMO must not be fitted with any pre-payment meters. The manager must not unreasonably cause the gas or electricity supply that is used by any occupier within the HMO to be interrupted.

The use of any portable paraffin, oil-fired, liquefied petroleum gas heaters (LPG) (bottled gas heaters), or any other open-flame heat source (whether portable or fixed, such as an open fire or wood-burner) are not acceptable in an HMO under any circumstances, whether provided by the landlord or tenant.

I.3 Natural and Artificial Lighting

All units of accommodation shall have an adequate level of natural light, provided by clear glazed window(s) and/or door(s). The glazed area to be equivalent to at least 1/10th of the floor area, e.g. in a 10m² room the glazed area must be a minimum of 1m². Windows to bathrooms, shower rooms and toilets are to be glazed with obscured glazing.

All areas of the property accessible by the occupiers must have adequate electric lighting, controlled by suitably located switches. Lighting on stairs should be capable of being switched on and off from both upstairs and downstairs. Lighting on stairs, landings and passages can be controlled by timer switches and/or passive infra-red (PIR) sensors. Any timers must be set appropriately for the layout of the property, i.e. not unreasonably short.

I.4 Ventilation

All units of accommodation shall be ventilated directly to the external air by a window; a door alone is not suitable. The window shall have an openable area of at least 1/20th of the floor area of that room, e.g. in a 10m² room the openable window area must be a minimum of 0.5m².

Kitchens, bath/shower rooms and toilets where there is no natural ventilation, or the natural ventilation is not adequate, shall have mechanical ventilation fitted in accordance with current Building Regulations. Mechanical ventilation to meet this requirement must be externally vented.

Humidistat controlled ventilation is highly recommended.

Consideration should be given to where occupiers can dry clothes to minimise the likelihood of condensation and the risk of associated mould growth. Where provided, tumble driers must be appropriately installed and ventilated.

I.5 Furniture Safety

[The Furniture and Furnishings \(Fire\)\(Safety\) Regulations 1988 \(as amended\)](#) sets out the standards required. Furniture provided must comply with these regulations and landlords, letting and management agents are responsible for ensuring all furniture provided is compliant.

I.6 Security

Sufficient measures must be in place to provide security for the occupiers, including appropriate locks to the front entrance door, rear exit doors and units of accommodation, to prevent unauthorised access but permit safe keyless exit; there must be no locks that are key operated from the inside along any part of the escape route, both internally and externally.

Vulnerable windows must be capable of being secured against unauthorised access without compromising the means of escape in case of fire. Simple locks must be provided to the bath/shower rooms and toilet to provide privacy.

I.7 Electrical Safety

All sockets shall be positioned for safe, convenient, and proper use, having regard to the room layout to prevent overloading of sockets and trip hazards from trailing cables. See the following sections for minimum requirements. There must be an Electrical Installation Condition Report (EICR) showing a 'satisfactory' result. See also section [2.2 Electrical Safety Regulations](#).

Electrical Equipment Testing (EET), previously called Portable Appliance Testing (PAT), must be carried out on all testable electrical appliances provided by the landlord, that are more than 12-months old, at least once every year.

I.8 Refuse, Storage and Disposal

Refuse and recycling bins or containers must be provided and meet the needs of the HMO, with waste separated as required by the Council. Wherever possible, they must not be located near windows or doors to habitable rooms. They must not cause obstruction to any private or public access including the HMO and neighbours; and must be stored and put out for collection in accordance with the Council's waste and recycling scheme, for more information see:

[Bins and recycling - West Oxfordshire District Council](#).

Section 2: Legal requirements for all HMOs

It is the landlord/manager and/or property owner's responsibility to ensure compliance with relevant legislation and regulations, including staying up to date with any changes. This section provides some guidance on these obligations; it is a summary and is not exhaustive. If in any doubt regarding your legal obligations, you are advised to seek independent legal advice.

2.1 Gas Safety and Carbon Monoxide

[The Gas Safety \(Installation and Use\) Regulations 1998](#) requires the landlord to ensure that where a rented property contains gas appliances, they are maintained in good order and checked for safety at least annually. A record of the checks (Gas Safety Record) must be kept and shown to the tenants or local authority on request.

[The Smoke and Carbon Monoxide Alarm \(Amendment\) Regulations 2022](#) (which amends the [2015 Regulations](#)), requires a Carbon Monoxide (CO) alarm is installed in any room of the premises which is used wholly or partly as living accommodation (including bathrooms and toilets) and contains a fixed combustion appliance other than a gas cooker, e.g. a gas fired boiler.

The standard for fire detection in most HMOs is higher than these regulations describe – see section [1.1 Fire Safety](#). If you are found to be in breach of the Smoke and Carbon Monoxide Alarm Regulations, the Council can issue a penalty of up to £5,000.

2.2 Electrical Safety Regulations

[The Electrical Safety Standards in the Private Rented Sector \(England\) Regulations 2020](#) require landlords to have electrical installations in their properties inspected and tested by a person who is qualified and competent, at least every 5 years. Landlords will provide a copy of the report, usually an Electrical Installation Condition Report (EICR), to their tenants at the start of the tenancy and to the local authority when requested. If you are found to be in breach of these regulations the local authority can impose a financial penalty of up to £30,000.

See also [1.7 Electrical Safety](#).

2.3 Housing Health and Safety Rating System

The Housing Health and Safety Rating System (HHSRS) is a method of assessing hazards, it is enforced by the Housing Act 2004. HHSRS guidance for landlords is here: [Housing health and safety rating system: guidance for landlords and property-related professionals](#). HHSRS applies to all dwellings, regardless of tenure. If significant hazards are identified, the Council may take enforcement action to reduce or remove hazards to an acceptable level; enforcement action must be taken where category 1 hazards are identified. A breach of enforcement action is an offence for which you can be prosecuted or a civil penalty of up to £30,000 can be imposed.

2.4 HMO Management Regulations

There are management regulations that apply to all HMOs. The person in control of or managing the HMO has duties under these regulations. [The Management of Houses in Multiple Occupation \(England\) Regulations 2006](#) apply to all HMOs except those consisting entirely of self-contained flats, to which the following apply: [Licensing and Management of Houses in Multiple Occupation \(Additional Provisions\) \(England\) Regulations 2007](#). A breach of management regulations is an offence for which you can be prosecuted or a civil penalty of up to £30,000 can be imposed.

Section 3: HMO Licensing

Mandatory licensing applies under [Part 2 of the Housing Act 2004](#), to HMOs with 5 or more occupiers; this means if you are responsible for an HMO requiring a licence, you must apply.

3.1 Who is responsible?

You are responsible for applying for an HMO licence;

if you own or lease a property which is subject to mandatory licensing, and you receive rent (either collected directly or by an agent) from tenants or licensees,

or, you receive the 'rack-rent' (two-thirds or more of the full net annual value of the rent) from a property which is subject to mandatory licensing. This includes tenants who sublet.

Operating an HMO that is subject to mandatory licensing without a licence (unless you have submitted a valid application) is a criminal offence, for which you may be prosecuted or receive a civil penalty of up to £30,000.

3.2 How do I apply?

Link to apply for an HMO Licence:

[Application to license a house in multiple occupation from West Oxfordshire District Council.](#)

If you have any trouble making an application, contact us at: ers@publicagroup.uk.

Section 4: Space and amenity standards for HMOs

The sizes and facilities specified are in most cases what the Council expects to be provided. However, depending on how the property is occupied, the layout, including communal space provision, and any other details specific to the property, some exceptions may be made.

Assessment regarding any exception can only be made on a case-by-case basis. All amenities must be accessible internally, any external amenities will be excluded, e.g. outside toilets are excluded.

The sizes given refer to floor area. Any floor area where the ceiling height is less than 1.5m will not be included. At least 75% of the room must have a ceiling height of at least 2.1m.

For the purposes of determining the maximum permitted numbers of occupants for an HMO, the Council will have regard to the:

- [Bedrooms, including the sizes of the rooms.](#)
- [Bathrooms, toilets and personal washing facilities.](#)
- [Kitchens, cooking and food preparation facilities.](#)
- [Mandatory licence conditions.](#)

4.1 Bedrooms (sleeping accommodation)

The term 'bedroom' refers to any room used as sleeping accommodation, whether it is also used for other purposes. The areas detailed below refer to floor area and do not include enclosed areas such as en-suites. The floor area in rooms with unusual layouts will be assessed on a case-by-case basis and must be fit for purpose; for example, narrow entrances/hallways may be excluded from the floor area; built-in furniture or walk-in floor to ceiling cupboards, may be included. No other room or space shall count towards the floor area.

Number of occupiers	Bedroom	Bedroom with cooking facilities in the same room
One person	8 sqm	11 sqm
Two persons	13 sqm	16 sqm

Some smaller rooms maybe permitted but should not form the majority of the HMO. Generally, where there are smaller rooms some addition communal space should be provided, such as a dining area (either as part of the kitchen or a separate room), or a lounge. In any case, bedrooms which also contain cooking facilities must be safe to use; see [Exclusive use kitchens](#).

Any room below the statutory minimum size must not be used as sleeping accommodation. The statutory minimums are described by the [Licensing of Houses in Multiple Occupation \(Mandatory Conditions of Licences\) \(England\) Regulations 2018](#) and are as follows:

One child under the age of 10 years	4.64 sqm
One person aged 10 years or over	6.51 sqm
Two persons aged 10 years or over	10.22 sqm

All bedrooms must be provided with a minimum of four electrical sockets (or equivalent, e.g. two double sockets), which must be easily accessible and suitably located to not have trailing leads, nor require extension leads – inaccessible sockets will be disregarded.

4.2 Bathrooms, toilets and personal washing

All baths, showers and wash-hand basins must be equipped to provide an adequate supply of cold and constant hot water and must be fit for purpose.

Exclusive use facilities may also be provided, either within the letting as an ensuite which must be enclosed, or in a separate enclosed room ideally on the same floor. They must contain a toilet, wash-hand basin and a bath or fixed shower for the users not to count towards the number of occupiers sharing in the table below.

All bathrooms, shower-rooms and toilets, whether exclusive use or shared – which must be accessible from a common area – must be of adequate size and layout, be no more than one floor from any letting expected to use them, be provided with a suitable decorative finish which is capable of being kept in a clean and hygienic condition; in shared facilities cleaning is the manager's responsibility as it is in all common parts. Exclusive use facilities must be clean at the start of each occupancy. Suitable ventilation is required, see [Section 1.4 Ventilation](#).

Occupiers	Facilities required
3 to 4	One bathroom containing a bath or shower, and a wash-hand basin. One toilet, which can be included in the bathroom.
5	One bathroom containing a bath or shower, and a wash-hand basin. One toilet with a wash-hand basin, which must be separate from the bathroom.
6 to 7	Two bathrooms each containing a bath or shower, and a wash-hand basin. Two toilets, which can be included in the bathrooms.
8 to 10	Two bathrooms each containing a bath or shower, and a wash-hand basin. Two toilets, one of which can be included in a bathroom, the other must be in a separate compartment with a wash-hand basin.
Each 5 additional persons	One additional bathroom containing a bath or shower, and a wash-hand basin. One additional toilet; at least half of the total number of toilets must be in a separate compartment with a wash-hand basin.

4.3 Kitchens and cooking facilities

All kitchens should meet or exceed the minimum sizes and facility standards described below, be provided with a suitably located fire blanket, an adequate supply of cold and constant hot water to each sink, have a layout allowing safe and convenient use and be provided with decorative finish and surfaces which are capable of being kept in a clean and hygienic condition. In shared facilities cleaning is the manager's responsibility as it is in all common parts. Exclusive use facilities must be clean and in good condition at the start of each occupancy.

Where there is no dining area within or adjacent to the kitchen, kitchen facilities must be sited no more than one floor distance from each letting.

Occupiers	Kitchen	Kitchen-Diner
3 to 4	6 sqm	10 sqm
5 to 7	9 sqm	13 sqm
8 to 10	12 sqm	16 sqm

Shared kitchens

Shared kitchens must be accessible from a common area and must be equipped with facilities suitable for the number of occupiers. The facilities described for up to 5 persons is the minimum requirement for a shared kitchen.

No one kitchen shall provide for more than 10 persons.

Facilities	Up to 5 persons	6 to 7 persons	8 to 10 persons
Cooking	4 rings 1 oven and grill.	As 5 persons plus; combination microwave oven/grill. Or, 6 rings 2 ovens and grill.	As 5 persons plus; 4 rings, 1 oven and grill. Or, 6 rings 2 ovens and grill and combination microwave oven/grill.
Sink	1	1.5 or 1 plus dishwasher	2 or 1.5 plus dishwasher
Worktop	1500mm x 600mm	2000mm x 600mm	2500mm x 600mm
Electrical sockets	4	6	8
Storage	0.2 m ³ per person, approx. one 600mm base unit or one 1000mm wall unit.		
Fridge/Freezer	30 litres fridge space and 15 litres freezer space per person.		
Refuse disposal	Suitable covered refuse disposal facilities ~10 litres per person.		
Ventilation	See Section 1.4 Ventilation .		

Cooking:

Rings – can be gas or electric, they must be provided as a fixed hob or part of a freestanding cooker, portable hobs are not acceptable. The hob/cooker is to be located away from doorways with a minimum of 300mm worktop to both sides.

Ovens and grills – may be provided as integrated units or as part of a freestanding cooker; they must not be worktop appliances.

Combination microwave oven/grills – can be a worktop appliance; a microwave without oven/grill functions does not meet this requirement.

Sink – minimum bowl sizes: full 350mm x 350mm, half 150mm x 300mm, must be suitably installed, intended for kitchen use and include a draining board – if undermounted, see below.

Worktop – A worktop of smooth and impervious material. The stated sizes, or equivalent area, refers to clear worktop space to be available for food preparation, space taken up by any appliances, such as those required above, will not be included. If an undermounted sink is installed an additional 500mm of worktop must be provided in-lieu of a draining board.

Electrical sockets – numbered as single sockets, e.g. 6 = 3 double sockets, can be provided in any configuration of single/double sockets. They must be suitably spaced and located; to be fitted above worktop height and in addition to any used for fixed and/or other appliances, such as any 'white goods' or any appliances required above. Sockets for these appliances may be low level.

Storage – Drawers may count towards the space required but should not be the majority of any one person's storage. Space in a unit below a sink will not be counted but may be used for storage of cleaning materials etc. If kitchen space is limited, this may be provided within letting rooms.

Cupboard/drawer space should be allocated to lettings.

It is recognised cupboard sizes can vary depending on kitchen size/shape, allowances may be made to allow some storage space down to 0.15 m³, but the majority must meet the requirement.

Fridge/freezer – in addition to the minimum space, at least one fridge shelf and half a freezer shelf shall ordinarily be allocated per person. They can be provided in an adjacent and readily accessible position, **not in the escape route**.

Exclusive use fridge/freezers located in lettings can count towards this requirement, however there must still be a 'tall' combined fridge/freezer provided in the shared kitchen – if undercounter size there must be at least one of each, fridge and freezer. If a mix of exclusive use and shared fridges/freezers are provided, there must be some unallocated shared space available for use by all as and when needed, at least equivalent to the space required for one person.

Exclusive use kitchens

These may be within the same room as the bedroom/living accommodation or in another room. If provided within the same room, it must have a layout which allows safe use of the facilities and clear escape in the event of a fire. It is preferable to have the cooking facilities located so that they are not between the living/sleeping areas; if this is not the case, additional fire safety provisions, for example, a secondary means of escape or fire suppression, will be required.

Facilities	Per unit of accommodation, maximum 2 persons
Cooking	2 rings (fixed position) and either; an oven and grill (can be suitably located mini oven/worktop type) or, combination microwave oven/grill.
Sink	1 full bowl sink – see Sink above.
Worktop	1000mm x 600mm – see Worktop above.
Electrical sockets	4 – see Electrical Sockets above
Storage	0.2 m ³ per person, approx. one 600mm base unit or one 1000mm wall unit.
Fridge/Freezer	30 litres fridge space and 15 litres freezer space per person – see Fridge/freezer above
Refuse disposal	Suitable covered refuse disposal facilities ~10 litres per person.
Ventilation	See <u>Section 1.4 Ventilation</u> .

Section 5: Other considerations

The below is not exhaustive, there may be other considerations, legal or otherwise. Ultimately if you are the responsible party, it is your responsibility to ensure you are complying with all relevant legislation, regulations and any other applicable requirements.

5.1 Planning Permission

Planning permission is required for all HMOs with 7 or more occupiers and may be necessary for operation of the premises as an HMO. Compliance with the standards in this guide and/or the granting of an HMO licence does not imply that planning permission would be approved.

Enquiries regarding planning permission should be made to: planning@westoxon.gov.uk or call on [01993 861000](tel:01993861000). Further information can be found here: [Planning permission - West Oxfordshire](#)

5.2 Building Regulations

Where new building work is being carried out a Building Regulations application may be required. If you have any queries regarding Building Regulations or are in any doubt as to whether an application is needed, please contact Building Control at: building.control@westoxon.gov.uk or call them on [01993 861702](tel:01993861702).

Further information can be found here: [Building regulations - West Oxfordshire](#)

5.3 Section 257 HMOs

A Section 257 HMO is defined in the [Housing Act 2004, section 257](#). In short, it is a building or part of a building that has been converted into fully self-contained flats (units of accommodation containing a toilet, personal washing and cooking facilities); where the conversion does not meet the appropriate Building Regulations and of which fewer than two-thirds are owner-occupied. See also the [Licensing and Management of Houses in Multiple Occupation \(Additional Provisions\) \(England\) Regulations 2007](#).

5.4 Property Redress Schemes

If you are managing a property which you don't also own, it is likely you are carrying out 'property management work' and therefore must be a member of a property redress scheme. You can find more information about membership and the two schemes available here:

www.gov.uk/government/publications/lettings-agents-and-property-managers-redress-schemes

5.5 Illegal Eviction and Harassment

It is a criminal offence to unlawfully evict or harass your tenant. If found guilty of these offences, you could be imprisoned for up to 2 years and/or given an unlimited fine.

For further information see the following:

[Evicting tenants in England: Overview](#)

[Evicting tenants in England: Harassment and illegal evictions](#)

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