



## 2016 CHAPTER 22

### PART 1

#### Meaning of “house in multiple occupation”

##### **Definition of living accommodation**

2.—(1) A building or part of a building is living accommodation if—

- (a) it is, or is capable of being, occupied as a separate dwelling, or
- (b) both of the following conditions are met—
  - (i) it is, or forms part of, any building or group of buildings which is in single ownership, and
  - (ii) its occupants share one or more basic amenities with each other.

(2) For the purposes of subsection (1)(b)(i), a building or group of buildings is in “single ownership” if the whole of the building, or all the buildings in the group, are owned—

- (a) by one person, or
- (b) by one person and that person’s associates (as defined in section 88), whether jointly or severally.

(3) For this purpose, if—

- (a) a building or part of a building is owned by a body corporate, and
- (b) the body corporate is controlled by a director of it (within the meaning given by section 255 of the Companies Act 2006),

the building or part is to be treated as being owned by the director as well as by the body corporate.

(4) For the purposes of subsection (1)(b)(ii), the “basic amenities” are—

- (a) a toilet,
  - (b) personal washing facilities, and
  - (c) facilities for the preparation or provision of cooked food.
- (5) References in this Act to “living accommodation” include—
- (a) any part of the living accommodation (including its structure and exterior) which is, and any common facilities relating to it which are, owned in common with others, and
  - (b) any yard, garden, garage, out-house or other area or structure which is, or which is capable of being, occupied or enjoyed together with the living accommodation or any part of it (solely or in common with others).