

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations impose duties on a landlord of a house in multiple occupation (“HMO”) in relation to the size of rooms available as sleeping accommodation, their maximum occupancy and compliance with local housing authority household waste storage and disposal schemes.

Regulation 2 inserts new paragraphs 1A, 1B and 1C into Schedule 4 to the Housing Act 2004 (c. 34) (“the 2004 Act”). This has the effect of introducing new conditions and qualifying provisions in relation to those conditions which require a landlord (a) to comply with minimum standards in relation to the useable floor area of rooms available as sleeping accommodation, (b) not to exceed the maximum number of occupants who are permitted to use each room as sleeping accommodation and (c) to comply with any household waste storage and disposal schemes provided by the applicable local housing authority. The conditions must be included in a licence under Part 2 of that Act of a house in England and apply only to licences granted or renewed on or after 1st October 2018.

New paragraph 1B requires local housing authorities, when granting the first licence of an HMO on or after 1st October 2018, to allow a period of grace for compliance with conditions imposed under new paragraph 1A(2) and (3). However, that requirement does not apply where the licence holder was convicted of an offence under section 72(2) or (3) of the 2004 Act in relation to the HMO before the licence was granted.

An impact assessment has been prepared in relation to these Regulations. The assessment will be placed in the Library of each House of Parliament and made available on www.gov.uk. Copies may be obtained from the Ministry of Housing, Communities and Local Government, 2 Marsham Street, London, SW1P 4DF.