
STATUTORY INSTRUMENTS

2007 No. 1904

**The Houses in Multiple Occupation (Certain Blocks of Flats)
(Modifications to the Housing Act 2004 and Transitional
Provisions for section 257 HMOs) (England) Regulations 2007**

Modifications to Part 2 of the Housing Act 2004 (licensing of houses in multiple occupation)

5. In section 65 (tests as to suitability for multiple occupation)—
- (a) for subsection (1) substitute—

“(1) The local housing authority cannot be satisfied that the house is reasonably suitable for occupation as a section 257 HMO if they consider that—

 - (a) the common parts of the HMO; or
 - (b) any flat within the HMO other than a flat let on a long lease, fail to meet prescribed standards.”(1);
 - (b) after subsection (1) add—

“(1A) Where a house becomes a section 257 HMO as a result of conversion works carried out on the house after 1st October 2007, any flat within the HMO in respect of which a long lease is granted after that date shall be treated for the purpose of subsection (1) as though no such lease has been granted unless—

 - (a) the local housing authority are satisfied that the appropriate building standards have been met in relation to that flat; or
 - (b) the local housing authority are satisfied that the lease has been granted by a person other than the freeholder or head lessor of the whole of the HMO.”;
 - (c) omit subsection (2);
 - (d) in paragraph (a) of subsection (4) omit “number,”; and
 - (e) after subsection (4) add—

“(5) In this section “long lease” has the same meaning as in section 61(9).”.

(1) See Schedule 3 to [S.I. 2006/373](#) which prescribes standards under section 65(4).