

## What is an HMO?

### Meaning of houses in multiple occupation (HMOs)

The Housing Act 2004 came into force in 2006 and changed the way in which houses in multiple occupation (HMOs) are defined and regulated.

HMOs are defined under sections 254 and 257 of the Housing Act 2004. HMOs include house and flat shares, student homes, bedsits and some buildings converted into self-contained flats.

In order for a building, or part of a building, to form an HMO it must fall within one of the following descriptions:

#### 1. Section 254 HMOs There are three types of HMO under this section:

- a) A house occupied by persons forming more than one household\* who share a basic amenity e.g. a bathroom, toilet or cooking facilities. This is called '*the standard test*'
- b) A flat occupied by persons forming more than one household\* who share a basic amenity (all of which are within the flat) e.g. a bathroom, toilet or cooking facilities. This is called '*the self-contained flat test*'
- c) A building that has been converted into flats but not all of the flats are fully self-contained flats. There may not necessarily be sharing of amenities. This is called '*the converted building test*'

#### 2. Section 257 HMOs A converted block of flats (the whole building or part of a building) will be a 'section 257' HMO where the following apply:

- The building (or part of it) has been converted entirely into self-contained flats; and
- The conversion into self-contained flats did not meet the Building Regulations 1991 (or later); and.
- less than two-thirds of the flats are owner-occupied

#### \*Definition of household

A household could be a single person or members of the same family who live together. This includes people who are married or living together, people in same-sex relationships, any member of a family (including aunts, uncles, nieces, nephews, cousins, grandparents and grandchildren and their partners; step children and foster children). It also includes unrelated occupiers living with a family such as carers or nannies. However, friends occupying a house on a shared tenancy are viewed as multiple households.