

WHAT IS AN HMO?

Meaning of house in multiple occupation (HMO)

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 flats.

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

- **Section 254 HMO** There are three types of HMO under this section:
 - A house occupied by people who do not form a single household who share a basic amenity e.g. a bathroom, toilet or cooking facilities. This is called 'the standard test'
 - A flat occupied by people who do not form a single household who share a basic amenity (all of which are in the flat) e.g. a bathroom, toilet or cooking facilities. This is called 'the self-contained flat test'
 - A building that has been converted and does not entirely comprise self-contained flats. There may not necessarily be sharing of amenities. This is called 'the converted building test'
- **Section 257 HMO** A block of flats (the whole building or part of a building) will be an HMO where the following applies:
 - The building (or part of it) has been converted entirely into self-contained flats; and
 - The conversion does not meet Building Regulations 1991 (or later); and.
 - 50 percent or more of the flats are rented

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.