



<p style="text-align: center;">Mandatory Houses in Multiple Occupation</p>	
<p style="text-align: center;">Croydon PR PL - Advice Note 6. Last updated 20th July 2018</p>	

The Licensing of Mandatory Houses in Multiple Occupation (MHMO)

Introduction

The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 has extended the definition of mandatory HMOs so that licensing also applies to HMO properties with five or more people sharing amenities, which are less than three storeys high.

A second statutory instrument, the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 introduces new conditions that must be included in licences that have been granted under Part 2 of the Housing Act 2004. These are:

- Mandatory national minimum sleeping room sizes; and
- Waste disposal provision requirements.

Landlords of HMOs now subject to licensing will be committing a criminal offence if they fail to apply for a licence or a temporary exemption by 1st October 2018. It is also an offence not to comply with a licence condition. Committing an offence can result in an unlimited financial penalty being issued or prosecution.

Key legislation

- The Housing Act 2004
- The Housing and Planning Act 2016
- The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018
- The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018

New definition of a Mandatory HMO

For mandatory licensing to apply, the HMO or FMO must be occupied by five or more persons, from two or more separate households and share basic amenities such as bathrooms and/or kitchens. The storey requirement has been removed.

Changes to licence conditions relating to room sizes and storage of refuse

Room sizes

The minimum sleeping room sizes in the conditions are:

- 6.51 m² for one person over the age of 10
- 10.22 m² for two people over the age of 10
- 4.64 m² for one child under the age of 10

Croydon Council will continue to use its discretion to set its own higher standards within licence conditions:

**10m² for one person
15m² for two people**

No more than two people are permitted to occupy one room. Two people occupying one room must be members of the same family, a couple or two people living as a couple.

Storage or refuse

All licensed HMOs will need to comply with the scheme issued by the local authority (if one exists) for the storage and disposal of domestic refuse pending collection.

The new conditions will only apply at the time of renewal of an existing, or issuing of a new, HMO licence.

The licence holder of a HMO subject to the new conditions will be given notification of non-compliance with a condition and a period for compliance; to 18 months.

Transitional Provisions

Both the Prescribed Description Order 2018 and the Mandatory Conditions Regulations 2018 make transitional provision to allow local authorities and landlords time to comply with the new rules and enable the smooth transition to the new regime.

HMOs licenced under the current mandatory scheme:

The existing licence is valid and its conditions will apply until the date the licence expires

Properties currently licenced under Croydon's selective licensing scheme (CPRPL) that will be subject to mandatory licensing from October 2018:

Existing licence is passported across and its current conditions will apply until the date the licence expires.

Definitions

HMO	House in multiple occupation
FMO	Flat in multiple occupation
CPRPL	Croydon Private Rented Property Licensing Scheme [Part 3 licensing]
Conditions	Licence holders must operate the HMO in line with conditions

Contact information.

For more information on private sector housing matters please contact:

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Telephone: 0208 760 5476 or Minicium: 0208 760 5797

Or on houses in multiple occupation Email – hmo@croydon.gov.uk

Telephone: 020 8726 6100 ext 61450

Or on licencing your property Email - propertylicensing@croydon.gov.uk

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