

# Houses In Multiple Occupation (“HMOs”)



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## The Housing Act (2004)

The Housing Act 2004 introduced a number of significant changes to the rented property sector. The main change related to Houses In Multiple Occupations or “HMOs”.

Although the Housing Act 2004 laid down the primary legislation the actual regulations were not published until the spring of 2006. We have prepared “Information Sheets” for Landlords and Tenants which are our analysis of the appropriate sections of the Housing Act 2004 and the subsequent regulations published to date. More regulations are expected to be published in the coming months.

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## How Does The Act Affect Tenants

### Tenant Responsibilities

Being a Tenant brings with it responsibilities to your Landlord and the Property you are renting. The Housing Act (2004) specifically states that:-

“Every occupier must conduct himself in a way that will not hinder or frustrate the manager of the HMO.”

This means that:-

- you must provide information about the relationships between each occupant in the Property to enable your Landlord to assess whether the Tenancy being created will result in an HMO (see “What is an HMO”)
- you must respect the number of occupants allowed by your Tenancy Agreement and not allow any others to occupy the Property
- you must co-operate with your Landlord and Local Authority inspectors when they are carrying out an HMO assessment
- you must co-operate and allow your Landlord at reasonable times to enter the Property to carry out the repairs following any improvement order, or any other HMO duty
- you must comply with all reasonable instructions regarding the prevention of fire and use of fire equipment

### How can Tenants Breach The Act

Section 234 of the Act makes it a criminal offence for an occupier to frustrate the manager of an HMO in exercising his duties under these regulations. The offence carries a fine of up to £5,000.

### Further Information

If you have concerns about health and safety in the Property you are renting you should initially contact your Landlord’s managing Agent.

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## Information Sheets

We have produced a number of information sheets to assist our clients in understanding the requirements placed on Landlords of qualifying Properties and where they can get best advice.

These information sheets are available from our web sites [www.anscombes.co.uk](http://www.anscombes.co.uk) [www.chancellors.co.uk](http://www.chancellors.co.uk) or [www.rbbproperty.co.uk](http://www.rbbproperty.co.uk). Alternately you can request copies by emailing [legals@chancellors.co.uk](mailto:legals@chancellors.co.uk) or ringing our legals department on 01491 844826; they can connect you to our specialist team who will be pleased to answer your questions.