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Mandatory HMO licensing

Last Modified March 22, 2019



From 1 October 2018 there will be changes to the mandatory licensing for Housings in Multiple Occupation (HMO) regulations.

The new regulations remove the three-storey rule and bring purpose built flats into the mandatory licence if there are up to two flats in the block.

Properties that meet all the following criteria will be subject to mandatory licensing:

- Is occupied by five or more persons
- Is occupied by persons living in two or more separate households and
- Meets the standard test under section 254(2) of the Housing Act 2004. or
- The self-contained flat test under section 254(3) of the act but is not a purpose-built flat situated in a block comprising three or more self-contained flats or
- The converted building test under section 254(4) of the act

A building meets the standard test if at least two or more household have living accommodation (other than self-contained flats) and:

- Share a basic amenity or
- The living accommodation is lacking in a basic amenity such as
 - Toilet
 - Personal washing facilities
 - Cooking facilities

Properties that fall into the new definition, but are already licensed under a selective or additional scheme, will be moved to the new scheme at no cost to the landlord.

Applying for a licence

It is a criminal offence to not have a licence.

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