



# Housing Act 2004

## 2004 CHAPTER 34

### PART 7

#### SUPPLEMENTARY AND FINAL PROVISIONS

#### *Meaning of “house in multiple occupation”*

#### **257 HMOs: certain converted blocks of flats**

- (1) For the purposes of this section a “converted block of flats” means a building or part of a building which—
  - (a) has been converted into, and
  - (b) consists of, self-contained flats.
- (2) This section applies to a converted block of flats if—
  - (a) building work undertaken in connection with the conversion did not comply with the appropriate building standards and still does not comply with them; and
  - (b) less than two-thirds of the self-contained flats are owner-occupied.
- (3) In subsection (2) “appropriate building standards” means—
  - (a) in the case of a converted block of flats—
    - (i) on which building work was completed before 1st June 1992 or which is dealt with by regulation 20 of the Building Regulations 1991 ([S.I. 1991/2768](#)), and
    - (ii) which would not have been exempt under those Regulations, building standards equivalent to those imposed, in relation to a building or part of a building to which those Regulations applied, by those Regulations as they had effect on 1st June 1992; and

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*Status: This is the original version (as it was originally enacted).*

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- (b) in the case of any other converted block of flats, the requirements imposed at the time in relation to it by regulations under section 1 of the Building Act 1984 (c. 55).
- (4) For the purposes of subsection (2) a flat is “owner-occupied” if it is occupied—
- (a) by a person who has a lease of the flat which has been granted for a term of more than 21 years,
  - (b) by a person who has the freehold estate in the converted block of flats, or
  - (c) by a member of the household of a person within paragraph (a) or (b).
- (5) The fact that this section applies to a converted block of flats (with the result that it is a house in multiple occupation under section 254(1)(e)), does not affect the status of any flat in the block as a house in multiple occupation.
- (6) In this section “self-contained flat” has the same meaning as in section 254.