



Research Office
Legislative Council Secretariat

Fact Sheet

Measures to regulate the living conditions of low-income tenants in selected places

FS08/2022

1. Introduction

1.1 In Hong Kong, an estimated 226 000 people live in various types of subdivided units (“SDUs”).¹ The building and fire safety problems associated with these inadequate housing have been a subject of public concern. Ventilation and environmental hygiene have also attracted heightened attention since the onset of the COVID-19 pandemic. Moreover, poor living environment is identified as a major source of health and mental stress for tenants of SDUs.

1.2 The Subcommittee on Issues Relating to the Improvement of Living Conditions of the Grass-roots Tenants will discuss issues relating to the living conditions in SDUs at its meeting on 28 October 2022. At the request of the Subcommittee, the Research Office has conducted a study on measures to regulate the living conditions of low-income tenants in other places. Six places, namely England of the United Kingdom, New South Wales (“NSW”) of Australia, New York State of the United States, Toronto of Canada, Seoul of South Korea, and Singapore, are selected for the study. The four Western places have relatively comprehensive regulations on shared tenancy housing rented by low-income people, whereas the two Asian places do not have overarching regulatory regimes but have in recent years enhanced the measures to improve the living conditions of such shared housing.

1.3 This *Fact Sheet* will begin with an overview on the major SDU-related regulations in Hong Kong, followed by a summary on the regulatory regimes and specific standards adopted in the six selected places, on the fronts of (a) fire and building safety; (b) minimum sizes and/or maximum occupancy; (c) facilities and amenities; and (d) environmental hygiene. Major features of the regulations in Hong Kong and the six selected places are highlighted in **Tables 1-3**.

¹ See Transport and Housing Bureau (2021). In this paper, SDUs refer to the types of accommodations covered under Part IVA of the Landlord and Tenant (Consolidation) (Amendment) Ordinance 2021, which is defined as “premises that form part of a unit of a building” and includes externally accessible SDUs, cubicles, bedspaces, space capsules, loft spaces, rooftop houses, podium houses, etc.

2. Overview of regulations on subdivided units in Hong Kong

2.1 Proliferation of SDUs in Hong Kong has drawn grave public concern amidst extended waiting time for public rental housing. Among the various issues, overcrowded living space is a frequently mentioned problem of SDUs. A survey conducted by an advocacy group in 2021 found that the **average living space** per occupant was 34.2 square feet (3.2 square metres (“m²”))², compared to the median living space of 172 square feet (16.0 m²) found in the 2021 Population Census, and the projected average living space of 237 square feet (22.0 m²) per person in the Government’s *Hong Kong 2030+*.³

2.2 **Environmental hygiene** is another commonly cited issue. According to a survey conducted by a non-governmental organization on occupants of SDUs, 57.1% of the respondents said that their flats were infested with insects or mice, while 36.8% said that there was foul smell from their bathroom drains and 17.1% did not have natural ventilation or exhaust fan in their bathrooms.⁴ Added to this is the issue of **fire safety**. There are often concerns that given the extremely clustered living conditions, occurrence of any fire outbreak could be disastrous and cost lives.⁵

Measures to regulate living conditions of SDUs

2.3 Ensuring **building safety** is the first and foremost requirement for operating SDUs. Subdivision of a flat into an SDU is subject to control under the Buildings Ordinance (Cap. 123) (“BO”).⁶ For works that involve the structure of a building, prior approval and consent by the Building Authority (i.e. Director of Buildings) is required, and the design must be prepared by a prescribed building professional.⁷ If the works are designated minor works, they may be carried out through the simplified procedures under the Minor Works Control System.⁸

² See 全港關注劏房平台(2022). The latest official estimate on living space in SDU by the Census and Statistics Department was 57 square feet (5.3 m²) per person as at 2016.

³ “Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030” is a strategic study to update the territorial spatial development strategy. See GovHK (2021a).

⁴ See 香港01(2021a).

⁵ According to a news report, SDUs in Hong Kong suffered from at least 19 fires over the five years up to mid-2021, and 12 deaths were associated with these incidents. See 香港01 (2021b).

⁶ Building works associated with subdivision of a flat may include the removal or erection of partition walls, installation of new toilets and kitchens, alteration or addition of internal drains, addition of door openings or ventilation openings, etc.

⁷ For the list of prescribed building professionals, see Buildings Department (2022b).

⁸ A total of 187 items of building works that are minor works are subjected to the control under the Minor Works Control System. See Buildings Department (2022a) and Hong Kong e-Legislation (2009).

2.4 Apart from building safety, SDUs are subject to rules and regulations regarding fire safety, environmental hygiene and ventilation. Generally, those requirements that apply to ordinary domestic premises equally apply to SDUs. Details are as follows:

- (a) **Fire safety:** The Code of Practice for Fire Safety in Buildings 2011 promulgated by the Buildings Department (“BD”) specifies **fire safety standards** for all types of buildings.⁹ Standards applicable to ordinary flats are equally applicable to SDUs¹⁰, which include: (i) minimum width of internal corridor, which varies depending on the number of occupants in the flat and fire resistance rating of the entrance door; (ii) minimum fire resistance rating of the partition walls; (iii) minimum clear headroom of 2 metres for exit routes; and (iv) prohibition of unauthorized door openings or ventilation openings in the enclosures of exit staircases and in the fire rated walls.
- (b) **Environmental hygiene:** The standards related to environmental hygiene are found in various regulations, which apply to **all domestic buildings**. For instance, (i) the Building (Planning) Regulations (Cap. 123F) require that any part of a domestic building, which is intended to be separately let for dwelling purposes, to be equipped with kitchen; and (ii) the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123I) set out requirements on installation of drains and sanitary fitments.
- (c) **Facilities and ventilation:** Other standards on living conditions have also been established in the Building (Planning) Regulations, such as (i) every room used for habitation shall have a height of not less than 2.5 metres; and (ii) every room used for habitation or as a kitchen shall be provided with natural lighting and ventilation, with the minimum size of windows specified.

2.5 There is currently no **licensing/registration** requirement on SDU operators or landlords, with the **exception of bedspace apartments**, which are regulated under the Bedspace Apartments Ordinance (Cap 447) (“BAO”). It is

⁹ The Code provides guidance on compliance with the requirements laid down in relevant building regulations. See Buildings Department (2011).

¹⁰ BD has highlighted some relevant fire safety rules and their implications on SDUs in its booklet on subdivision of flats. See Buildings Department (2020).

noteworthy that BAO imposes **structural and fire safety standards** as well as requirements on **sanitary configuration** for bedspace apartments. However, these properties now make up only a miniscule part of the whole SDU landscape.¹¹ For the majority of SDUs, checking against the compliance of the requirements and standards set out in paragraph 2.4 above is therefore primarily based on **large scale inspections and reports from the public**. From 2015 to 2019, BD conducted a total of 12 151 inspections and **found 1 841 SDUs with irregularities**. Common irregularities include fire hazards caused by erection of partition walls that blocked fire escape routes, formation of unauthorized door openings, and overloaded floor slabs due to excessive installation of partition walls or thickening of floor screeding.¹²

2.6 Meanwhile, **Part IVA of the Landlord and Tenant (Consolidation) Ordinance (Cap. 7) (“LTCO”)**, which came into effect on 22 January 2022 to regulate SDU tenancy, also imposes certain obligations on the property owners/landlords regarding property conditions. In particular, landlords’ **repair and maintenance responsibilities** are now specified in LTCO, requiring them to **maintain and keep in repair the drains, pipes and electrical wiring** serving the premises exclusively, as well as **windows**. In addition, the landlords must keep in **proper working order fixtures and fittings**. The new regulations also require a landlord of SDU to submit a Notice of Tenancy to the Rating and Valuation Department (“RVD”) within 60 days after the term of tenancy commences. RVD has committed to collating the information of the relevant tenancies and publish summary of the rent data.¹³

3. Regulations on living conditions of low-income tenants in selected overseas places

3.1 While the housing situations vary greatly around the world, some forms of **shared tenancy housing** targeted towards low-income tenants exist in the six selected places, thereby offering an array of experience in regulating the conditions of such accommodation. In particular, the following types of shared housing are examined: (a) houses in multiple occupation (“HMOs”) in England; (b) boarding houses in NSW; (c) multiple dwellings in New York State;

¹¹ According to GovHK (2012), operation of bedspace apartments (commonly known as “caged homes”) is subject to licensing requirements set out by BAO. According to and GovHK (2021b), there were only eight licensed bedspace apartments (involving about 760 bedspaces in total) as at end-July 2021. Hence, this Fact Sheet will focus on other types of SDUs.

¹² See Development Bureau (2020a, 2020b).

¹³ See Transport and Housing Bureau (2022). Besides, under the Stamp Duty Ordinance (Cap. 117), signed tenancy agreement shall be stamped by the Inland Revenue Department.

(d) gosiwons (고시원) in Seoul ¹⁴ ; (e) “flatshares” in Singapore; and (f) multi-tenant houses in Toronto.

3.2 Despite different local names, these houses/apartments have a common feature of being shared by multiple unrelated low-income persons or families, though some of them are also intended for short-term travelers, foreign students and/or imported workers. Facilities such as toilets, bathrooms and kitchens may or may not be shared, depending on the definitions in each jurisdiction (see **Appendix** for details). Similar to SDUs in Hong Kong, these shared tenancy housing are considered inferior to other non-shared housing. Yet there are some form of regulations in place to prevent improper accommodation conditions for the occupants.

Overview of regulations

3.3 **Regulatory regimes** for shared tenancy housing vary. In the Western places studied, there are specific rules regulating the living conditions in shared tenancy housing. For example, in **New York State**, multiple dwellings are regulated under The New York State Multiple Dwelling Law; multi-tenant houses in **Toronto** are regulated under the Rooming Houses Bylaw; and boarding houses in **NSW** under the Boarding Houses Act 2012. These **dedicated laws/provisions** set out the specific living standards/principles that **comprehensively cover areas including fire safety, room sizes, light and ventilation, environmental hygiene, and/or access facilities**.

3.4 Comparatively, in **Seoul** and **Singapore**, the regulatory requirements on shared tenant housing are less comprehensive and cover only selected matters. In **Seoul**, there are **specific safety standards** on gosiwon stated in the nation-wide Building Standards for Multi-living Facilities, and **room space standards** stated in the Seoul Building Ordinance. In **Singapore**, like Hong Kong, there is no specific regulation governing the living conditions of their “flatshares”. However, it has set an **occupancy cap** as well as **requirement for planning permission on building works such as internal partitions** of properties.¹⁵

3.5 In most jurisdictions, shared tenancy housing are required to go through **licensing or registration** in order to **operate legally**. Licensing generally entails inspections upon initial licensing and upon renewal to ensure compliance of the

¹⁴ Another major type of low-income shared tenancy housing in South Korea is jjokbang (쪽방), which is of slightly different characteristics.

¹⁵ The requirements are specified in the Planning Act. See Singapore Statutes Online (1998) and Urban Redevelopment Authority (2017).

properties to the relevant statutory standards. In England, landlords renting out **large HMOs with at least five occupiers** are required to hold a licence, which is subject to **renewal every five years** (or shorter duration depending on the local authority); in NSW, a **registration system**¹⁶ is in place and the government maintains a **publicly accessible** register to enable members of the public to check for the legality.¹⁷ New York State even mandates landlords to **register annually**. Owners of shared tenancy housing who breach the statutory standards may have their licence suspended and possibly face prosecution and/or fines. Like Hong Kong, Singapore does not require licensing nor registration to operate “flatshares”, but **registration of rental agreements is required for the stamp duty assessment**. **Basic information of the agreements** (e.g. building name, rent, floor area) are **accessible to the public**. A summary table of the licensing or registration requirement is given in **Table 2**.

Specific standards on living conditions of shared tenancy housing

3.6 Shared tenancy houses in all of the places studied are subject to specific standards in one or more aspects. Details are given in **Table 3** and below is a summary of the major features:

- (a) **Fire safety: England, New York State and Seoul** have specific fire safety standards tailored to the common safety hazards of shared tenancy houses — (i) New York State’s Multiple Dwelling Law prescribes the **minimum width for corridors and stairs** which depends on the size of buildings and whether the construction is fireproof. For example, for dwellings exceeding 125 feet (38.1 metres) in height, minimum width of stairs is 3 feet 8 inches (1.1 metres); (ii) following a fire disaster in a gosiwon killing seven people in 2018, Seoul amended the Seoul Building Ordinance requiring all newly-built gosiwon to have a **window** in each room, meeting a minimum size of 0.5 metre in width and 1 metre in height; and (iii) Seoul, England and New York State also set out in the relevant regulations to **mandate installation of fire fighting equipment** (fire sprinklers, fire alarms or smoke detectors);¹⁸

¹⁶ Although the term “registration” is used in the regulations of NSW, the nature of the requirements are similar to licensing in the other jurisdictions studied in this paper.

¹⁷ Local governments have the power to fine boarding house operators if they are unregistered and order them to meet building, safety and accommodation standards.

¹⁸ NSW, Singapore and Toronto, on the other hand, follow the fire safety standards applicable to residential buildings in general, similar to the situation in Hong Kong.

- (b) **Living space:** Shared tenancy housing in all of the places studied are subject to **standards against overcrowding** in the form of minimum room sizes and/or maximum occupancy, although the standards in **Toronto** equally apply to other non-shared residences. In terms of **minimum room size**, the statutory minimum room size for one adult is 6.51 m² in **England** and 7.5 m² in **NSW**. In **Seoul**, the statutory minimum size is 7 m² for a room without private toilet and 9 m² for a room with a private toilet.

In terms of **maximum occupancy**, the caps are expressed in different ways (e.g. per housing unit and/or per room). In **NSW**, maximum occupancy is **30 per boarding house and a maximum occupancy of two persons per room in the property**. In **Singapore**, **maximum occupancy for private properties** has been reduced from eight unrelated persons¹⁹ to **six since 2017**; and is set at four for Housing Development Board (“HDB”) subsidized properties with up to two bedrooms, and six for HDB properties with three bedrooms or more. In addition, both **NSW** and **New York State** have capped the maximum occupancy of **two persons for each rental room**;

- (c) **Light and ventilation:** Requirements on light and ventilation are generally the same as those that apply to other residences, even though they are stipulated in the dedicated shared-housing regulations. Such requirements are usually prescribed as a broad principle, such as “adequate light and ventilation must be maintained in the premises” in **NSW**. An exception is **New York State**, where the light and ventilation requirements manifest as **standards on windows**, including: (i) a window which opens directly upon a street/yard for each room; (ii) minimum total area of windows (at one-tenth of the room’s floor area); and (iii) minimum area of each window (at 12 square feet (1.1 m²));
- (d) **Environmental hygiene:** There are statutory provisions on environmental hygiene for shared tenancy housing in the **four Western places** studied. The hygiene-related standards in these places cover building/structural issues such as **drainage, waste disposal and kitchen facilities**, and are generally **expressed in broad principles** such as “in a clean and proper condition”. **NSW** also explicitly tasks landlords to ensure their boarding houses are generally **free of vermin and pests**. Different from the other

¹⁹ Unrelated persons are those who are not from the same family unit.

five places, **England has prescribed detailed standards** such as the minimum **number of toilets and bathrooms** (e.g. in London, an HMO with 6-10 occupiers is required to have at least two bathrooms and two separate toilets); and

- (e) **Other standards** applicable to shared tenancy housing include **provision of appliances and communal facilities**, which vary greatly by local contexts and include laundry facilities, cooking facilities, storage space, heating, curtains or screens for privacy, etc. For example, **NSW** requires landlords to **provide appropriate furniture and fittings as well as laundry facilities** (or laundry arrangements if on-site facilities are not provided). As another example, **New York State** requires that **heat** be provided for Multiple Dwellings.

4. Observations

4.1 Shared tenancy housing exist in one form or another in various densely populated cities as an economical option for low-income people to meet their basic housing needs. Nevertheless, among the places studied, the prevalence of such shared housing is relatively low compared with Hong Kong's SDUs. Worse still, living conditions of SDUs in Hong Kong in terms of living area, hygiene and ventilation are often considered poor, drawing calls for the Government to look into the matter.

4.2 Most of the selected places outside Hong Kong have some form of regulations on the living conditions of shared tenancy housing. Relevant requirements in the Western places studied are relatively more comprehensive, with separate acts or regulations covering different aspects of the living conditions, from fire safety, crowdedness, to environmental hygiene and provision of facilities. Examples include mandatory installation of fire fighting equipment and fire alarms in England; prescribed minimum size of 11 m² per a two-person room in NSW; and the standard on waterproof materials for bathroom floors in New York State.

4.3 On the other hand, shared tenancy housing in Seoul and Singapore largely follow the same set of rules as other housing types. Yet in the aftermath of a fire outbreak in a gosiwon, Seoul responded by introducing specific rules on gosiwons' building and fire safety (i.e. mandating to have window and fire sprinklers, as well as minimum room size). Whereas in Singapore, shared tenancy appears not common, given that HDB is responsible for offering some

80% of flats in Singapore and has been actively promoting home ownership and providing rental units to those in the direst needs. It currently does not have specific rules on shared tenancy, but there is a maximum occupancy rule limiting multi-tenancy to six unrelated persons in private properties. This, to a certain extent, helps ease the overcrowded living conditions and, by extension, avoid serious environmental, hygienic and health issues.

4.4 It is worth noting that in most of the places studied, regulations of the living conditions often go hand in hand with some form of licensing or registration mechanism to facilitate systematic oversight and periodic inspections of conditions of the shared tenancy housing and ensure legitimacy of the business. In particular, in the Western places, licensing and registration generally come with compliance inspection upon initial licensing/registration and upon renewal. This is contrary to Hong Kong where only landlords of bedspace SDUs are required to be licensed.

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Table 1 – Background information on shared tenancy housing

| | Hong Kong | England | New South Wales | New York State | Seoul | Singapore | Toronto |
|----------------------------|---|--|---|--|---|---|---|
| Type of low-income housing | <ul style="list-style-type: none"> Subdivided units | <ul style="list-style-type: none"> Houses in multiple occupation | <ul style="list-style-type: none"> General boarding houses | <ul style="list-style-type: none"> Class A Multiple Dwellings | <ul style="list-style-type: none"> Gosiwons | <ul style="list-style-type: none"> Flatshares | <ul style="list-style-type: none"> Multi-tenant houses |
| Definition/features | <ul style="list-style-type: none"> Premises that form part of a unit of a building | <ul style="list-style-type: none"> Occupied by at least 3 tenants forming more than 1 household⁽¹⁾ Tenants share toilet, bathroom or kitchen facilities | <ul style="list-style-type: none"> Occupied by at least 5 residents (excluding proprietors or managers of the premises or their relatives) for a fee | <ul style="list-style-type: none"> Occupied by 3 or more families living independently of each other for permanent purpose (for 30 days or more) | <ul style="list-style-type: none"> Houses or apartments partitioned into dormitory-style rooms originally intended for students preparing for public exams | <ul style="list-style-type: none"> Apartments or houses rented to multiple unrelated tenants | <ul style="list-style-type: none"> Where a tenant rent a room and shares a kitchen and/or washroom with 3 or more other people |
| Number of units (year) | <ul style="list-style-type: none"> 110 000 (2020) | <ul style="list-style-type: none"> England: 447 000 (end-March 2018)⁽²⁾ London: 172 720 (2020)⁽³⁾ | <ul style="list-style-type: none"> 1 120 (registered) (April 2020) | <ul style="list-style-type: none"> Information not publicly available | <ul style="list-style-type: none"> 7 000 (registered) (2017)⁽⁴⁾ | <ul style="list-style-type: none"> Information not publicly available | <ul style="list-style-type: none"> 247 (licensed) (March 2022)⁽⁵⁾ |
| Rent control | <ul style="list-style-type: none"> Rent increase during the tenancy term is not allowed; rent increase at tenancy renewal should not exceed change of RVD's rental index for all private domestic properties, and is capped at 10% | <ul style="list-style-type: none"> No rent control | <ul style="list-style-type: none"> No rent control | <ul style="list-style-type: none"> In New York City, apartments satisfying specific criteria are under rent control or rent stabilization⁽⁶⁾ | <ul style="list-style-type: none"> Increases of "jeonse" capped at 5% upon lease renewal⁽⁷⁾ | <ul style="list-style-type: none"> No rent control | <ul style="list-style-type: none"> The provincial government sets the maximum allowable rent increase (in %) for residential units each year⁽⁸⁾ |

⁽¹⁾ See GOV.UK (undated).

⁽²⁾ See House of Commons Library (2019).

⁽³⁾ See Greater London Authority (2021).

⁽⁴⁾ See The Korea Herald (2017).

⁽⁵⁾ See City of Toronto (2022).

⁽⁶⁾ The criteria are based on when the buildings were built and when the tenant took occupancy. According to the 2021 New York City Housing and Vacancy Survey, there are about 16 400 rent controlled apartments and about 1 006 000 rent stabilized apartments.

⁽⁷⁾ Jeonse is a lump-sum returnable deposit paid instead of monthly rent. See China Daily (2020) and Asia Society (2021).

⁽⁸⁾ See Government of Ontario (2022).

Table 2 – Licensing and registration requirements

| | Hong Kong | England | New South Wales | New York State | Seoul | Singapore | Toronto |
|---|--|---|--|--|--|--|---|
| Provisions dedicated to shared tenancy housing | <ul style="list-style-type: none"> Part IVA of the Landlord and Tenant (Consolidation) Ordinance | <ul style="list-style-type: none"> Parts of Housing Act 2004 Management of Houses in Multiple Occupation (England) Regulations 2006 | <ul style="list-style-type: none"> Boarding Houses Act 2012 The Boarding Houses Regulation 2013 Parts of Local Government (General) Regulation 2021 | <ul style="list-style-type: none"> The New York State Multiple Dwelling Law | <ul style="list-style-type: none"> Parts of Building Act Parts of Enforcement Decree of the Building Act and the Enforcement Rule of the Building Act Parts of Seoul Building Ordinance | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Rooming Houses Bylaw |
| Licensing requirement | <ul style="list-style-type: none"> Yes ✓ Required for bedspace apartments only | <ul style="list-style-type: none"> Yes ✓ Required for large HMOs (5 tenants or above) | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Yes ✓ Required for certain districts (i.e. Former City of Toronto) |
| Registration requirement for properties and/or owners/landlords | <ul style="list-style-type: none"> Yes ✓ Landlords of SDUs must submit Notice of Tenancy to RVD⁽¹⁾ | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Yes ✓ Registration entails initial compliance investigation, similar to licensing requirement in other places | <ul style="list-style-type: none"> Yes ✓ Owners of all rental housing must register annually | <ul style="list-style-type: none"> Yes ✓ Gosiwon owners are required to undergo general business registration | <ul style="list-style-type: none"> Yes ✓ All rental contracts must be filed for stamp duty assessment | <ul style="list-style-type: none"> No |

⁽¹⁾ Landlords are also required to have the tenancy agreements stamped under the Stamp Duty Ordinance.

Table 3 – Standards on living conditions specific to shared tenancy housing⁽¹⁾

| | Hong Kong | England | New South Wales | New York State | Seoul | Singapore | Toronto |
|--|--|--|---|---|--|--|--|
| (a) Dedicated standards or requirements on fire safety | <ul style="list-style-type: none"> No⁽²⁾ | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ Unobstructed access to fire escape ✓ Mandatory fire fighting equipment and fire alarms | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ Minimum width of hallway ✓ Unobstructed access to fire escape ✓ Mandatory smoke detecting devices ✓ Fireproof construction | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ Mandatory sprinklers ✓ Each room must have a window ✓ Minimum window size (0.5 m wide and 1 m tall) | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> No |
| (b) Living space | | | | | | | |
| <ul style="list-style-type: none"> Prescribed minimum room size for shared tenancy housing | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ 6.51 m² for 1 person (aged 10 or over) ✓ 10.22 m² for 2 persons (aged 10 or over) ✓ 4.64 m² for a child under 10 | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ 7.5 m² for 1 person ✓ 11 m² for 2 persons | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ 80 square feet (7.43 m²) for each room ✓ Minimum width: 8 feet (2.4 m)⁽³⁾ ✓ Minimum ceiling height: 8 feet (2.4 m) | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ 7 m² for rooms without a private toilet ✓ 9 m² for rooms with a private toilet | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Yes⁽⁴⁾ <ul style="list-style-type: none"> ✓ Minimum storage space (0.42 m³ per person) ✓ Minimum bed width (91.34 cm) and distance (0.91 m apart) |
| <ul style="list-style-type: none"> Prescribed occupancy cap for shared tenancy housing | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ 2 occupants per bedroom ✓ 30 occupants per boarding house | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ 2 adults per bedroom⁽⁵⁾ | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ 6 occupants for private property ✓ 4 or 6 occupants for HDB property depending on type | <ul style="list-style-type: none"> No |

⁽¹⁾ Statutory standards that apply to all residential buildings without separately specifying in the shared tenancy housing laws and regulations are not included in Table 3.

⁽²⁾ Buildings Department illustrates in detail the relevant rules set out in the Code of Practice for Fire Safety in Buildings 2011 (which applies to all building works) as applied to SDUs. See Buildings Department (2020).

⁽³⁾ An exception is that in an apartment containing three or more bedrooms, up to half of the bedrooms may have a least horizontal dimension of 7 feet (2.1 m).

⁽⁴⁾ In addition, multi-tenant houses are subject to minimum room size requirements which are applicable to all residential properties.

⁽⁵⁾ Two children aged 2-11 are considered equivalent to 1 adult.

Table 3 – Standards on living conditions specific to shared tenancy housing⁽¹⁾ (cont'd)

| | Hong Kong | England | New South Wales | New York State | Seoul | Singapore | Toronto |
|--|--|---|--|---|--|--|--|
| (c) Dedicated standards or requirements in respect of light and ventilation | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ Adequate light and ventilation must be maintained ✓ All partitions must be properly constructed and provide adequate ventilation | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ A window which opens directly upon a street/yard for each room ✓ Minimum total area of windows (1/10th of the room's area) ✓ Minimum area of each window (12 square feet or 1.1 m²) | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> No |
| (d) Dedicated standards/ requirements in respect of environmental hygiene | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ Minimum number of toilets and bathrooms (e.g. in London, HMO with 6-10 occupiers required to have at least 2 bathrooms and 2 separate toilets) ✓ Detailed standards on bathrooms (e.g. all surface of bathrooms must be impervious)⁽⁶⁾ | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ Boarding house and all equipment and furnishing to be maintained in clean and hygienic condition ✓ Free of vermin and pests | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ Detailed standards on toilets (e.g. waterproof floor, no toilets shall open directly into any kitchen) ✓ Drainage system to be clean and in good repair ✓ Provision of waste disposal facilities and arrangement | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ Bathroom and toilet facilities (e.g. wash basins, bathtubs) must be cleaned and sanitized at least once a day ✓ Provision of waste disposal facilities |
| (e) Required provision of facilities | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ Appropriate furniture and fittings ✓ Areas for food preparation ✓ Laundry arrangements | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ Heat required for Multiple Dwellings 2 storeys or above | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> No | <ul style="list-style-type: none"> Yes <ul style="list-style-type: none"> ✓ 1 automatic washer and 1 automatic dryer for every 25 residents |

⁽⁶⁾ See Legislation.gov.uk (2006) and City of London (undated).

Definition of shared tenancy housing in selected places

Houses in multiple occupation (“HMOs”) (England): HMOs refer to homes where: (i) at least three tenants live, forming more than one household; and (ii) tenants share toilet, bathroom or kitchen facilities. HMOs with at least five tenants are categorized as large HMOs and are subject to stricter regulations.

General boarding houses (New South Wales): A general boarding house is a place that provides beds for use by five or more residents (excluding any residents who are proprietors or managers of the premises or relatives of the proprietors or managers) for a fee.

Class A Multiple Dwellings (New York State): Class A Multiple Dwellings refer to multiple dwellings occupied by three or more families living independently for permanent purpose (defined as 30 days or more).

Gosiwon (Seoul): Although gosiwon is formally defined as dormitory-style partitioned rooms to accommodate students, gosiwons are now commonly occupied by low-income people in Seoul.

Flatshares (Singapore): There is no official definition of shared tenancy housing in Singapore. According to news reports, some partitioned their houses or apartments for renting out to multiple unrelated people.⁽¹⁾

Multi-tenant houses (Toronto): A multi-tenant house (or “rooming house”) is where an individual rents a room and shares a kitchen and/or washroom with three or more other people who also rent rooms and pay rent individually. Multi-tenant houses are permitted in some districts, including “Former City of Toronto” and “Former City of York”, but are currently not permitted elsewhere in Toronto.⁽²⁾ The municipal government is looking to review the legislation in order to legalize multi-tenant houses Toronto-wide.⁽³⁾

⁽¹⁾ For example, Condominiums of Singapore (2019), Todayonline (2019), and the Straits Times (2018).

⁽²⁾ Lodging houses, a slightly different type of multi-tenant housing, are permitted in Former City of Etobicoke. In addition, there are reports that illegal multi-tenant houses are common elsewhere in Toronto.

⁽³⁾ See City of Toronto (undated).

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