

Overcrowding

What is the legal definition of overcrowding?

The number of people who should live in a home depends on the number of rooms, the size of the rooms and the ages of the people who live there. Rooms that are counted include living rooms and bedrooms (but not the kitchen or bathroom). There are also 3 situations where overcrowding is allowed - natural growth, temporary overcrowding and licensed overcrowding, see below.

As a general rule:

- 1 room = 2 people can live there
- 2 rooms = 3 people can live there
- 3 rooms = 5 people can live there
- 4 rooms = 7.5 people can live there
- 5 rooms or more = 2 people per room can live there.

There are rules about which people can share a bedroom and how much bedroom space is required per person. For the room and space calculations:

- children under one year old are ignored
- children over one and under ten years old count as a half
- rooms under 50 square feet are ignored.

Sharing a bedroom

If two people of the opposite sex have to sleep in the same room, the accommodation will be overcrowded unless they are:

- married, in a civil partnership or living together, or
- one or both of them is under ten years old.

Space

The size of a room determines how many people can sleep there:

- floor area 50-69 square feet = 0.5 people can sleep there
- floor area 70-89 square feet = 1 person can sleep there
- floor area 90-109 square feet = 1.5 people can sleep there
- floor area 110 square feet = 2 people can sleep there.

When is overcrowding allowed?

Overcrowding is allowed if it is:

Natural growth

If the reason that your home becomes overcrowded is because one of your children has reached either the age of one year or ten years, and your household has not changed in any other way, then there will be no overcrowding.

Temporary overcrowding

The reason for overcrowding is that one of the people sleeping in your home is there on a temporary basis (less than 16 days) and is a guest.

Licensed overcrowding

If the council has given permission for the overcrowding.