

MANDATORY HMO LICENCE APPLICATION NOTES



DEFINITION OF A LICENSABLE HMO

You are legally required to licence your property if it meets the following criteria:

- It is a building in which two or more families/individuals share basic amenities

Or

- It is a converted building which contains one or more units of accommodation that are not self-contained

And

- It has five or more people (including children) living there and
- The five or more people make up more than one household (family unit)

A separate form must be completed for each individual property that needs a licence.

APPLICANT DETAILS

Question 1: Some people may choose to employ an agent to complete their application on their behalf. Indicate who is completing the form. If yes, provide agent details. If no, continue to Q2

Question 2: Provide details of the person applying for the licence; this could be the property owner or manager.

Question 3: Indicate how you would like to be contacted.

Question 4: Applications can be made by individuals or businesses. Individuals should indicate so here and go to Q8. Business or organisations should indicate here and continue to Q5

Questions 5-7: Answer these questions if you are a business.

PROPOSED LICENCE HOLDER

Question 8: Provide all the details of the person who will be the licence holder.

Question 9: If the licence holder is a business or organisation tick the box that best describes the type of business.

OWNERSHIP AND CONTROL

Questions 10-13: Indicate yes or no for each question.

Question 14: Provide details of each owner or person with an interest in the property, or any person who has agreed to be bound by the licence. There is no need to include the manager of the property at this stage as the proposed manager details will be required in questions 30 – 44. Use separate sheets as necessary to record more than one and submit these sheets with your application (please indicate clearly, on the separate sheets, which question you are answering).

FIT AND PROPER PERSON ASSESSMENT

All information in this part will be treated as confidential and used only in connection with this application.

You should disclose any information relating to any of the listed offences, for the proposed licence holder. This information will remain confidential and does not necessarily mean that a licence will not be granted. By not declaring something, which we later discover, you could be held liable for providing misleading information and you may be prosecuted and fined.

The Council has a legal obligation to ask the following questions and you must disclose information that you think may be relevant to your application.

Questions 15-24: Circle yes or no to each question.

If you answer yes to any of these please ensure you provide details with the application.

You are not required to provide information on spent convictions. Please refer to the guide below.

Under the Rehabilitation of Offenders Act 1974 you are not required to provide details about previous convictions which are “spent”. A conviction becomes spent after a certain length of time, which changes depending upon the sentence and your age at the time of conviction. (The periods are halved if the conviction took place when you were aged 17 or less.)

6 months to 2 years imprisonment	10 years
Less than 6 months imprisonment	7 years
Borstal training	7 years
A fine or Community Services Order	5 years
Probation Order, Conditional Discharge, or Bind Over	1 year
An Absolute Discharge	6 months

If a person is sentenced to more than 2 years in prison, his/her conviction can never become “spent”.

If you have any doubts about whether you have to declare a previous conviction, you should contact your local Probation Office or the Citizens’ Advice Bureau or your Solicitor.

ACCREDITATION AND QUALIFICATIONS

Questions 25-28: Answer ‘yes’ to any that apply and enclose evidence of these with the application.

PROPOSED MANAGER

Question 29: Indicate if the proposed licence holder and the proposed manager will be the same person. **If yes** then there is no need to complete this section if you have already completed the proposed licence holder section. Go to Q45 and continue. **If no** continue with Q30.

Question 30: Include all the details of the person who will be the manager of the HMO.

FIT AND PROPER PERSON ASSESSMENT Questions 31 – 40: Refer to the advice above.

ACCREDITATION AND QUALIFICATIONS

Questions 41 – 44: Answer ‘yes’ to any that apply and enclose evidence of these with the application.

PROPERTY INFORMATION You must provide floor plans of the property with the application.

It is essential that you provide a plan of the layout of the property.

If you have professional plans or drawings please supply a copy. The plans must show the location of bathrooms and toilets, the location of the kitchens, identify each of the units of accommodation by number, and provide room sizes. It should also show the location of heat/smoke detectors.

NOTE - Not providing a plan may affect whether a licence is issued and/or any conditions that are placed on the licence.

Question 45: Please give the full address of the property that needs to be licensed

Question 46: Tick the box that represents the type of HMO being licensed.

Question 47: This relates to the number of floors in the HMO. Indicate the number of levels in the HMO; include any basements and attic rooms where there is the potential for them to be used as accommodation, even if they are currently empty.

Do not include roof spaces if they have not been converted and do not have easy access to them.

Examples:

a) if there is a shop or restaurant on the ground floor with residential accommodation on the first and second floors above then this question is asking how many of the levels are being used as an HMO which would be 2.

b) if the building has a basement, ground floor and first floor being used as part of the HMO, then the number of storeys is 3.

Question 48: This requires a description of where the HMO accommodation is within the building in relation to ground floor. Using the examples above a) the HMO above a shop is on the first and second floor; b) the HMO is on the basement, ground and first floor.

Question 49: This relates to the number of storeys in the whole building. Again looking at example a) above the storeys include the shop and the accommodation above, 3.

Indicate the number of levels in the property; include any basements and attic rooms where there is the potential for them to be used as accommodation even if they are currently empty.

Do not include roof spaces if they have not been converted and do not have easy access to them. You must also include levels that are used for commercial purposes.

Question 50: Tick the box that represents the type of building containing the HMO

Question 51: Indicate yes or no if any parts of the building are being used for non-residential purposes, for example the ground floor being a shop or restaurant. If yes, describe which parts are non-residential and what they are used for.

Question 52: Indicate 'yes' if the whole building is owned by the same person or 'no' if the non-residential elements are owned by somebody else.

Question 53: Tick the box that represents the age of the property to be licensed

Question 54: Indicate whether the building has been converted from its original design.

Provide the date the building was converted and supply details of the date it was converted. If you have any paperwork to support this e.g. details of planning permission or building regulation approval, please also provide this.

Question 55: Indicate the number of letting units. This includes how many rooms or flats are available to rent in the property. Where the property is shared, indicate the number of bedrooms in the property.

Question 56: Indicate how many of the letting units fall into each of the categories.

Question 57: Complete the table for the HMO.

Question 58: Indicate if all the items have running hot and cold water. If there are any that do not, provide the details giving the reasons why.

Question 59: Indicate what is provided within the kitchens. For anything that has not been ticked explain what arrangements are in place to provide these.

HEATING AND ENERGY EFFICIENCY

Question 60: Indicate the type of heating in the property

Question 61: Indicate if all the rooms have heating. If not explain which rooms do not have heating and why.

Question 62: Indicate 'yes' if all the bathrooms and kitchens have ventilation or 'no' if not and explain where this is missing and why.

Questions 63 – 66: Indicate the energy efficiency measures present in the property.

Question 67: Indicate if you have an EPC for the property and provide a copy with the application.

GAS AND ELECTRICITY

Question 68: Where gas is present complete these details. A gas safety certificate should only be supplied if there is a gas supply to the property, which is being used for appliances within the property.

Questions 69-70: Provide information about the electrical safety for the property. The electrical installation must be checked to ensure it is safe to use and evidence, usually in the form of a certificate, must be supplied with your application.

Questions 71- 73: Provide information about the electrical safety of portable appliances provided at the property. Any electrical equipment that you supply for use in the property must also be checked and certified as safe to use.

FIRE PRECAUTIONS

Question 74: Indicate if a fire risk assessment has been completed

Questions 75 – 76: provide information about the types of fire alarm and detectors in the property. Please indicate if the property has any form of smoke detection and also detail their location on the floor plans you are submitting. Even if you answer no to any of these points, this may not prevent you from getting a licence.

Question 77: Provide details about the fire equipment provided at the property. If there is a fire alarm system installed in the property please supply copies of the maintenance and testing reports. Also supply maintenance records for fire extinguishers and any other firefighting equipment.

Question 78: Provide details, on a separate sheet if necessary, of the escape routes from the property. This would be the main staircase in and out of the building or any potential secondary escape route. Provide details of your processes for ensuring escape routes are kept clear.

Question 79: If you provide any information to occupiers about fire safety then please give details of what you do here, or on a separate sheet as necessary.

Question 80: Indicate if all furniture and soft furnishings comply with the relevant regulations for fire safety. All furniture must also be safe to use and meet the Furniture and Furnishings (Fire) (Safety) Regulations 1988. This can be met by supplying a list of the furniture you have provided and signing a declaration that all the items listed meet these regulations. Where you have labels and receipts to support your claim this will also be useful.

PROPERTY MANAGEMENT

Questions 81 – 83: indicate if you provide a tenancy agreement or other form of written terms and whether or not the agreement includes clauses about anti-social behaviour and dealing with repairs.

Questions 84-86: Indicate if a deposit is taken. If 'yes', indicate if the deposit is properly protected and that the tenant is given details of where the deposit is held.

Questions 87-88: Indicate if tenants are given a rent book and receipts for rent payments made.

Question 89: At the beginning of each tenancy a tenant should be provided with the government issued booklet 'How to rent'. Indicate here if you provide this leaflet.

Question 90: At the beginning of each tenancy the landlord should check that the tenant has the right to rent in the UK. Indicate here if you undertake these checks.

Question 91: Provide details, on separate sheets as necessary, of the method you use to check prospective tenants, including reference checks.

Questions 92-97: The questions request details on your procedures for dealing with a range aspects. Please describe how you deal with each of these (use a separate sheet as necessary clearly indicating which question you are responding to).

OCCUPATION

Questions 98- 100: In some cases the landlord is also resident in the same property as the HMO that needs to be licensed. These questions relate to the resident landlord and their family.

Question 101: Please indicate the number of households living in the property. A household means either an individual, or members of the same family. A person is of the same family if they are married to each other or live as husband and wife or the equivalent for same sex relationships. A person is also a member of the same family if they are a relative. A relative means parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece, or cousin.

The question also asks for the number of adults and children.

Examples:

- a) Where there is a cohabiting couple they would be one household but two adults.
 - b) Four friends sharing would be four households and four adults.
 - c) A family of four would be one household and two adults and two children.
- A child is anyone under 16 years of age.

List the names of the current occupiers including children on a separate sheet and enclose this with the application. Please indicate where the name is for a child under 16 years of age

Question 102: In some HMOs food is provided to the tenants where there is no access to kitchen facilities. Provide details of the catering arrangement in this property.

OTHER PROPERTIES

Questions 103 – 108: This is to establish if you already have any licensed properties in this area or other areas, to enable us to make any checks for fit and proper person. It also gives us information on your experience of managing HMOs. Please provide details of all properties on separate sheets as necessary.

Please note that some of your information will also be held on a public register as prescribed by the Licensing and Management of Houses in Multiple Occupation and other Houses (Misc Provisions) (England) Regulations 2006. This will include:

- Name and address of the licence holders and manager
- Address of the property
- Descriptions of the property e.g. number of rooms
- Licence conditions

NOTIFICATION

Question 109: You are legally bound to advise all those people with a legal interest in the property that you are applying for a licence. Please complete those sections that apply to confirm that all relevant people have been notified in writing.

DECLARATIONS The declarations **MUST** be signed for the application to be valid.

ENCLOSURES The fee, floor plan and list of current occupiers **MUST** be included for the application to be considered valid.

FEES When making a payment please quote the property address and ‘HMO ES354 7279’.

HMO LICENSING FEES	
New licence	Fee
3-5 Units	£793
6-10 units	£838
11+ units	£883
Renewal	Fee
3-5 Units	£658
6-10 units	£680
11+ units	£703