



The Licensing of Houses in Multiple Occupation (HMOs)

Information on Licence Conditions

On licensing an HMO, Haringey Council will impose a number of licence conditions. Some of these conditions will be applicable to all licensable HMOs within Haringey; others will be specific to the property, according to individual circumstances.

This document summarises the conditions that will or may be attached to a licence.

Numbers of persons permitted to occupy

The licence holder will be required to ensure that the numbers of households and/or persons residing in the property do not exceed the maximum numbers specified in the licence. These numbers will relate to the amenities that are, or can be, provided and/or to the size and layout of the units of accommodation available.

The licence holder may be required to ensure that the use or occupation of particular parts of the property is restricted or prohibited, e.g. prohibition of the use of a room entered via a kitchen as a bedroom or bedsit room.

If the numbers exceed the specified maximum levels at the time of issue of the licence, the licence holder will be expected to ensure that the numbers are reduced at the earliest opportunity. However, **existing** tenancies must be allowed to run to their full term, unless the tenants agreed to an earlier termination, and termination of any tenancy would have to comply with the correct statutory procedure.

Changes to the licensed property or licence holder

The licence holder will be required to notify the Council of any intended alterations or changes in the use and occupancy levels of each room which may affect the licence contents or conditions attached to the licence.

The licence holder will be required to inform the Council immediately of any material change of circumstance affecting the licence holder or the operation of the property.

Requirement for works to be carried out

The licence holder may be required to carry out certain works to ensure that the property complies with the Council's standards for HMOs. Any works required will be those necessary to ensure that the property is suitable for occupation by the maximum permitted numbers specified on the licence.

Where any works are necessary, the licence holder will be required to carry them out within specified times.

Letting arrangements

The licence holder will be required to ensure that the tenants are provided with written statements of the terms of occupation at the commencement of their tenancies.

Where the rent is payable weekly, the licence holder will be required to ensure that payments are recorded in a rent book to be kept by the tenant. Otherwise, he/she will be required to ensure that a written receipt of each rental payment is issued to the tenants.

The licence holder will be required to ensure that he/she respects the legal rights of the tenants in relation to their occupation of the property. Proper regard is to be given to these rights when, for example, terminating tenancy agreements, undertaking inspections of tenants' rooms, imposing rent increases, and reimbursing tenants' rent deposits.

Landlord training

The licence holder and/or manager may be required to attend an accredited property management training course. One such course is run by the London Landlord Accreditation Scheme and for information on this scheme refer to: www.londonlandlords.org.uk

Managing anti-social behaviour

The licence holder will be required to ensure that any anti-social behaviour by occupiers or their visitors is dealt with appropriately and effectively.

In this regard, complaints of noise and other possible sources of nuisance or anti-social behaviour will need to be properly investigated, whether these complaints are made by other occupiers of the property or by residents of neighbouring properties.

Where complaints are found to be justified, the licence holder will be required to ensure that all reasonable steps are taken to resolve the problems.

Security

The licence holder will be required to ensure that there are sufficient measures in the property to provide a secure environment for the occupiers.

The licence holder must have a policy on controlling the return of room keys when rooms are vacated. This shall include action to be taken to ensure lock barrels are changed when keys are not returned.

The licence holder should seek the advice of the local police station's crime prevention officer on measures to improve the security of the property, including lettings and communal areas.

Condition of furniture and electrical appliances

The licence holder will be required to ensure that all portable electrical appliances and furniture, other than those supplied by the occupiers, are kept in a safe condition.

The licence holder shall ensure that any upholstered furniture provided, whether new or second-hand, complies with the Furniture and Furnishings (Fire) (Safety) Regulations 1988, as amended.

If requested by the Council, the licence holder will be required to supply a declaration as to the safety of electrical appliances and furniture.

Management

If the licence holder is also the manager of the property, he/she will be required to comply with the requirements of Regulations relating to the management of HMOs. The relevant Regulations will depend on whether the HMO consists entirely of fully self-contained units (section 257 HMOs) or not, although the requirements are the same. If the licence holder is not also the manager of the property, then the licence holder will be required to ensure that the manager complies with the requirement of the Regulations.

In addition to the requirements of the Regulations, the licence holder will be required to comply with certain additional requirements relating to licensable HMOs.

The following is a brief summary of the requirements of the Regulations, together with the additional management responsibilities of the licence holder.

Duty of manager to provide information to occupier

The manager must provide the occupiers with details of his/her name, address and contact telephone number and must display such details in a prominent position within the HMO.

Duty of manager to take safety measures

The manager must ensure that the property has a safe design and construction.

The manager must also ensure that any means of escape from fire are maintained and free from obstructions, that all fire precautions are maintained, and that any fire notices are clearly visible.

In addition, the licence holder will **also** be required to ensure that means of escape and fire precautions are maintained, and that electricity supplies to automatic fire detection and emergency lighting systems are not disconnected or threatened with disconnection due to non-payment of monies owed to the relevant statutory undertaker.

The licence holder will also be required to provide to the Council copies of annual inspection and test certificates for Grade A automatic fire detection systems or confirmation that the smoke and heat alarms for Grade D systems have been cleaned in accordance with manufacturer's instructions, and copies of annual test certificates for emergency lighting systems, where provided.

Duty of manager to maintain water supply and drainage

The manager must maintain the water supply and drainage system to the property.

The manager must also ensure that there is no unreasonable interruption to the water supply or drainage.

Duty of manager to supply and maintain gas and electricity

If requested by the Council, the manager must supply, within 7 days, the latest gas safety inspection certificate for the property as carried out by a CORGI registered engineer.

The manager must ensure that the property's electrical installation is inspected and tested at least every five years, and that, if requested, the latest inspection certificate is supplied to the Council within 7 days.

The manager must also ensure that there is no unreasonable interruption to the gas or electricity supplies used by any occupier.

In addition, the licence holder will be required to ensure that gas or electricity supplies to common parts or shared amenities are on landlord's supplies via quarterly credit meters and that they are not disconnected or threatened with disconnection due to non-payment of monies owed to the relevant statutory undertaker.

Similarly, where rents are inclusive of gas or electricity the licence holder will be required to ensure that gas or electricity supplies to units of accommodation are not disconnected or threatened with disconnection due to non-payment of monies owed to the relevant statutory undertaker.

The licence holder will be required to ensure that any remedial works identified following inspections of gas and electrical installations and appliances are carried out within a reasonable time period.

The licence holder will also be required to provide to the Council copies of annual gas safety inspection certificates.

Duty of manager to maintain common parts, fixtures, fittings and appliances

The manager must ensure that all common parts, fixtures, fittings and appliances are well-maintained.

The manager must also ensure that outbuildings, yards, gardens, and boundary walls, fences and railings are well-maintained and safe.

Duty of manager to maintain living accommodation

The manager must ensure that units of accommodation and any furniture supplied are clean and in good repair at the commencement of a tenancy, and that any fixtures, fittings or appliances within the letting are clean and in good working order.

Duty to supply waste disposal facilities

The manager must ensure that a sufficient number of rubbish bins are provided for the occupiers, and that, where necessary, arrangements are made for the disposal of refuse and litter.

N.B. If you require full details of the Regulations you can obtain a copy from Stationery Office Ltd or on-line at:

<http://www.legislation.gov.uk/ukxi/2006/372/contents/made>

or

<http://www.legislation.gov.uk/ukxi/2007/1903/contents/made> (for section 257 HMOs)

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