

Application Form

Application for Licence for House in Multiple Occupation
HOUSING ACT 2004 Part 2 s.63



Please answer all questions unless directed. Please read the notes (set out at the end of the form before answering the questions to which they relate). Please have regard to PART 15 'Application Submission Checklist' detailing the documents and application fee that you must submit with the completed, signed application form.

If you have more than one property in multiple occupation you will need to fill in a separate application for each property.

PLEASE INDICATE APPLICATION STATUS (✓ as appropriate)

NEW

RENEWAL

ADDRESS OF HMO TO BE LICENSED

HOUSE NAME/ NUMBER

STREET

POSTCODE

Part 1. PROPOSED LICENCE HOLDER DETAILS

TITLE (✓ as appropriate): Mr Mrs Miss Ms Other (please state):

COMPANY NAME (if applicable):

FORENAMES:

SURNAME:

ADDRESS:

TELEPHONE NUMBERS

HOME:

WORK:

MOBILE:

EMAIL ADDRESS:

FAX (if available):

NAME OF COMPANY SECRETARY (if applicable):

NAME OF DIRECTORS/ PARTNERS/ TRUSTEES (if applicable):

Part 2. APPLICANT DETAILS

TITLE (✓ as appropriate): Mr Mrs Miss Ms Other (please state):

FORENAMES:

SURNAME:

ADDRESS:

TELEPHONE NUMBERS

HOME:

WORK:

MOBILE:

EMAIL ADDRESS:

FAX (if applicable):

PLEASE STATE YOUR RELATIONSHIP TO THE PROPOSED LICENCE HOLDER:

PLEASE STATE YOUR INTEREST IN THE PROPERTY:

Part 3. HMO MANAGER DETAILSTITLE (✓ as appropriate): Mr Mrs Miss Ms Other (please state):

COMPANY NAME (if applicable)

FORENAMES:

SURNAME:

ADDRESS:

TELEPHONE NUMBERS

HOME:

WORK:

MOBILE:

FAX:

EMAIL ADDRESS:

PLEASE INDICATE THE TYPE OF MANAGER:

Individual Company Partnership Trustee Other (please specify):IS THE MANAGER A MEMBER OF A REGULATED BODY? YES NO

IF YES, PLEASE STATE WHICH REGULATED BODY:

Part 4. DETAILS OF THE PERSON HAVING CONTROL OF THE HMOTITLE (✓ as appropriate): Mr Mrs Miss Ms Other (please state):

FORENAMES:

SURNAME:

ADDRESS:

TELEPHONE NUMBERS

HOME:

WORK:

MOBILE:

FAX:

EMAIL ADDRESS:

Part 5. PERSON(S) WHO HAS/ HAVE AGREED TO BE BOUND BY A CONDITION IN THE LICENCETITLE (✓ as appropriate): Mr Mrs Miss Ms Other (please state):

FORENAMES:

SURNAME:

ADDRESS:

TELEPHONE NUMBERS

HOME:

WORK:

MOBILE:

FAX:

EMAIL ADDRESS:

Part 6. OWNERSHIP DETAILS (Please continue on a separate sheet if necessary)

NAME OF FREEHOLDER(S):

ADDRESS OF FREEHOLDER(S):

CONTACT NUMBER:

EMAIL ADDRESS:

NAME OF MORTGAGEE(S) IN POSSESSION (e.g. bank/ building society)

ADDRESS OF MORTGAGEE(S)

CONTACT NUMBER:

EMAIL ADDRESS:

NAME OF LEASEHOLDER(S):

ADDRESS OF LEASEHOLDER(S):

CONTACT NUMBER:

EMAIL ADDRESS:

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Part 7. PROPERTY DETAILS

TYPE OF HMO (category) Bedsit <input type="checkbox"/> Shared House <input type="checkbox"/> Resident Owner with Lodgers <input type="checkbox"/> Hostel	TYPE OF DWELLING (statutory type / form of structure) Detached <input type="checkbox"/> Semi-detached Terraced Purpose Built block with <u>up to</u> 2 self-contained flats within <input type="checkbox"/> Flat Conversion <input type="checkbox"/> ABOVE COMMERCIAL PREMISES Yes No If yes please state type of commercial premises:
DATE OF CONSTRUCTION: (✓ as appropriate): Before 1919 <input type="checkbox"/> 1919-1945 <input type="checkbox"/> 1945-1964 <input type="checkbox"/> 1965-1980 <input type="checkbox"/> After 1980 <input type="checkbox"/>	Number of Floors: Above Ground Level - Below Ground Level -
NUMBER OF INDIVIDUAL LETTING ROOMS WITHIN HMO (Bedrooms):	NUMBER OF HABITABLE ROOMS (Living rooms / dining rooms):
NUMBER OF <u>HOUSEHOLDS</u> CURRENTLY OCCUPYING THE HMO:	NUMBER OF INDIVIDUAL <u>PEOPLE</u> CURRENTLY OCCUPYING THE HMO:
MAXIMUM <u>HOUSEHOLDS</u> THAT CAN OCCUPY THE HMO:	MAXIMUM NUMBER OF <u>PERSONS</u> THAT CAN OCCUPY THE HMO:
NUMBER OF SETS OF BATHROOM FACILITIES (Bathrooms / shower rooms):	NUMBER OF SEPARATE WC COMPARTMENTS WITH WASH HAND BASINS WITHIN COMMON AREAS OF THE HMO: NUMBER OF EN-SUITES WITHIN LETTING ROOMS:
NUMBER OF SETS OF KITCHEN FACILITIES:	NUMBER OF SINKS (Those within kitchens only):

ROOM SIZES & OCCUPENCY

ROOM LOCATION:	ROOM SIZE IN m2:	NUMBER OF OCCUPIERS IN EACH LETTING ROOM
e.g. Ground Floor Front, First Floor Rear etc		

8. FIRE SAFETY		
1. Does the property have a system of fire detection? 2. If yes to the above...	YES <input type="checkbox"/>	NO <input type="checkbox"/>
i) Does the system include a fire alarm control panel?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
ii) Does the system include mains wired heat detector(s) in the kitchen?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
iii) Does the system include mains wired smoke detectors in rooms?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
iv) Does the system include mains wired smoke detectors in common parts?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
v) Does the system include battery powered smoke detectors in common parts only?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
vi) Does the system include sounders/ alarms on all levels?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
vii) Does the system include call points in the communal areas?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
3. If there is a mains wired fire alarm & detection system, has it been tested in accordance with BS5839 Part 1: 2017 every 6-months (with control panel), or tested in accordance with BS5839 Part 6: 2019 every year (without control panel) ? <i>(Please provide a copy of a current certificate of testing showing compliance to BS5839)</i>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
4. Is there a log book of inspection/ testing? If yes to the above...	YES <input type="checkbox"/>	NO <input type="checkbox"/>
- What is the date of the last entry	/ /	
5. Name the person responsible for maintaining the alarm system:		
6. If applicable, please state the location of the log book:		
7. Does the property have an emergency lighting system? If yes to the above...	YES <input type="checkbox"/>	NO <input type="checkbox"/>
- Has the system been tested in accordance with BS5266 Part 1: 2016 at least every year? <i>(Please provide a copy of the most recent periodic inspection and test certificate)</i>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
8. Are the doors that open on the communal areas fire doors capable of at least 30 minutes fire resistance, (? If yes to the above...	YES <input type="checkbox"/>	NO <input type="checkbox"/>
- Are they fitted with self-closers?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
9. Are there fire blankets in all kitchens?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
10. Are there fire blankets in shared kitchens only?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
11. Are there fire extinguishers? Please detail how many and their location:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
12. Has the fire safety equipment been serviced in the last 12 months?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
13. Does each tenant have clear written instructions on what to do in the event of a fire?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
14. Are tenants provided with upholstered furniture? If yes to the above...	YES <input type="checkbox"/>	NO <input type="checkbox"/>
- Does it all comply with the Furniture and Furnishings (Fire Safety) Regulations 1988 (amended 2010)?	YES <input type="checkbox"/>	NO <input type="checkbox"/>

9. PROPERTY MANAGEMENT	
1. Is there, displayed in a suitable position within the property, a notice giving the name, address and telephone number of the person managing the house?	YES <input type="checkbox"/> NO <input type="checkbox"/>
2. How many gas appliances are there in the house?	
3. Does a Gas Safe registered contractor carry out safety checks for any gas appliances in the property? <i>(Please provide copies of the latest Landlord Gas Safety Record(s))</i>	YES <input type="checkbox"/> NO <input type="checkbox"/>
4. How many copies of the latest Gas Safety Records are enclosed with this application?	

10. TENANCY MANAGEMENT	
1. Are the tenants provided with written details of the terms of their tenancy?	YES <input type="checkbox"/> NO <input type="checkbox"/>

11. RELEVANT INFORMATION
<p>Subject to the provisions of the Rehabilitation of Offenders Act 1974, please state the particulars of any relevant issues (see below) recorded against any person named in Parts 1, 2, 3 and/ or 4 or any person associated or formerly associated on a personal or work basis with those named in Parts 1,2,3, and/ or 4.</p> <p>Relevant issues include:</p> <ul style="list-style-type: none"> i) Criminal Offences involving fraud, dishonesty, violence, drugs, schedule 3 of the Sexual Offences Act 2003 ii) Practiced unlawful discrimination on grounds of gender or gender reassignment; race and ethnicity; disability; sexual orientation; age; religion/belief; pregnancy and maternity; or marriage and civil partnership in connection with a business iii) Contravened any provision of housing or landlord & tenant law. These include but are not limited to <ul style="list-style-type: none"> a) A Control Order Under the Housing Act 1985 b) Proceedings by a Local Authority c) The Local Authority carrying out Works in Default d) A Management Order under the Housing Act 2004 e) Harassment or illegal eviction iv) Acted in contravention of any Approved Code of Practice (ACoP) v) Any criminal offence or subject to any other proceedings brought by a local authority or other Regulatory Body

NAME	DATE	COURT	OFFENCE	SENTENCE

11. RELEVANT INFORMATION (Continued)	
1. Has any person named in Parts 1, 2, 3 and/ or 4 of this form previously held or do they currently hold a licence for another house in multiple occupation?	YES <input type="checkbox"/> NO <input type="checkbox"/>
If <u>yes</u> to the above, please provide the addresses of these properties along with the details of the authorities that issued the licence:	

Other licences in Cambridge:

Other licences in other Local Authorities:

If yes to the above, and if appropriate, please detail where the person named has been the subject of an interim or final management order under the Licensing and Management of Houses in Multiple Occupation and other Houses (Miscellaneous Provisions (England) Regulations 2006 Act:

11. RELEVANT INFORMATION (Continued)	
2. Has any person named in parts 1, 2, 3, 4, 5 and/ or 6 of this form ever applied for and been refused a house in multiple occupation licence?	YES <input type="checkbox"/> NO <input type="checkbox"/>
If yes to the above, which authority refused the licence and when?	
3. Has any person named in parts 1, 2, 3 and/ or 4 of this form ever breached any condition of a licence issued under Parts 2 and/ or 3 of the Housing Act 2004?	YES <input type="checkbox"/> NO <input type="checkbox"/>
If yes to the above please provide details of the licence condition(s) breached and the local authority in which they were breached:	
Please note that Cambridge City Council may carry out a Disclosure & Barring Service check on a licence applicant where necessary. Please tick to confirm that you acknowledge this.	<input type="checkbox"/>

12. ADDITIONAL INFORMATION

Is the proposed licence holder a member of any landlords association or other professional body?

YES

NO

If yes to the above, please detail which:

Please list any training course/s which you have undertaken or conferences/ seminars attended in the last 3 years which you feel would support this application and which you feel would make you a better landlord:

13. FURTHER INFORMATION

Please use this space if you need more room for any additional/ supplementary information which you feel may be relevant to your application:

Please note that it is a criminal offence to knowingly supply information which is false or misleading for the purposes of obtaining a licence. Evidence of any statements made in this application with regard to the property concerned may be required at a later date.

We may approach other authorities such as the Police, Fire & Rescue Service, Office of Fair Trading and tenants for additional information and verification.

Signing the declaration of this application form will be taken as your agreement to any such action. If we subsequently discover something which is relevant and that you should have disclosed, or which has been incorrectly stated or described, your licence may be cancelled or other action taken.

PART 14. DECLARATION

As the applicant, you must let certain persons know (in writing) that you have made this application (or give them a copy of it).

I/ We declare that I/ We have served a notice of this application on the following persons who are the only persons known to me/ us that are required to be informed that I/ We have made this application:

Name	Address	Date	Description of Persons interest in the property/ application

I/ We declare that the information contained in this application is correct and to the best of my/ our knowledge.

I/ We understand that I/ We commit an offence if I/ We supply any information to a local housing authority in connection with any of their functions under any Parts 1 to 4 of the Housing Act 2004 that is false or misleading and which I/ We know to be false or misleading or am/ are reckless as to whether it is false or misleading.

APPLICANT

Signed: _____ Dated: / /

PROPOSED LICENCE HOLDER

Signed: _____ Dated: / /

MANAGER

Signed: _____ Dated: / /

Signed: _____ Dated: / /

Signed: _____ Dated: / /

Signed: _____ Dated: / /

Data Protection

Please note that a copy of the Cambridge City Council Environmental Health Privacy Policy can be viewed via the Cambridge City Council website please contact us directly for further details regarding this.

<https://www.cambridge.gov.uk/media/6335/environmental-health-privacy-notice.pdf>.

Please note the name and address of the licence holder /applicant and the name and address of any manager of this property will appear on a publicly available register. Apart from that register we will not disclose any personal information to any other third parties unless required to do so by law.

PART 15. APPLICATION SUBMISSION CHECKLIST	PLEASE TICK
In order for your application to be considered complete and accepted for processing you <u>must</u> enclose the following with your fully completed & signed application form:	
A sketch plan for the property (detailing the layout & position of each room, minimum A4 size)	<input type="checkbox"/>
A current & satisfactory 'Electrical Installation Condition Report' produced by a competent electrician	<input type="checkbox"/>
A current & satisfactory 'Landlord Gas Safe certificate(s)' produced by a Gas Safe registered engineer	<input type="checkbox"/>
A current BS5839 test and inspection report for the fire detection system produced by a competent person	<input type="checkbox"/>
A current BS5266 test and inspection report for the emergency lighting system produced by a competent person (if applicable)	<input type="checkbox"/>
*Licence Application Fee	<input type="checkbox"/>
YOU <u>MUST</u> SUBMIT THESE DOCUMENTS WITH YOUR APPLICATION IN ANY EVENT. THE COUNCIL MAY REQUIRE YOU TO SUBMIT (OR YOU MAY WISH TO SUBMIT) OTHER DOCUMENTS (FOR EXAMPLE COPIES OF PLANNING PERMISSIONS, BUILDING REGULATIONS APPROVALS, TENANCY/ LICENCE AGREEMENTS, CERTIFIED ACCOUNTS) IN SUPPORT OF YOUR APPLICATION.	

*Please note your application will not be considered complete unless it is accompanied by the correct application fee. Therefore please arrange for payment to be made at the same time as you submit your application if you are not providing a cheque made payable to 'Cambridge City Council'.

The fee can be paid either by BACS to sort code 20-17-68 account number 20232696 please ensure that your payment reference includes the Words HMO and the property address. You will then need to email cashiers@cambridge.gov.uk to inform them you have sent a payment. You can also pay by coming into the reception at Mandela House and paying at cashiers or by phone (01223 457700) with a credit/debit card. Please advise the cashier that you are paying the application fee for a HMO licence and the address of the property for which you are applying.

Please Return your complete application including the required documents to:

Licensing Support Team
 Environmental Health
 Environmental Services
 Cambridge City Council
 PO BOX 700
 CB1 0JH

You can also submit your complete application via e-mail to:

taxi@cambridge.gov.uk

Unless you are sending a cheque for payment of your application fee then, at the time of submitting your application please confirm the payment method used to pay and the date upon which this payment was made.

GUIDANCE NOTES ON COMPLETING THE HMO APPLICATION FORM

If you are the person filling in this application form then you are the **'applicant'**. As the applicant, you are required to complete every part of the application form and sign the declaration at the end of the form, confirming that the information you have provided is correct to the best of your knowledge.

Part 1.

The **'proposed licence holder'** is the person whose name will be on the licence (if issued). The proposed licence holder must be the person who is the most appropriate person to hold the licence for the property, and this is likely to be the person who receives the rent for the property.

Proposed licence holder details must be provided as follows:

- Name
- Correspondence address
- Contact details

If the proposed licence holder is a **company**, you must provide the company name, address of the registered office and the names of the company secretary and directors.

Part 2

Applicant details must be provided as follows:

- Name
- Correspondence address
- Contact details
- Relationship to the proposed licence holder
- Your interest in the licensable property.

We understand that in some instances, the **applicant** may have no legal interest in the property and may simply be completing the form on behalf of a relative or friend for example. If this is the case then please state this in the space provided which asks what your interest is in the property.

Part 3

If the property is managed by the landlord, or someone else manages it for him/ her please indicate the necessary details as follows:

- Name
- Address
- Contact Details

If the proposed manager is a partnership or trust, you must provide the names of all the partners and trustees.

If a commercial agent is employed to manage the property, please indicate if they are a member of a trade body which regulates its members through a Code of Management Practice. The main regulatory bodies are the Association of Residential Letting Agents (ARLA); the Association of Residential Managing Agents (ARMA); the Royal Institute of Chartered Surveyors (RICS); the National Association of Estate Agents (NAEA); and the National Approved Lettings Scheme (NALS).

Part 4

'Person having control', in relation to premises, means (unless the context otherwise requires) the person who receives the rack-rent of the premises (whether on their own account or as agent or trustee of another person), or who would so receive it if the premises were let at a rack-rent.

A **'person who receives the rent'** is the person who ultimately receives (whether directly or through an agent or trustee) rents or other payments from the persons who are occupying the property.

Details of the **person having control of the HMO** must be provided as follows:

- Name
- Correspondence address
- Contact details

Part 5

A **'person bound by a condition of the licence'** could be any person who is involved in the management and/ or maintenance of the property. This will also depend on the licence conditions.

Details of the person(s) bound by a condition of the licence must be provided as follows:

- Name
- Correspondence address
- Contact details

Part 6. OWNERSHIP DETAILS

A **'freeholder'** can be a person(s) or a company who is registered as the proprietor of a freehold estate in the land with absolute title.

A **'leaseholder'** is somebody who owns a long lease on their property (usually for a term of more than 21 years) which gives them the right to occupation and use of the property for the term of the lease.

Part 7. PROPERTY DETAILS

A **'bedsit'** is a letting room occupied on an individual room by room basis which may include kitchen facilities. The occupier has exclusive use of that room within the dwelling. Occupiers will also have use of a communal kitchen and / or bathroom.

A **'shared house'** is a dwelling within which all occupiers will normally share the same tenancy agreement and have access to all areas of the property. There will be a strong element of communal living and there will be a shared living area.

A **'shared flat'** is a separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building. The accommodation is let to individuals who occupy their own bedrooms and share a kitchen, bathroom or toilet.

Premises referred to as **'hostels'** includes establishments providing medium to long term accommodation for persons for whom the premises is their permanent place of residence. Examples include hostels for homeless individuals and rehabilitees.

Both **'self-contained flats'** and **'purpose built flats'** are separate and self-contained premises. All facilities are available behind the front door of the accommodation.

A **'flat conversion'** is where a converted building solely consists of self-contained flats it is only an HMO if, when converted, it failed to comply with 'appropriate building regulations and it still does not comply, and less than two-thirds of the self-contained flats within the building are owner-occupied.

'Appropriate building regulations' are those made under the Building Act 1984.

Please note that a self-contained unit of accommodation should have a full range of exclusive use amenities within its perimeter. However, remote or separate amenities such as a kitchen, bath/ shower or WC may still be deemed as 'exclusive use' if they are made available to one person or household only, and are not shared by any other person or household within the property.

An '**occupier**' means a person who occupies the property as a residence; this person can be a tenant, leaseholder, licensee or a person having an estate or interest in the property. Children and babies are also considered to be occupiers and should each be counted as one individual regardless of their age.

A '**letting**' is any rented unit of accommodation, this could be a:

- Room/ bedsit
- Studio
- Flat
- Floor by floor let
- House

For example, a house let as bedsits and rented to 5 people would count as five lettings.

A '**household**' for the purposes of the Housing Act 2004 comprises:

- A single person; or
- Co-habiting couples (whether or not of the opposite sex); or
- A family, including parents, grandparents, children (including foster children, step children and children being cared for), grandchildren, brothers, sisters, uncles, aunts, nephews, nieces or cousins. Half relatives will be treated as full relatives.

Any domestic staff are also included in the household if they are living in rent-free accommodation provided by the person for whom they are working.

Therefore, three friends sharing together are considered three households because they are not related as family.

If a couple are sharing with a third person, that would comprise two households.

If a family rents a property this is a single household. If that family had an au-pair to look after their children that person would be included in their household.

ROOM SIZES

Detailed information regarding Cambridge City Council's accepted Space Standards including room size criteria within licensable HMO's can be found within The Private Rented Sector Housing Standard document which can be viewed on the Cambridge City Council via the following web-link: <https://www.cambridge.gov.uk/guide-for-landlords>.

Please Note: when measuring rooms for plans please do not include any floor area which has a ceiling height below 1.5m as useable floor space. Please note however that this space may be considered as possible storage space associated with the room.

Part 8. FIRE SAFETY

All HMO's should have a safe escape route in the event of fire and adequate fire precautions which include mains powered fire alarms, smoke and heat detectors, emergency lighting, fire extinguishers and fire blankets. These must be well maintained and adequate for the number of residents and the size of the property. The fire alarm & detection system must be installed and maintained in accordance within the relevant parts of BS5839.

You are required to provide information relating to the safety provisions that are present within the property. They include fire detection and emergency lighting systems and other fire precautions such as fire doors and a protected means of escape.

A '**30 minute fire door**' is one which must be capable of providing 30 minutes fire resistance in terms of integrity when tested or assessed to BS8214: 2016.

An **'emergency lighting system'** is designed to automatically illuminate the escape route upon failure of the supply to the normal artificial lighting. Any emergency lighting system installed in the property must comply with BS 5266: Part 1: 2016.

The **Furniture and Furnishings (Fire Safety) Regulations Amended 2010** set levels of fire resistance for domestic upholstered furniture, furnishings and other products containing upholstery. Upholstered furniture must have fire resistant filling material and must pass a cigarette resistance test and permanent covers must pass a match resistance test.

Landlords letting residential property will be expected to ensure that any soft furniture complies with these regulations.

'Upholstered furniture' which is covered by the above regulations include: beds, headboards, mattresses, sofa-beds, nursery furniture, garden furniture which can be used indoors, furniture in new caravans, scatter cushions, seat pads and pillows and loose and stretch covers for furniture. You should be looking for furniture which is **properly labelled** as meeting the requirements of the regulations.

Part 9. PROPERTY MANAGEMENT

The most common **'gas appliance'** in many properties is the central heating boiler, which provides hot water and/or heating. All associated fittings, including flues, are deemed to be included in the appliance. Wall mounted individual gas heaters need checking, as well as ovens and hobs, and anything else that uses gas as its power source.

Businesses and self-employed people working on gas fittings or appliances are legally required to be registered with Gas Safe. If you need to find a registered installer, or need to check anyone's registration, you can visit the Gas Safe website at www.gassaferegister.co.uk or telephone their Customer Services on 0800 408 5500.

The Gas Safety (Installation & Use) Regulations 1998 specify that it is the duty of landlords of relevant premises to ensure that all gas appliances, fittings and flues provided for tenants are safe. You must arrange safety checks on an annual basis and provide the council with copies – only certificates produced by registered Gas Safe Installers will be acceptable.

Part 10. TENANCY MANAGEMENT

Please tell us if the tenants are given a written Tenancy Agreement or similar document which sets out the terms of their contracts with the landlord (10.1).

Part 11. RELEVANT INFORMATION

Part 11 aims to collect information on all persons named in Parts 1 to 4 of the form, to enable the council to determine if they (or any associate of those persons) are fit and proper persons (see general notes for definition).

Answering yes to any of the questions in this Part will not necessarily mean that the council will refuse to issue a licence. However, the council reserves the right to reject any person nominated as the proposed licence holder if they are not considered a fit and proper person. Under such circumstances, somebody who is deemed to be a fit and proper person will have to be nominated to hold the HMO licence.

Part 12. ADDITIONAL INFORMATION

Part 12 gives you an opportunity to demonstrate whether the landlord takes any steps to keep him-self informed of good management practices and any changes in the law which could affect his duties as a landlord.

Landlords Association refers to a legally constituted trade body which regulates the conduct of its members and represents their interests. Other relevant professional or bodies include the Housing Ombudsman Service, and those covering real estate such as property letting or surveying. Industry

bodies covering building and construction trades could also be relevant if they evidence skills relating to the management and maintenance of tenants' homes.

Part 13. FURTHER INFORMATION

Please use this section if you require any further space to answer any of the previous questions (please indicate which question your answer relates to). You can also use this area to add any further information that you feel could be relevant to your application.

Part 14. DECLARATION

You must complete Part 14 by using the space provided to list the names, addresses and descriptions (e.g. leaseholder, mortgagee etc) of all persons who need to know that an application for an HMO licence has been made.

As the applicant, you must let certain persons know in writing that you have made this application or give them a copy of it.

The persons who need to know about it are:

- Any mortgagee of the property to be licensed;
- Any owner of the property to which the application relates (if that is not you) i.e. the freeholder and any head lessors who are known to you;
- Any other person who is a tenant or long leaseholder of the property or any part of it (including any flat) who is known to you other than a statutory tenant or other tenant whose lease or tenancy is for less than 3 years (including a periodic tenancy);
- The proposed licence holder (if that is not you);
- The proposed managing agent (if any) (if that is not you);
- Any person who has agreed that he will be bound by any conditions in a licence if it is granted.

You must tell each of these persons:

- Your name, address, telephone number and email address or fax number (if any);
- The name, address, telephone number and email address or fax number (if any) of the proposed licence holder (if it will not be you);
- Whether this application is for an HMO licence under Part 2 or for a house licence under Part 3 of the Housing Act 2004;
- The address of the property to which the application relates;
- The name and address of the local housing authority to which the application will be made;
- The date the application will be submitted.

If you require more space to complete Part 14, please use the space provided in Part 13, or continue on additional sheets of paper, making sure you clearly number the sheets and attach them securely to the form.

The declaration must be signed and dated by:

- The applicant
- The proposed licence holder (if different to the applicant)
- The manager (if there is a manager)

Part 15. APPLICATION SUBMISSION CHECKLIST

Fee structure

The fee structure is reviewed on an annual basis and new fees may apply after each April 1st. In addition to this the Council may on occasion have to review the fee to take into account changes in legislation or process, in cases such as this the new fee will normally become applicable on the date of change. The current fee structure for a new application or a renewal can be viewed on the Cambridge City Council website via the following web link: <https://www.cambridge.gov.uk/licensing-of-houses-in-multiple-occupation>.

If an invoice is required by the applicant, an additional administration charge will apply.

A licence is valid for 5 years unless stated otherwise and cannot be transferred.

Should you have a query regarding the appropriate fee(s), please contact the Residential team on 01223 458050 or residential.eh@cambridge.gov.uk.

Checklist

You must ensure that you submit with the application form all documents that are listed in the checklist section at the end of the form where relevant (for example not all properties will have gas appliances). You must tick the appropriate boxes to inform the council which documents have been submitted.

PLEASE NOTE: The application will be considered incomplete and will be rejected if any of the required documents are not submitted at the same time as the form until such time as the full application is re-submitted.

HMO Licensing – Information for Applicants

From the 6th April 2006, Part 2 of the Housing Act 2004 (The Act) places a duty on local authorities to licence houses in multiple occupation (HMOs) that fall within certain categories.

Anyone who owns or manages an HMO that must be licensed has to apply to the local authority within which the property is situated for a licence.

If an HMO is required to be licensed, it is a criminal offence to operate the HMO without a licence, and an unlimited fine may be imposed. Furthermore, under certain circumstances, a tenant living in an HMO that should have been licensed may be able to apply for a Rent Repayment Order, to recover the rent they paid during the unlicensed period (up to a maximum of 12 months). Local authorities are also able to claim back housing benefit payments made in relation to unlicensed HMO's.

WHAT IS AN HMO?

HMO stands for House in Multiple Occupation, which is defined under sections 254 & 257 of the Housing Act 2004. An HMO can be a building or part of a building if it is:

- Occupied by persons who form more than one household, and where those persons share (or lack) one or more basic amenities, such as a WC, personal washing and cooking facilities; or
- A converted building containing one or more units of accommodation that **do not** consist entirely of self-contained flats. There is no requirement that the occupiers share facilities; or
- A converted building consisting entirely of self-contained flats, where the building work undertaken in connection with the conversion did not comply with the 1991 Building Regulations, and more than one third of the flats are occupied under short tenancies.

The HMO must be occupied by more than one household:

- As their only or main residence; or
- As a refuge by persons escaping domestic violence; or
- During term time by students; or
- For some other purpose that is described in regulations.

In all cases:

- Occupation of the living accommodation must be the only use of that accommodation; and
- Rents are payable or other considerations are provided.

Under the Housing Act 2004, a household comprises:

- A single person; or
- Co-habiting couples (whether or not of the opposite sex); or
- A family (including foster children and children being cared for) and current domestic employees

EXEMPTIONS FROM THE HMO DEFINITION

Certain types of buildings will not be HMOs for the purpose of Part 2 of the Act. They are listed in Schedule 14 of the Act and include:

- Buildings, or parts of buildings, occupied by no more than two households, each of which comprise a single person only (for example, two person house or flat shares);
- Buildings occupied by a resident landlord with up to 2 tenants;

- Buildings controlled or managed by a public sector body, such as the police, local authority, registered social landlords, fire and rescue authority and the NHS;
- Buildings occupied by religious communities;
- Student halls of residence where the education establishment has signed up to an Approved Code of Practice
- Buildings occupied entirely by freeholders or long leaseholders
- Buildings regulated otherwise than under the Act, such as care homes, bail hostels etc, and the description of which are specified in regulations.

MANDATORY LICENSING OF HMOs

Mandatory licensing of HMOs only applies to certain categories of HMO, which are detailed in The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 Statutory instrument 2018 No.221.

This includes HMO's which satisfy the following criteria in terms of occupancy:

1. occupied by 5 or more persons in 2 or more separate households, regardless of the number of story's.
2. purpose built flats where there are up to two flats in the block and one or both of the flats are occupied as an HMO by five or more persons.

If you own or manage an HMO which falls under mandatory licensing, you must complete and return the attached application form.

GRANTING A LICENCE

Under section 88 of the Act, having received a complete HMO licence application, the council must issue a licence if it is satisfied that:

- The proposed licence holder is a fit and proper person (see below)
- The proposed licence holder is the most appropriate person to hold the licence
- The proposed manager (if there is one) is a fit and proper person, and that the manager has control of the property (see below), or they are an employee of the person having control of the property.
- The proposed management arrangements for the property are satisfactory.
- The property is reasonably suitable for occupation.

A licence will normally last for up to 5 years, however, if the council has specific concerns in relation to the HMO itself or the management of it, they may decide to issue a licence for a reduced period of for example 1 year.

PERSON HAVING CONTROL

In relation to premises, means the person who receives the rack rent of the premises (whether on his own account or as an agent or trustee of another person), or who would receive it if the premises were let at a rack rent.

FIT AND PROPER PERSON

In determining if a person is 'fit and proper' for the purposes of the Act, the council must take into account:

- Any previous convictions relating to violence, sexual offences, drugs and fraud;
- Contravention of any law relating to housing or landlord and tenant matters;
- Whether the person has been found guilty of unlawful discrimination;
- Whether the person has contravened any Approved Code of Practice;

It is, however, a matter for the council to determine the relevance of these considerations (or other matters it considers to be relevant) in deciding whether or not a person is fit and proper.

LICENCE CONDITIONS

Every licence must contain certain conditions which are listed below. The council also has the discretion to add additional conditions to a licence.

- Mandatory condition requiring the licence holder to provide annual gas safety certificates (if gas is supplied to the property);
- Mandatory condition requiring the licence holder to ensure electrical appliances and furnishings provided are in a safe condition;
- Mandatory condition requiring the licence holder to ensure that smoke alarms are installed in the property, and that they are maintained in proper working order;
- Mandatory condition requiring the licence holder to supply the occupiers of the property with a written statement of the terms on which they occupy it.
- Refuse arrangements.

The licence will also specify the maximum number of people that can occupy the HMO.

The licence holder or manager of an HMO who allows it to be occupied by more persons than are permitted under the licence commits an offence and could face an unlimited fine. Furthermore, if that person otherwise breaches or fails to comply with a condition of the licence he will also commit an offence and could face an unlimited fine.

REFUSAL OF LICENCE APPLICATION

The council can refuse to grant a licence if they are satisfied that the HMO does not meet the appropriate standards, and/or the landlord or manager is not a fit and proper person.

APPEALS AGAINST LICENSING DECISIONS

An appeal may be made to a Residential Property Tribunal against a decision of the council to;

- Refuse to grant a licence.
- Grant a licence, including any conditions imposed.

An appeal must normally be made within 28 days of the decision being made, but if the tribunal thinks there are good reasons to do so, it may extend the period for appeal. In considering an appeal the tribunal rehears the council's decision, but is able to take account of new evidence put forward by the appellant. In its decision the tribunal may quash the council's decision or vary / confirm it.

TEMPORARY EXEMPTION FROM LICENSING

An owner or manager of an HMO may apply to the council for a Temporary Exemption Notice (TEN), if the property is required to be licensed, but is not licensed, and that the person having control is taking particular steps with a view to securing that the house is no longer required to be licensed. If a TEN is granted the HMO is exempt from licensing and accordingly the manager/ owner does not commit the offence of operating an HMO without a licence.

A council may only grant a TEN if it is satisfied that the applicant is, or will shortly be, taking steps to ensure the HMO ceases to be subject to licensing. For example, the owner or manager of the property is able to provide notification in writing from a solicitor confirming that possession proceedings have been initiated, and evidence to show that they are likely to be successful and being taken legally and correctly.

A TEN can only be granted for a maximum period of three months, but in exceptional circumstances the council may issue a second TEN to last a further three months following the expiry of the original. No more than two consecutive TENs may be granted in succession for a given property.