GUIDANCE NOTES TO ASSIST IN COMPLETING THE HOUSE IN MULTIPLE OCCUPATION MANDATORY LICENSING APPLICATION FORM

If you make any mistakes, or do not complete all the relevant sections, it may delay the processing of the application form and incur further charges. If additional information is supplied on a separate sheet/s, please make sure that they are securely attached to the application form. Please read the form and guidance notes carefully to assist you in:

- deciding if the property requires a licence
- applying for the correct licence
- completing the form correctly
- enclosing all the relevant documents

The Housing Act 2004 defines a House in Multiple Occupation (HMO) as a building or part of a building such as a flat that is:

a)   occupied by more than one household and where more than one household shares – or lacks – an amenity, such as bathroom, toilet or cooking facilities, or

b)   a converted building – but not entirely self-contained flats - whether or not some amenities are shared, or

c)   converted self contained flats, that do not meet the 1991 Building Regulations, and at least one third of the flats are occupied under short tenancies

Not all HMOs require a licence. The definition below details which HMOs require a licence.

WHICH HMOS REQUIRE A LICENCE?

To make sure that the most vulnerable tenants living in the highest risk properties are protected, the following definition as set out in The Housing Act 2004 (as amended) makes it compulsory for certain HMOs to be licensed, if:

a)   it is occupied by five or more persons comprising more than one <u>household</u>; and

b)   the tenants are living in the dwelling as their <u>main or only residence</u>.

Please note that this is the amended definition that will be in force from October 2018 and it removes the requirement of the property to have three or more storeys.

Anyone who owns or manages a HMO that must be licensed will have to apply for a Licence from the Local Housing Authority in which the property is situated. An application for a HMO Licence has to be made under Part 2 of the Housing Act 2004 which has made it compulsory for local authorities to licence larger, high risk HMOs.

Properties that are operating without a licence will be committing an offence that is liable to an unlimited fine.

Definition of Household

- A single household refers to persons who are all members of the same family. A person is a member of the same family if they are married to each other, live together as husband and wife including same sex couples, and other relationships.
- A 'relationship' means parent, grandparent, child, grandchild, brother, sister, uncle, nephew, niece or cousin. A relationship of the half-blood shall be treated as a relationship of the whole blood and a stepchild shall be treated as his/her child.
- A person who lives in accommodation supplied by his/her employer or by a member of his/hers employer's family, is classed as living in the same household, for example, au pair, nanny, nurse, carer, governess, servants, chauffeur, gardener, secretary or personal assistant.

Definition of main or only residence

- Living accommodation occupied by persons as their main or only residence includes persons undertaking a full-time course of further or higher education, migrant and/or seasonal workers and asylum seekers or his/her dependents, who have been provided with accommodation under section 95 of the Immigration and Asylum Act 1999(a) and the accommodation is provided under contract to, or on behalf of, the National Asylum Support Service. It also includes HMOs that are operated as a refuge.

Floor Plans

The sketch plan must contain measurements showing the location and size of each room in the property. Below is an example showing the type of sketch and detail required. Please use the abbreviations listed below to mark details on the plan. Please provide a separate sketch of each floor level of the property. The plans do not need to be drawn to scale but must be an accurate enough representation for officers to determine the application.

KEY TO SYMBOLS TO BE USED ON PLAN
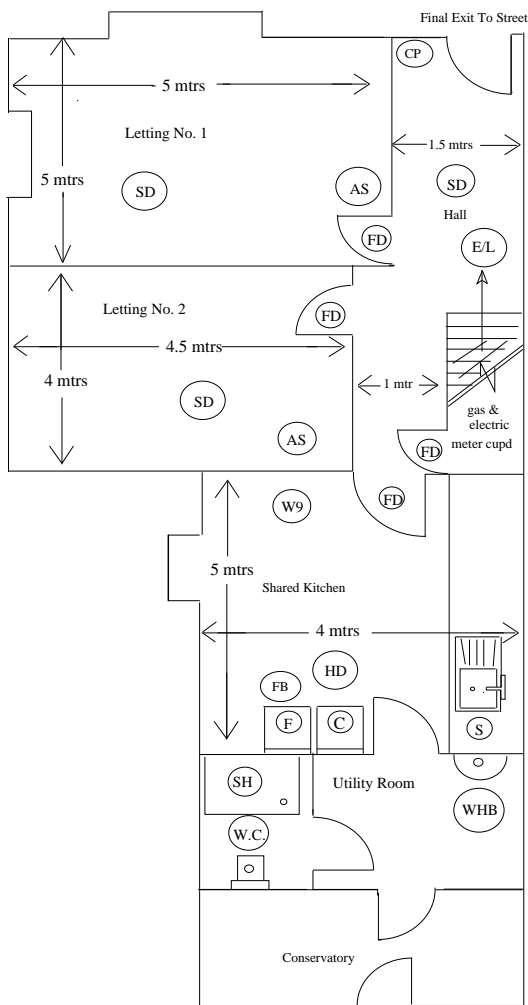
Symbol	Description
FD	FIRE DOOR
EL	EMERGENCY LIGHTING
SD	SMOKE DETECTOR
HD	HEAT DETECTOR
AS	ALARM SOUNDER
CP	CALL POINT
FB	FIRE BLANKET
W9	WATER EXTINGUISHER
AAF	FOAM EXTINGUISHER
SH	SHOWER
WC	WATER CLOSET
C	COOKER
S	SINK
F	FRIDGE
B	BATH
WHB	WASH HAND BASIN
FAP	FIRE ALARM PANEL

Either (W9 or AAF)

EXAMPLE GROUND FLOOR PLAN

Final Exit To Street

Letting No. 1 — 5 mtrs — 5 mtrs — SD — AS

CP — 1.5 mtrs — SD — Hall — FD — E/L

Letting No. 2 — 4.5 mtrs — 4 mtrs — SD — AS — FD — FD

gas & electric meter cupd — 1 mtr

W9 — FD

5 mtrs — Shared Kitchen — 4 mtrs

FB — HD — F — C — S

SH — Utility Room — WHB

W.C.

Conservatory