



HOUSES IN MULTIPLE OCCUPATION (HMOs) LICENSING SCHEME

APPLICATION FORM GUIDANCE NOTES

The following notes refer to the Sections in the application form and are included to assist you with completing the form. Please ensure that you read them carefully.

SECTION 1: OWNERSHIP AND MANAGEMENT DETAILS

- 1.1.2 Generally, the most appropriate person to apply for a licence will be the 'person having control' of the property. This could be the freeholder or any other owner or lessee who receives rent (whether directly or through an agent or trustee) from tenants or lodgers in the premises.
- 1.2 The person completing the form i.e. the applicant, will normally be the proposed licence holder, but in some cases arrangements may have been made for another person to be the licence holder, with their agreement. The Council will be particularly looking for the licence holder to be the person who has the authority to ensure compliance with the licence conditions.
- 1.7 'Other relevant persons' refers to anyone not already declared who you think has an interest in the property, e.g. mortgagees or any person who has agreed to be bound by condition(s) in the licence, if granted.

SECTION 2: PROPERTY DETAILS

- 2.3 'Storeys' includes any basement or attic (if used wholly or partly as living accommodation in connection with the HMO), any part of the building used as business premises (whether above or below the living accommodation), and any mezzanine floor not used solely as a means of access between adjoining floors.
- 2.4 A self-contained or studio flat is where the kitchen/bathroom/WC facilities provided are for the exclusive use of the occupiers of the flat and access to the flat from the common parts is via a single door. Non-self-contained flats are those units of accommodation with exclusive facilities but **not** accessed via a single door from the common parts.
- 2.5 'Habitable rooms' includes bedrooms, living rooms, kitchen/diners and bed/living rooms, but **not** separate kitchens, bath/ shower rooms or WC compartments.
- 2.6 'Household' basically includes:
- an individual
 - persons who are married or co-habiting (including single-sex relationships),
 - relatives of an individual or of married/co-habiting partners (child, parent, grandchild, grandparent, brother, sister, uncle, aunt, nephew, niece or cousin),
 - foster children or domestic employees (e.g. au pairs, nannies, maids, etc).
- 2.7 When counting the numbers of persons include **all** occupiers, including babies and children and any partner, friend or relative who has moved in with a tenant since the commencement of a tenancy.
- 2.8 When describing room location, first state which floor the room is on e.g. basement, ground floor, etc. Next state its position described as if you were standing in the street facing the property. Examples would be 'ground floor front room', 'first floor back addition back room', 'second floor front left room', etc.
To assist you further, please refer to the example sketch plans at the end of these notes.

- 2.9 Room sizes are to be given in square metres. When calculating the size of a room, exclude any chimney breast, en-suite bath/shower room, any floor area where the floor-to-ceiling height is less than 1.5 metres, and any narrow entrance corridor or other unusable area, but include any area covered by a fitted wardrobe.
- 2.10 Include the names of all partners, friends and relatives who have moved in with tenants since the commencement of the tenancies.
- 2.11 A **full** set of exclusive kitchen facilities comprises the following:
- adequate cupboard space for food storage, to consist of a 500mm base unit or 1000mm wall unit as a minimum (a sink base unit will **not** be acceptable for this purpose);
 - an adequately-sized refrigerator with a freezer compartment;
 - a sink and drainer, set on a suitable base, with proper connection to the soil drainage system and adequate and constantly available hot and cold drinking water supplied via suitable taps;
 - an impervious work surface of minimum length 1000mm (**excluding** any area covered by a major appliance);
 - adequate cupboard space for the storage of kitchen utensils (a sink base unit will suffice);
 - a suitable gas or electric cooker with oven, grill and a minimum of four burners or hotplates;
 - glazed tiled splashbacks provided to the sink unit, cooking appliance and work surface to a minimum height of 300mm, where practicable; and
 - one double power socket, located at least 150mm above the work surface, in addition to any sockets used for the connection of major appliances.

Partial kitchen facilities means that some of the above are lacking.

- 2.12 Do **not** include a shower cubicle that is not in a proper compartment.
- 2.13 If there are smoke and/or heat alarms/detectors but you do not know what type, put "Don't know".
- 2.14 When describing flat location, first state which floor the flat is on e.g. basement, ground floor, etc. Next state its position described as if you were standing in the street facing the property. Examples would be 'ground floor front flat', 'first floor back addition flat', 'second floor studio flat', etc. To assist you further, please refer to the example sketch plans at the end of these notes.
- 2.15 When calculating the size of a flat, add together the sizes of all habitable rooms and separate kitchens. Exclude bath/shower rooms, any floor area where the floor-to-ceiling height is less than 1.5 metres, and any lobby, narrow entrance corridor or other unusable area, but include any area covered by a fitted wardrobe.
- 2.16 A **full** set of kitchen facilities for a shared kitchen comprises the following:
- adequate cupboard space for food storage for each letting (see 2.11 above). NB these can be provided within the bedsit rooms if preferred;
 - an adequately-sized refrigerator with a freezer compartment for each letting. NB these can be provided within the bedsit rooms if preferred;
 - a sink and drainer, set on a suitable base, with proper connection to the soil drainage system and adequate and constantly available hot and cold drinking water supplied via suitable taps.
 - an impervious work surface of minimum length 2000mm (**excluding** any area covered by a major appliance) or two separate lengths of 1000mm each;
 - adequate cupboard space for the storage of cooking utensils,
 - a suitable gas or electric cooking appliance with oven, grill and a minimum of four burners or hotplates,
 - glazed tiled splashbacks provided to the sink unit, cooking appliance and work surface(s) to a minimum height of 300mm, where practicable;
 - one double power socket **per** 1000mm of work surface, located at least 150mm above the work surface(s), in addition to any used for the connection of major appliances; and
 - a suitable bin for kitchen waste.

If some of the above are lacking, put "No".

SECTION 3: MANAGEMENT ARRANGEMENTS

The Council is required to satisfy itself that there are satisfactory management arrangements in place for the running of the property (section 64, Housing Act 2004 ("The Act")).

- 3.3 To be an accredited landlord you must have attended a recognised training course. One such course is run by the London Landlord Accreditation Scheme and for information on this scheme refer to:
<http://www.londonlandlords.org.uk/accreditation/scheme.asp>

SECTION 4: FIT AND PROPER PERSON ASSESSMENT

This information is required by Section 66 of the Act and Regulation 7 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006.

- 4.1 In questions 4.1 to 4.4 include **all** offences that fall within these categories, no matter how minor or serious. Include information in relation to **any** business run by you or your manager, not just that relating to the letting of property.

'Offences relating to housing, public or environmental health, or landlord and tenant law' includes harassment and illegal eviction, and prosecution for failing to comply with Notices, Orders, undertakings and Directions (given under Section 354 of the Housing Act 1985), and for contraventions of Management Regulations.

- 4.2 Enforcement action under section 5(2) covers the following:
- service of an improvement notice under section 11,
 - the making of a prohibition notice under section 20,
 - service of a hazard awareness notice under section 28,
 - emergency remedial action under section 40,
 - emergency prohibition order under section 43,
 - the making of a demolition order under section 265(1) or (2) of the Housing Act 1985,
 - inclusion in a clearance area by virtue of section 289(2) of the Housing Act 1985.
- 4.3 Include refusals or revocations by **any** authority, not just Haringey.
- 4.4 Include management orders made by **any** authority, not just Haringey.

SECTION 5: CALCULATION OF FEES

- 5.1 Fees are intended to offset the cost to the Council of administering the scheme.

The full fee is payable if the licence has to be re-issued as a result of a change of ownership.

Rates are reduced by 50% for renewing a license provided there has been no material change of circumstances, e.g. only the names of tenants have changed.

- 5.2 If you require full assistance in making your application, the Council will charge you an additional £230. This will include producing plans of the property.

SECTION 6: ENCLOSURES

- 6.1 Gas safety certificates completed by a CORGI registered gas engineer must be provided.
- 6.2 Inspection and test certificates for general electrical, automatic fire detection and emergency lighting systems completed by a competent contractor must be provided.

SECTION 7: EXEMPTION FROM LICENSING

If you believe that your property is not an HMO within the meaning of the Act or that it is but is exempted from the need to be licensed, please provide your reasons for believing so.

You may apply for a temporary exemption notice (TEN) which will exempt the property from licensing for a period of 3 months, and in exceptional circumstances an additional TEN may be granted for a further 3 months. However the Council will only entertain such an application if you provide details of the steps you intend to take with a view to securing that the property will no longer require to be licensed.

Please note that if your property requires a licence but does not have one, Section 75 of the Act prohibits you from serving notices to quit on tenants with assured shorthold tenancies unless you have applied for a licence or a TEN.

There are appeal procedures against the Council's decision to refuse an application for a TEN.

SECTION 8: NOTIFICATIONS AND DECLARATION

Regulation 7 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 requires that certain information is given to the person having control of the HMO, to the person managing it, and to any other person having an estate or interest in the property. A form (Ref: S63/SN) is enclosed which you may wish to use for notification: you can photocopy it if you need more than the one form.

Examples of how to describe the location of rooms and flats

(See notes 2.8 and 2.14)

