Haringey Council

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

1.2 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.

1.5.3 To be an accredited landlord you must be accredited by the London Landlord Accreditation Scheme and quote your membership number. For information on this scheme refer to:

www.londonlandlords.org.uk

1.8 'Other relevant persons' refers to anyone not already declared who you think has an interest in the property, e.g. any person who has agreed to be bound by condition(s) in the licence, if granted.

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.

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

1.9.2 Enforcement action under section 1.9.2 covers the following:

- service of an improvement notice under section 11 of the Housing Act 2004,
- the making of a prohibition notice under section 20 of the Housing Act 2004,
- service of a hazard awareness notice under section 28 of the Housing Act 2004,
- emergency remedial action under section 40 of the Housing Act 2004,
- emergency prohibition order under section 43 of the Housing Act 2004,
- 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.

1.9.3 Include refusals or revocations by **any** authority, not just Haringey.

1.9.4 Include management orders made by **any** authority, not just Haringey.

SECTION 2: PROPERTY DETAILS

2.2 '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 either:
- an individual
- persons who are married or co-habiting (including single-sex relationships),
- persons who are married or co-habiting (including single-sex relationships) and their relatives (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 plans in Appendix 1 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.

To assist you further, please refer to Appendix 2 at the end of these notes.

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 Distinguish between assured shorthold tenancy, assured tenancy or licence.

2.12 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 plans in Appendix 1 at the end of these notes.

2.13 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.

2.14 'Owner occupier' includes a person on a lease with an unexpired term of more than 3 years.

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.

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.

5.3 For a discount on the fee, plans of the building should be drawn to scale (1:50 or 1:100) with the scale clearly shown or with dimensions clearly marked (**not** available for renewal applications where there has been no change in the layout of the property). The location of all cookers, sinks, wash-hand basins, WC's etc within all rooms must be shown, and room areas must be provided. To assist you further, please refer to Appendix 1 at the end of these notes.

5.4 In some circumstances a discount may be available for 'early applications' i.e. for applications received by a date specified by the Council.

SECTION 6: ENCLOSURES

6.1 If gas appliances are provided, test certificates must be provided by a recognised engineer, i.e. one approved under the Gas Safety (Installation and Use) Regulations 1998.

6.2 Inspection and test certificates for fixed electrical installations must be provided by a qualified person.

6.3 Inspection and test reports for Grade A automatic fire detection systems must be provided by a competent person. The smoke and heat alarms in a Grade D system should be periodically cleaned in accordance with manufacturer's instructions and the system tested regularly to ensure that it is operating correctly.

6.4 Inspection and test reports for emergency lighting systems must be provided by a competent person.

6.7 To assist you further, please refer to the plans in Appendices 1 and 2 at the end of these notes.

SECTION 7: EXEMPTION FROM LICENSING

7.1 If you believe that your property is not an HMO within the meaning of the Act or that it is but does not meet the licensable criteria, please provide your reasons for believing so.

7.2 You may apply for a temporary exemption notice (TEN) which will exempt the property from licensing for a period of 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.

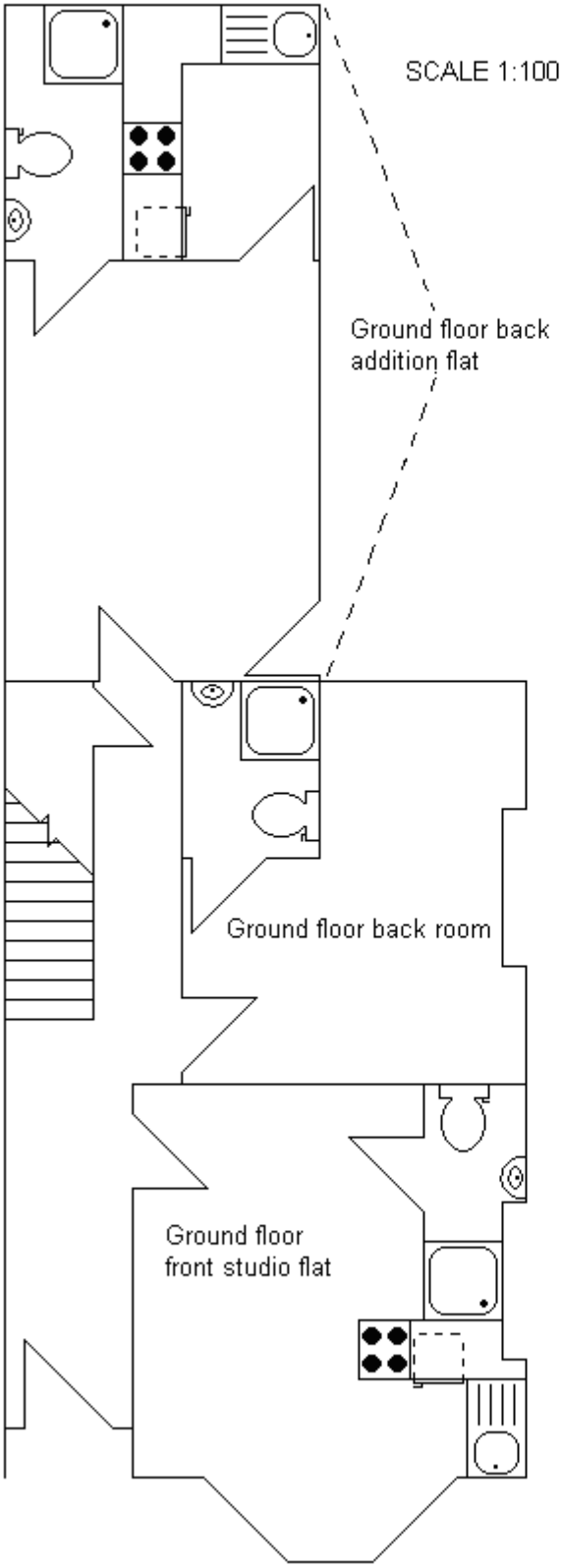
There are appeal procedures against the Council's decision to refuse an application for a TEN.

SECTION 8: NOTIFICATIONS AND DECLARATION

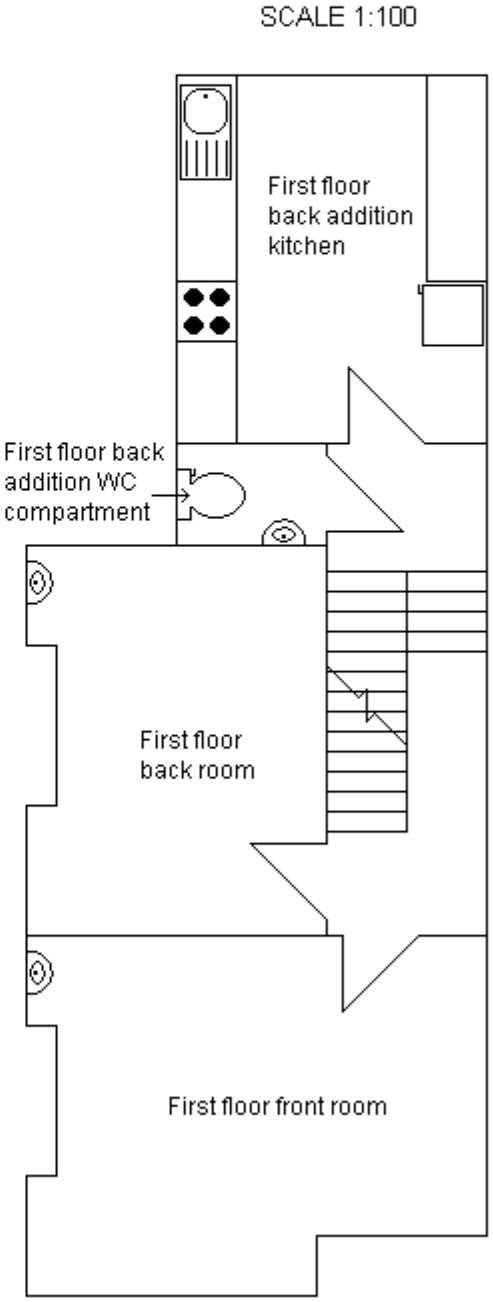
Regulation 7 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 requires that certain information is given to the person having control of the HMO, to the person managing it, and to any other person having an estate 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.

Appendix 1: Examples of how to describe the location of rooms and flats

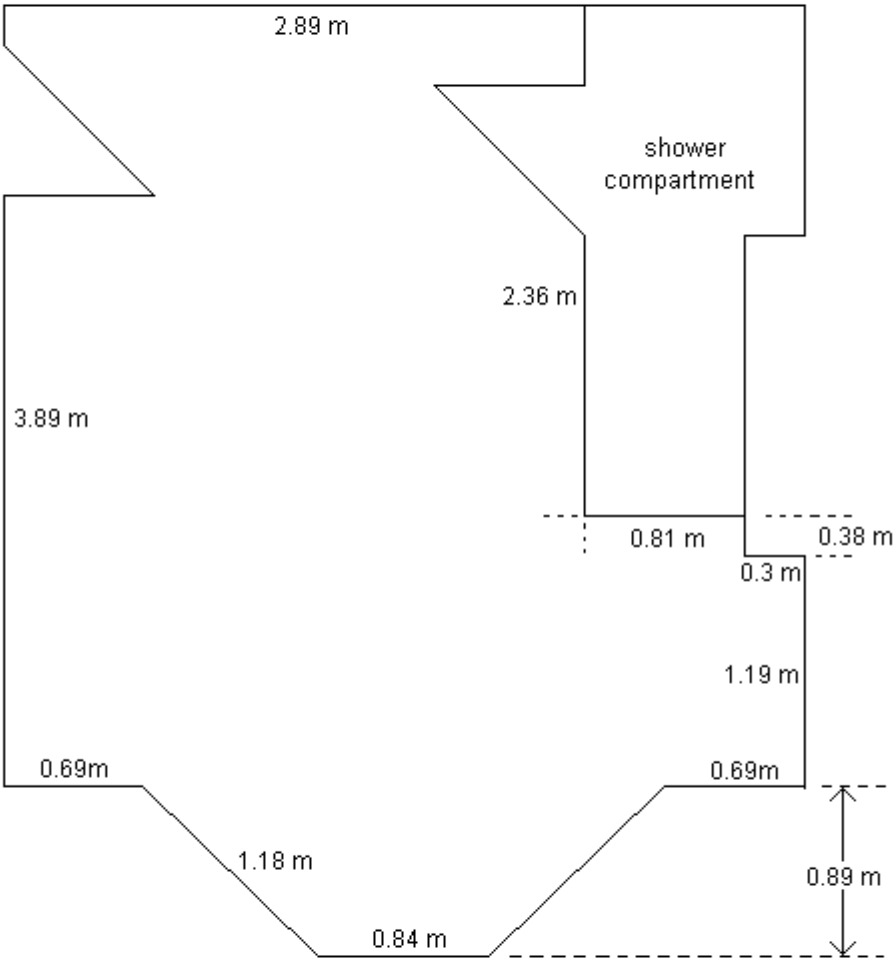
(See notes 2.8, 2.12 and 5.3)



GROUND FLOOR



FIRST FLOOR

Appendix 2: Example of how to measure a room

(See note 2.9)