**Application for Licence:**

**House in Multiple Occupation (HMO)**

**Please use the accompanying notes when completing this form.**

If you have more than one house in multiple occupation you will need

to complete a separate application form for each property.

N.B. Planning permission may be required before using the property as an HMO.

This form may be filled in electronically and returned via email to psechousing@southglos.gov.uk, alternatively please fill in the printable form found on our website using **BLOCK CAPITALS** and **black ink.**

If you require more space to answer any question, please use additional

sheets, specifying which question your answer relates to, and attach the

sheets to the application form.

**If you are making a renewal application and there has been no material changes to your property, then please complete Sections 1 to 4 and Sections 11 to 13 only.**

**Section 1: Property Details:**

**Type of application:**  Choose an item.

**Address of property to be licensed:**

Click or tap here to enter text.

**Tenure type:** Choose an item.Click or tap here to enter text.

**ENCLOSURES and supporting documents:** *(see notes)*

Licence fee **£**Click or tap here to enter text.

*Where Applicable:*

Floor Plan [ ]

Gas safety certificate [ ]

Electrical Periodic Inspection Report [ ]

Portable Appliance Testing Certificates [ ]

Test reports for the fire detection system [ ]

Test reports for the emergency lighting system  [ ]

**Section 2: Applicant Details:**

Full name: Click or tap here to enter text. Date of Birth: Click or tap to enter a date.

Email Address: Click or tap here to enter text.

Telephone *(main)*: Click or tap here to enter text.

Telephone *(other)*: Click or tap here to enter text.

Your Address: Click or tap here to enter text.

**Section 3: Proposed Licence Holder:**

Full Name: *If a company, please provide full legal company name.*

Click or tap here to enter text.

Address: Click or tap here to enter text.

Correspondence Address: Click or tap here to enter text.

Email Address: Click or tap here to enter text.

Telephone *(main)*: Click or tap here to enter text.

Telephone *(other)*: Click or tap here to enter text.

Date of Birth: Click or tap to enter a date.

Name of Company Secretary *(if applicable)*:

Click or tap here to enter text.

Name of Directors/Partners/Trustees *(if applicable)*:

Click or tap here to enter text.

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

Yes: [ ]  Please Specify *(Name of organisation and your registration number where applicable)*:

 Click or tap here to enter text.

No: [ ]

**Section 4: Manager Details:**

Has an agent or individual been employed to manage the property? Yes: [ ]  No: [ ]

Full Name: *If a company, please provide full legal company name.*

Click or tap here to enter text.

Address: *If company please give registered company address.*

Click or tap here to enter text.

Correspondence Address:

Click or tap here to enter text.

Name of Company Secretary *(if applicable)*:

Click or tap here to enter text.

Name of Directors/Partners/Trustees *(if applicable)*:

Click or tap here to enter text.

Email Address: Click or tap here to enter text.

Telephone *(main)*: Click or tap here to enter text.

Telephone *(other)*: Click or tap here to enter text.

Is the proposed manager a member of any regulatory body/accreditation scheme or other professional body/association?

Yes: [ ]  Please Specify *(Name of organisation and your registration number where applicable)*:

 Click or tap here to enter text.

No: [ ]

**Section 5: Ownership and Control of the Property to be Licensed:**

Name and Address of Freeholder(s)/Leaseholders(s): *Continue on an additional sheet if necessary, please include postcodes.*

Click or tap here to enter text.

Click or tap here to enter text.

N.B. If one or more of the freeholder(s) or leaseholder(s) are a company, please provide full legal company name and the name of any company secretary.

Name of Mortgagee: *If applicable or if none, state none).*

Click or tap here to enter text.

Address of Mortgagee:

Click or tap here to enter text.

Name and Address of any other person who may be bound by a condition of the proposed licence and not referred to in any section above:

Click or tap here to enter text.

Interest in Property: Click or tap here to enter text.

**Section 6: Property Management:**

Is there, displayed in a suitable position within the property, a notice giving the name and telephone number/contact details of the manager/owner of the property?

Yes: [ ]  No: [ ]

Is there a maintenance program in place? Yes: [ ]  No: [ ]

Is there a cleaning program in place? Yes: [ ]  No: [ ]

Is there a designated bin storage area and appropriate number of bins and recycling receptacles? Yes: [ ]  No: [ ]

**Section 7: Tenancy Management:**

Are the occupants given a tenancy agreement?

Choose an item.

Click or tap here to enter text.

Does the written statement of terms include any clauses relating to anti-social behaviour?

Yes: [ ]  No: [ ]

Does the written statement of terms include guidelines on procedures for occupants to report necessary repairs and make complaints about the property?

Yes: [ ]  No: [ ]

Are the occupants given an emergency 24-hour contact telephone number in relation to the property? Yes: [ ]  No: [ ]

Please provide the contact number and name of responsible person:

Click or tap here to enter text.

Do you take a deposit for the property? Yes: [ ]  No: [ ]

Please state which Government authorised scheme is being used to protect tenants’ deposits:

Choose an item.

Have you provided your tenants with the Governments “Right to Rent” booklet?

Yes: [ ]  No: [ ]

Have you undertaken any necessary landlord right to rent checks? Yes: [ ]  No: [ ]

*For more information on right to rent checks please visit:* [*https://www.gov.uk/check-tenant-right-to-rent-documents*](https://www.gov.uk/check-tenant-right-to-rent-documents)

**Section 8: Fire Safety:**

Please note that this Council has adopted the nationally recognised LACORS Fire Safety Guidance as their standard for all private rented properties throughout South Gloucestershire. The guidance can be found using the link below and case studies are provided in the document for your information and ease of use.

<https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>

Are the following fire precautionary equipment provided?

Thumb Turn Locks: [ ]  Smoke/Heat Alarms: [ ]

Fire Blankets: [ ]  Fire Doors: [ ]

Emergency Lighting *(where applicable):* [ ]

Fire Extinguishers *(where applicable):* [ ]

Does the furniture meet the statutory fire safety requirements? Yes: [ ]  No: [ ]

Are the fire precautions equipment serviced and inspected by a competent person at regular intervals? Yes: [ ]  No: [ ]

**Section 9: Type of Property:**

Is the property being licensed:

A house (3 or more storeys): [ ]  A house (2 storeys): [ ]

A flat: [ ]  A bungalow (1 storey): [ ]

A building with mixed residential and commercial use *(for example ground floor shop with a two storey flat above)*: [ ]

Is the property traditional or non-traditional build? Total Number of Storeys:

Choose an item. Click or tap here to enter text. Choose an item.

What is the approximate age of the property?

Pre-1919: [ ]  1919-1945: [ ]  1946-1964: [ ]  1965-1980: [ ]  Post 1980: [ ]

Does the property have a gas supply? Choose an item. Click or tap here to enter text.

What type of heating is provided in the property? Choose an item.

Click or tap here to enter text.

*Please note it is a legal requirement to provide a fixed form of heating that can be timed and is controllable. If your property does not have appropriate heating you will be required to install a fixed system, we will provide details as to the type and requirements of the system. Other upgrades may be required.*

If this application is regarding a renewal have there been any material changes to the layout since the last licence was issued?

Yes: [ ]  No: [ ]

*If you have answered yes or this application is regarding a new licence, please complete Section 10.*

**Section 10: Room Information:**

Please provide details of the property using the drop-down boxes overleaf. If you have provided a fully annotated floor plan of the property (complete with room sizes) then please skip to Section 11. If additional space is required use a separate sheet and return as part of your application.

*Please see explanatory notes for details on how to describe a room and its location.*

Location: Room Type: Size of Room in m2

*To be taken when Bathrooms and WCs do not need to*

*looking at the property be measured. Kitchen and living/dining*

*from the front at street level. rooms to be included.*

Click or tap here to enter text. Choose an item. Click or tap here to enter text.

Click or tap here to enter text. Choose an item. Click or tap here to enter text.

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Click or tap here to enter text. Choose an item. Click or tap here to enter text.

*Please note that as of 1st October 2018 the Government will be introducing minimum room size standards that will be recognised in law. The standards are not the ideal but a minimum standard that will apply nationally. South Gloucestershire impose further room standards aside from the minimum standards and these can be found using the following link:*

[*http://privatehousinginformation.co.uk/site/files/2017%2010%2003%20Licensing%20standards%20v5.pdf*](http://privatehousinginformation.co.uk/site/files/2017%2010%2003%20Licensing%20standards%20v5.pdf)

**Section 11: Fit and Proper Person Test:**

Do any of the people named in Sections 1 to 5 of this form have any unspent convictions for, or involving, fraud, dishonesty, drugs, violence or sexual offences?

Yes: [ ]  No: [ ]

Have any of the people named in Sections 1 to 5 of this form been found guilty of practicing any unlawful discrimination on the grounds of sex, colour, race, ethnic or national origin or disability in relation to any business?

Yes: [ ]  No: [ ]

Have any of the people named in Sections 1 to 5 of this form been found guilty of contraventions of any enactments relating to housing, planning, public health, environmental health or landlord and tenant law?

Yes: [ ]  No: [ ]

Has any property owned or managed by any of the people named in Sections 1 to 5 of this form been the subject of any enforcement action under Part 1 of the Housing Act 2004?

Yes: [ ]  No: [ ]

Have any of the people named in Sections 1 to 5 of this form been refused a licence and or had a licence revoked under Part 2 or 4 of the Housing Act 2004?

Yes: [ ]  No: [ ]

Have any properties owned or managed by any of the people named in Sections 1 to 5 of this form been the subject of an Interim or Final Management Order under the Housing Act 2004?

Yes: [ ]  No: [ ]

***Relevant Issues Include:***

1. *Criminal offences involving: Fraud, Dishonesty, Violence, Drugs, Schedule 3 of the Sexual Offences Act 2003*
2. *Practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in connection with a business*
3. *Contravened any provision of housing and/or landlord and tenant law. These include but are not limited to:*
	1. *A control Order under the Housing Act 1985*
	2. *Proceedings by a local authority*
	3. *A Management Order under the Housing Act 2004*
	4. *Harassment of illegal eviction*
4. *Contravened any Approved Code of Practice (AcoP)*
5. *Any criminal offence or subject to any other proceedings brought by a local authority or other Regulatory Body (for example breaches of the Environmental Protection Act 1990, planning control or compulsory purchase proceedings or fire safety requirement(s)*

Has any person named in Sections 1 to 5 of this form previously held or do they currently hold a licence for another house in multiple occupation?

Yes: [ ]  No: [ ]

If yes, please provide the addresses of these properties and details of the Authorities that issued the licence:

Click or tap here to enter text.

Has any person named in Section 1 to 5 of this form ever applied for and been refused a licence for a house in multiple occupation?

Yes: [ ]  No: [ ]

If yes, please provide details of the local authority that refused the licence and a brief description as to why:

Click or tap here to enter text.

I accept that in connection with the checking of the accuracy of this declaration that the local authority will share this information with other statutory bodies, particularly other local authorities and the Police and will check the Rogue Landlord Database.

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 regarding the property concerned may be required at a later date. If we subsequently discover something which is relevant and which you have not disclosed, or which has been incorrectly stated or described, your licence may be revoked, or other action taken.

Name: Click or tap here to enter text. Date: Click or tap to enter a date.

Signed: Click or tap here to enter text.

*Please note that an in the signature box an electronic signature can be used, or we may ask you to sign the declaration in ink at the time of the property inspection. By naming and dating the declaration you are confirming that you have not knowingly supplied false information.*

**Section 12: Additional Interested Parties:**

Please provide details of any other person(s) or companies that may have an interest in the property that should be notified of such an application. Note that interested parties are written to as part of the licensing process and as such if they have a legal interest in the property it is advised that you inform them of the application as part of your legal responsibility.

Person/Company 1:

Click or tap here to enter text. Click or tap here to enter text.

Person/Company 2:

Click or tap here to enter text. Click or tap here to enter text.

Person/Company 3:

Click or tap here to enter text. Click or tap here to enter text.

Person/Company 4:

Click or tap here to enter text. Click or tap here to enter text.

**Section 13: Declaration:**

***Warning: If you knowingly make a false statement or fail to comply with any condition of the licence you may be liable to prosecution.***

**Note: Your application will NOT be valid until you complete all the relevant parts of this form, provide all necessary documents and have paid the required fees.**

I/We declare that the information contained in this application is correct to the best of my/our knowledge. I/We understand that an offence is committed if I/We supply any information to a local housing authority in connection with any of their functions under any part 1 to 4 of the Housing Act 2004 that is false of misleading and which I/We know is false or misleading or I/We are reckless as to whether it is false or misleading.

I/We declare that I/We have served a notice of this application on the persons listed in Section 12 who are the only persons known to me/us that are required to be informed that I/We have made this application.

Name: Click or tap here to enter text. DOB: Click or tap to enter a date.

Position: Click or tap here to enter text.

Name: Click or tap here to enter text. DOB: Click or tap to enter a date.

Position: Click or tap here to enter text.

Name: Click or tap here to enter text. DOB: Click or tap to enter a date.

Position: Click or tap here to enter text.

Name: Click or tap here to enter text. DOB: Click or tap to enter a date.

Position: Click or tap here to enter text.

*Please continue on a separate sheet if necessary.*

**Section 14: Electronic Communication Declaration:**

Section 247 of the Housing Act 2004 enables the transmission of documents and Licences in electronic form, for example by email, relevant to Parts 1 to 4 of the Act. The term ‘document’ includes anything in writing and the term ‘relevant document’ means anything in writing that the Local Authority have a duty to serve on any person. It is a pre-requisite of sending documents in electronic form that the Local Authority receives confirmation from the recipient(s) that they are willing to receive licences and relevant documents in this manner. Therefore, should you wish to receive information in this manner, please complete the authorisation below:

I/We agree to receive all relevant documents (including Licence) regarding the property to which this application relates by email:

Signed: Click or tap here to enter text. Date: Click or tap to enter a date.

Signed: Click or tap here to enter text. Date: Click or tap to enter a date.

Please note that by signing this declaration all licence documents and other related documents will be sent to the Licence Holder/Applicant/Agent and Owner (where applicable) and not via first class post. For those interested parties where email addresses are not available, but documents are still required to be provided, then they will be sent via first class post.

**If you do not sign the above declaration then the licence and all relevant documents will be sent via first class post and will not be sent via email unless requested.**

**HMO licence application – form guidance**

This guidance is in addition to guidance contained in the application form and corresponds to the section numbers on the form.

**Sections 1 and 2 – application details**

A House in Multiple Occupation (HMO) is defined in the Housing Act 2004; basically, it is a house or flat occupied by three or more unrelated people who share facilities. A HMO is subject to mandatory licensing if it is any storey in height, is occupied by five or more persons, and is occupied by persons living in 2 or more households.

A household usually means related family members, for the purposes of the Housing Act 2004 this includes husband, wife, co-habiting couple, child, step/foster-child, parent, step/foster-parent, grandparent, brother, half-brother, sister, half-sister, aunt, uncle, nephew, cousin, carer, and domestic staff.

An individual living as part of an unrelated group is one household and a group of five unrelated individuals living in a group would be five households (five unrelated students living together as a group is considered five households). An individual living on their own would also be considered one household.

More information on what is a HMO can be found at [www.privatehousinginformation.co.uk](http://www.privatehousinginformation.co.uk), or by contacting your local authority using the contact details on the front of the application form.

The applicant in most cases will be the proposed licence holder. However, other persons may be the applicant; they will have to sign the application form and declare that all the information is correct.

**Sections 3 – proposed licence holder**

The proposed licence holderwill normally be the landlord (owner) unless there is evidence that they are not the most suitable person to hold the licence. If the landlord lives outside the jurisdiction of the British courts or is not considered a fit and proper person an alternative licence holder must be found.

The licence holder will often also be the manager, this would not be the case where the licence holder lives a considerable distance from the property so as not to be able to effectively manage it. The licence holder may also wish to appoint a manager to take on management functions, whilst retaining control of the HMO.

Where two or more individuals are the joint landlords all those persons should be joint licence holders (each would be jointly and severally liable).

Where the landlord is a company, a limited liability partnership, or a board of trustees, the licence should be granted to it. An employee, director or officer of these legal entities should not normally be the licence holder as it is the entity that is liable. In the case of an unincorporated business (operating under a trading name) it will be the individual owners of the business who should jointly hold the licence, unless the local authority agrees that one or more of the owners will do so.

If the local authority believes the proposed licence holder or manager is not suitable for that role they may agree another person to hold the licence or be the manager if that other person agrees.

**Section 4 and 6 – management arrangements**

The West of England’s Code of Good Management Practice can be found at the end of this guidance. Signing up to this code provides supporting evidence that the proposed licence holder will have satisfactory management arrangements in place for the property. In Bristol and North Somerset, a points system for non-compliance operates in a similar way to a driving licence. Persistent failures to abide by the code can lead to a licence being revoked.

**Section 8 – fire precautions**

It is not necessary to have all fire precautions in place before a licence is granted. However, you are strongly advised, in the meantime to have as a minimum, interlinked battery smoke detectors throughout the common parts and interlinked heat detectors in shared kitchens and any bedsitting rooms with kitchen facilities; any self-contained flat should be linked into the system with a smoke detector. If the licensing standard is not met it will be a condition of the licence that the standard is met, and this will involve a hard-wired system as battery detectors are not acceptable.

For information this Council has adopted the LACORS Fire Guidance as the minimum standard for fire safety within all properties and the guidance document has several case studies detailing the automatic fire detection equipment required. It is advised that you read through the guidance and review the case study that has the most relevance to your property, so you are aware of the fire safety precautions you must install.

The guidance can be found here:

<https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>

**Section 9 – details of the HMO**

A basement is any storey that is partly or wholly below street level. The ground level is usually the main entrance at street level. The first floor is the first floor above ground level and so on.

A basement counts as a storey if it is used as part of the HMO; this includes storage or if it is used as the main entrance. If a basement has been constructed, converted or adapted for use as living accommodation it counts as a storey even though it might not be occupied. If the basement only contains service meters it will not count as a storey if it is not also used for storage and is kept locked.

A mezzanine is a floor located between the main floors of a building; it may be used as a bedroom, bathroom, toilet or other. It will be counted as a storey if it means that one or more floor levels in the building are over 4.5m above the adjacent ground level.

Other partial floors may also count as a storey. For example, in some cases a small additional flight of steps can be found at the head of the main stairway to a further room, usually a bedroom or a room could be located at lower level at the base of the stairway in a back annexe, usually a kitchen. In these cases, the storey will be counted if this consequently means that the uppermost floor is 4.5m above the adjacent ground level.

Attic rooms that are capable of being used as living accommodation count as a storey, even if they are not occupied. Otherwise, attics used solely for storage are not counted.

**Section 10 – room information**

For this section a property should be described as though being viewed from the outside at the pavement looking at the front of the property. Order the descriptions in a clockwise direction from the bottom storey up to the final storey.

Such as: Ground floor front left room; ground floor rear left room, ground floor rear right room, ground floor middle right room, ground floor front right room, first floor front left room etc. The room type should be the use of the room by the current occupants, bedroom/living room/kitchen etc.

All room size must be completed in m2 and will be considered when determining the suitability of the property and number of occupants allowed.

This Section **MUST** be completed in full for the application to be deemed valid; the only exception will be if a fully annotated floor plan is provided that confirms current layout and all room sizes and fire precautions.

**Section 11 – fit and proper person test**

Before granting a licence, the local authority must be satisfied that the licence holder, manager and any other person involved in managing the HMO is fit and proper. The local authority will also consider the fit and proper person status of any key holders as potentially they could carry out misdemeanours at the property.

The local authority must have regard to any evidence that a person has committed any of the matters listed in the declaration that is contained in the application pack. Where a person declares that they are fit and proper the local authority may decide to request further evidence, for example using the Disclosure Scotland procedure to identify any unspent convictions. Those signing the declaration should note that any offences etc committed by an associate are also relevant.

An unspent conviction will not necessarily prevent a fit and proper judgement by the local authority. The local authority will consider each offence and any mitigating circumstances on their relative merits.

Local authorities will carry out only one fit and proper person test on a person involved with more than one property. A fit and proper person number provided by one of the West of England local authorities is valid in all four authorities. However, a declaration regarding convictions etc. will be needed for each application.

Where a business or organisation is to be the licence holder or manager a 'fit and proper person' declaration signed by the company secretary or other responsible person is needed on behalf of the company, partnership, charity or trust. Any employee who is involved with the management of the HMO can be regarded as an ‘associate’. Consequently, in signing the declaration the responsible people should be satisfied that these employees would be able to sign the declaration themselves, for example by requesting CRB or Disclosure Scotland (or equivalent) checks.

Commitment and adherence to the West of England Code of Good Management Practice will also be considered as part of the local authority’s decision on a person’s fit and proper status. To establish this the Council will consult with other teams in the local authority and with the other West of England authorities

A local authority can revoke a licence if it no longer considers a licence holder to be fit and proper. Similarly, the fit and proper person status can be removed from managers and anyone else involved in the management of the property or key holders. It would then be a breach of a licence condition if that person continues in that capacity.

**Section 12 – Additional Interested Parties**

The Council will undertake checks to ensure the information in this form is correct and that all interested parties are contacted before the issue of the licence so that they are made aware of the application, this will also include mortgage companies. Failure to provide the information or providing false information may result in the licence being delayed and/or revoked.

**Section 13 – Declaration**

**The declaration must be electronically signed and dated by:**

• The applicant

• The proposed licence holder (if different to the applicant)

• The manager (if there is a manager).

On accession we may require an ink signature to be added to the document, if this is necessary the application will be printed and brought to the property inspection at which time the officer will ask for the document to be signed.

Any data provided in this application will be subject to the General Data Protection Regulation (GDPR) and will be treated appropriately.

Certain information will be used as part of the legal requirement for Council’s to hold an up to date HMO register that can be accessed by request by the public, only legally required data is included on the register.