

## **Appendix 6 - Case Studies – HMO outside of the current Designation – where licensing could have significantly assisted in addressing the problems arising**

The case studies below evidence HMO locations outside the current additional licensing Designation found to be problematic and show where an additional licensing Designation could have significantly assisted in addressing problems. These properties have caused and continue to cause problems that require reactive interventions by the council and Police.

Had these properties fallen under an additional licensing Designation the landlords and managers of the properties would have undergone assessments as part of the application stage. This would ensure the property was suitable for HMO occupation or could be made suitable by the addition of conditions. Further it would evaluate if the management arrangements were satisfactory and that properties were being let by fit and proper persons in relation to management and licence holding. The licence holder and managers of the property would have been required to adhere to the conditions of the licence and take reasonable steps to control and manage antisocial behaviour (ASB) amongst other matters. This would have led to the problems being tackled at an earlier stage benefitting both tenants and public and potentially reducing the need for further intervention by the authorities at a later stage.

Once the HMO team receives complaints or report about licensed properties, the licence holder is immediately contacted. Our evidence suggests that 65% of additional licenced properties, which receive an ASB complaint and are subject to intervention by the HMO team, have no repeat incidents of ASB reported and that HMO licence holders successfully manage the situations to resolution.

### **Case Studies**

#### **1. Highbury Vale Ward**

Two addresses have been reported as HMO that have been causing localised issues. Upon investigation the properties are occupied as HMO, but only occupied by 4 persons, so not licensable under mandatory requirements and outside of the current Designation area for additional licensing. There have been ASB complaints about these properties and our Safer Housing Officers have addressed disrepair issues under Part 1 of the Housing Act 2004.

One of the properties is operated as supported living for vulnerable people. The landlord receives the highest rate of benefits available for housing the vulnerable claimants living at this property.

There have been 14 recorded Uniformed Community Protection Officer (CPO) interventions at these locations by the council.

The ward councillor and a local MP have both raised concerns via casework about these HMO properties. Complaints are recorded both in 2021 and again enquires about their HMO status were made in May 2022 following further complaints.

Local residents asked for the HMO licence to be revoked and asked the council to use all of its licensing powers to help remediate the problems they were experiencing daily.

Local residents (names withheld) report to Councillors in October 2021 was as follows:

“We write to you as a collective of residents from the Highbury Vale area, we

know you are familiar with as a former resident. We are extremely concerned about the House of Multiple Occupation (HMO) **address withheld**. We are concerned for our safety and live in fear of physical attack and sexual violence. We are reasonable people, who understand the need for HMO's, their purpose in society, and the need for homes to rehouse and rehabilitate those leaving prison (for example), but it has reached a fever pitch we can no longer ignore.

For years the HMO has housed individuals who have regularly enjoyed disturbing the peace. We have ignored this, as everyone is entitled to fun on their own property, but often the drinking and behaviour reaches violent levels. As time has passed the behaviour has gotten increasingly erratic and violent, with fights regularly erupting. It is over the past few months that it has reached levels that can no longer be ignored. Police are regularly called to the property, which often results in them 'calming down' for the evening, but it does sometimes result in arrest. The worry from what will happen night after night is endless".

If the above properties were additional HMO licensed, the council would have proactive powers of entry to inspect the properties at any time, conditions would then have been applied to the licence targeting the specific issues arising around control and management of ASB. Officers would have been scheduled to inspect the properties periodically and support landlords to tackle issues arising with their tenants to aid alleviating concerns from neighbours. This case study evidences wider issues which arise from ASB emanating from HMO such as public disorder and how this and other antisocial behaviours affect citizens in the local community the licensing team would have been able to work in partnership with other regulatory bodies such as the Police. The intelligence additional licensing gathers would have provided the council with a direct route to identifying responsible persons and the legal right to access and intervene.

## **2. Aspley Ward**

Upon investigation the property was occupied as a HMO, but only occupied by 4 persons so not mandatory licensable and outside of the current area for additional licensing. There have been ASB complaints about this property and Safer Housing officers have addressed disrepair issues with specialist support from the HMO team as HMO properties are complex to regulate.

There have been 43 recorded Uniformed Community Protection Officer interventions on this road in the locality of known HMO by the council. If this property had been within the current additional HMO Designation the council could have intervened much earlier and avoided the resource required to keep visiting the property by CPOs. The property may have been inspected prior to a licence being issued at which point some or all of the issues could have been addressed and additional conditions added to the licence if required.

## **3. Bestwood Ward**

Upon investigation the property was occupied as a HMO, but only occupied by 4 persons so not mandatory licensable and outside of the current Designation area for additional licensing. Safer Housing officers have addressed disrepair issues and an

under provision of amenities for the HMO shared living arrangements. Safer Housing officers requested specialist support from the HMO team as HMO properties are complex to regulate.

There have been 34 recorded Uniformed Community Protection Officers interventions in the locality of known HMO on this road by the council. If this property had been within the current additional HMO Designation the council could have intervened much earlier and avoided the resource required to keep visiting the property by CPOs. The property may have been inspected prior to a licence being issued at which point some or all of the issues could have been addressed and additional conditions added to the licence if required which would have resulted in improved amenity standards, sooner for the tenants.

#### **4. Basford Ward**

Confidentially referred by a partner agency following a visit.

This HMO property is used for housing of vulnerable tenants that have no right to access the benefits system. This property has recently been brought to the attention of the council due to disrepair and as a suspected licensable HMO. It is occupied by 3 persons and is outside of the current additional licensing Designation. Safer Housing officers have addressed disrepair issues with specialist support from the HMO team as HMO properties are complex to regulate.