

## Licence Conditions for Houses in Multiple Occupation (HMO)

(\* Indicates a statutory condition as prescribed by the Housing Act 2004)

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### Bedroom Sizes & Occupation

1. The Licence Holder shall notify the Council of any bedroom in the HMO with a floor area of less than 4.64 square meters. The maximum occupancy limit per bedroom shall be as follows; in accordance with the Council's adopted Guidance Standards for Licensable Houses in Multiple Occupation:\*

#### Basement or Lower Ground Floor

Front Bedroom (room #): One household comprising # people

Rear Bedroom (room #) One household comprising # person (under 10)

[Add as required]

#### Ground Floor

Front Bedroom (room #): One household comprising # people

Rear Bedroom (room #) One household comprising # person (under 10)

[Add as required]

#### First Floor

Front Bedroom (room #): One household comprising # people

Rear Bedroom (room #) One household comprising # person (Under 10)

[Add as required]

#### Second Floor

Front Bedroom (room #): One household comprising # people

Rear Bedroom (room #) One household comprising # person (Under 10)

[Add as required]

For the purposes of this Licence, any Tenant is regarded as one person, regardless of age unless stated.

### Gas, Electrical and Fire Safety

#### Gas Safety

2. Where gas is supplied the Licence Holder shall ensure that the whole gas installations, including all gas appliance/flue are maintained in a safe condition and that an annual gas safety check is carried out by a Gas Safe registered engineer. Any defects noted on the certificate must be promptly rectified and certificated as satisfactory. The Licence Holder shall provide a copy of the gas safety certificate to all Tenants at the beginning of their tenancy and keep a written record that it has been provided.\*
3. The Licence Holder shall within twenty-eight (28) days of any demand by the Council produce for its inspection a gas safety certificate, obtained within the previous 12 months, in respect of the Property.\*

#### Safety of Electrical Installations, Appliances and Furniture

4. The Licence Holder shall ensure that any electrical appliances and furniture made available by them in the Property are kept in a safe condition and maintained in proper working order. The Licence Holder shall ensure that as soon as electrical appliance and/or furniture is identified as being unsafe, it is removed from the Property as soon as is reasonably practicable and are properly disposed of by the Licence Holder.\*
5. The Licence Holder shall ensure that a record of visual inspections and testing is maintained for all electrical appliances and furniture made available by them in the Property. The Licence Holder shall within seven (7) days of any demand by the Council provide the most recent records of visual inspections and testing carried out within the previous 12 months

and provide a declaration as to the safety of electrical appliances made available by them at the Property. \*

6. The Licence Holder shall ensure that every electrical installation in the Property is maintained in proper working order and is safe for continued use. The Licence Holder shall ensure that a record of visual inspections and testing is maintained. The Licence Holder shall within twenty-eight (28) days of any demand by the council provide the most recent records of visual inspections and testing carried out within the previous 5 years and provide a declaration as to the safety of electrical installation at the Property. \*

\*\*\*"electrical installation" has the meaning given in regulation 2(1) of the Building Regulations 2010.

### **Fire Detection Systems, Smoke Alarms & Emergency Escape Lighting**

7. The Licence Holder shall ensure that suitable fire detection and alarm system is installed in the Property. It shall be maintained in proper working order, tested, inspected and serviced in accordance with the current British Standards or any which subsequently replace these.\*
8. The Licence Holder shall ensure that any emergency escape lighting in the Property is kept in proper working order. It shall be maintained in proper working order, tested, inspected and serviced in accordance with the current British Standards or any which subsequently replace these.\*
9. The Licence Holder shall within twenty-eight (28) of any demand by the Council provide the latest fire detection and alarm certificate, and if installed, the emergency lighting test certificates. The certificates must be completed and issued by a competent person and must demonstrate that the complete installation has been fully inspected, tested, checked and serviced within the previous 12 months in accordance with the relevant British Standards. Any defects noted on the certificate must be rectified as soon as reasonably practicable.\*
10. The number and position of the detectors and alarms must comply with the recommendations of the current British Standards or any which subsequently replaces these. As a minimum there must be a smoke alarm installed on each storey of the Property on which there is a room used wholly or partly as living accommodation. For the purposes of this paragraph, a bathroom or lavatory is to be treated as a room used as living accommodation. Smoke alarms shall be maintained and cleaned periodically in accordance with supplier's instructions.
11. The Licence Holder shall within twenty-eight (28) days of any demand by the Council provide a declaration as to the condition and position of any smoke alarms/detectors and if installed, emergency lighting in the Property. \*

### **Carbon Monoxide Alarms**

12. The Licence Holder shall ensure that a carbon monoxide alarm is installed in any room in the Property which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. Any such alarm must be kept in proper working order. For the purposes of this paragraph, bathrooms, lavatories, halls and landings are all treated as rooms used as living accommodation. The Licence Holder shall supply a declaration as to the condition and position of any carbon monoxide alarms in the Property within twenty-eight (28) days of the Council's demand. \*

### **Property Management**

13. The Licence Holder shall have in place a maintenance and repair process that ensures that requests for service, repair and maintenance works can be raised by Tenants. Any such requests should be addressed as soon as is reasonably practicable with Tenants being kept informed of the status of their requested works and timescales for completion. The

Licence Holder shall produce to the Council, records relating to such requested works on demand within 28 days of a request.

14. The Licence Holder shall ensure that the exterior of the Property is maintained in good and clean decorative repair. This shall include maintaining in a tidy condition, any external cabling and the removal of unused or obsolete equipment installed on the Property. Any gardens, yards, paths, drives and guttering are to be cleaned, free from litter and maintained such that their condition does not adversely affect the amenity of the neighbourhood. Gardens, yards, paths, drives and other areas within the curtilage of the Property are to be kept in a safe, clean and tidy condition and free from rodent infestations.
15. The Licence Holder shall make sure that adequate security arrangements are in place and take reasonable steps to achieve Property security by complying with the requirements below:
  - a) So far as reasonably practicable, any emergency works necessary to protect the security of the Property are undertaken within 24 hours of notification e.g. damage to windows and entrance points to the Property.
  - b) The security provisions for access to the Property (locks, latches, thumb turns, deadbolts and entry systems etc.) are maintained and in good working order.
  - c) Where window locks are fitted, window keys shall be provided to the occupant(s) of the Property. Means of escape windows shall not require a key to lock.
  - d) Where a burglar alarm is fitted to the Property, the Tenant(s) is (are) made aware of the code, have clear instructions on how the alarm is operated and the circumstances under which the code for the alarm can be changed.
  - e) Where it is known that previous Tenants have not surrendered keys, as soon as is reasonably practicable arranging for a lock change to be undertaken, prior to new Tenants moving in.
  - f) Where alley gates are installed to the side or rear of the licensed Property, the Licence Holder shall take responsibility for holding a key and making satisfactory arrangements for the Tenants access and egress.
  - g) The main escape route (usually the front door) shall be fitted with a thumb turn mortice lock, or equivalent, to relevant British Standards. The lock shall comply with fire safety requirements in that it shall be operable from the inside without the use of a key.

### **Property inspections**

16. The Licence Holder shall ensure that the tenant's right to quiet enjoyment of the Property is respected. The Licence Holder shall ensure that the Tenant is provided with at least 24 hours written notice of their intention to enter the Property specifying the reason why entry is required. The only exception is when it would not be reasonably practicable to give such notice and access is required urgently, e.g. in the event of an emergency.
17. The Licence Holder shall ensure that inspections of the Property are carried out at least every six (6) months to identify any problems relating to the condition and management of the Property. Written records of such inspections shall be kept for the duration of this Licence. As a minimum requirement the records must contain a log of who carried out the inspection, the date and the time of inspection and any issues found and action(s) taken. Copies of these records must be provided within twenty-eight (28) days of the Council's demand.

### **Household waste**

18. The Licence Holder shall comply with the Council's scheme (as per guidance) which relates to the storage and disposal of household waste at the HMO pending collection.\*
19. The Licence Holder shall create a written waste management plan to ensure waste generated from the Property is effectively dealt with. The plan should include; how you deal with the storage, recycling and collection of refuse and waste at the start, during and at the end of the tenancy and when the property is empty. Further guidance regarding the information to be included in the waste management plan is provided in Appendix 2. The Licence holder shall provide a copy of the waste management plan within twenty-eight (28) days of the Council's demand.
20. At the beginning of a tenancy the Licence Holder shall, provide written information to the Tenants of the Property, which, as a minimum, should include;
  - a) which day refuse collections will take place and that it is the Tenants' responsibility to put bins out no earlier than 4pm on the day before collection and to return refuse containers/bins within the boundary of the property by 8am the day after the collection;
  - b) how to sort waste into recycled and non-recycled household waste and which bin to use;
  - c) how to store, clean and maintain the bins;
  - d) details of the Council's bulky waste collection service, missed bin collection service and the local waste and recycling centre;
  - e) details of Tenants responsibility to make arrangements for any extra rubbish that cannot fit in the bins provided to be collected within seven (7) days and/or disposed of sooner as is reasonably practicable. Ensuring that such rubbish, where practicable, is not stored outside, unless in a bin.
21. The Licence Holder shall provide a written declaration of the information provided to the tenants, to the Council within twenty-eight (28) days of a demand
22. At the beginning of a tenancy, and in line with the inspection regime as detailed in your licence condition the Licence Holder shall ensure that a full set of bins is available for every six tenants. Bins shall include, a closable bin lid and must be in good working order and of suitable capacity as specified by the Council's scheme. Any alternative arrangements should be fully documented in the waste management plan for the Property
23. The Licence Holder shall ensure so far as reasonably practicable that commercial trade rubbish/waste is not disposed of in the domestic household bins. Any trade rubbish/waste shall be disposed of as soon as is reasonably practicable or within seven (7) days. The Licence Holder should make adequate arrangements to ensure that such rubbish/waste, where practicable, is stored at the rear of the Property and as a minimum within the boundary of the Property.
24. The Licence Holder shall make adequate arrangements for the collection, storage and disposal of commercial waste by a licensed waste carrier and maintain a record of their details, including their waste carriers licence number. These records should be maintained for the duration of the licence and for 1 year after the licence expires.

### **Tenancy management**

25. The Licence Holder shall provide Tenants(s) with an information pack at the commencement of a tenancy which contains as a minimum the following information:
  - a) A copy of the Property Licence and conditions.
  - b) Where appropriate, copies of the current gas certificate, electrical safety report and energy performance certificates.
  - c) Details of the procedures to be followed in the reporting of anti-social behaviour (ASB).

- d) Details of the Tenant(s) duties and responsibilities to enable the Licence Holder or manager in complying with the Licence conditions.
- e) Details of how to make a complaint, report maintenance issues and make other general enquiries.
- f) Details of the arrangements in place including expected timescales, to deal with emergency and other enquires or repairs.
- g) Details of telephone numbers which enable contact between 9am – 5pm Monday to Friday including an out of hours contact number for use in emergencies, which could include a number with a regularly accessed voicemail facility. Any change in contact and/or telephone number details should be provided to Tenants within 24 hours of the changes being made.
- h) A copy of the waste management plan

26. The Licence Holder shall provide a written declaration, with evidence of the information provided in condition 25 within twenty-eight (28) days of the Council's demand.
27. The Licence Holder shall supply to the Tenants of the Property a written agreement of the terms on which they occupy it (e.g. a tenancy agreement or Licence). This statement shall be provided to the tenant within twenty-eight (28) days of the tenancy commencing. The Licence Holder shall within twenty-eight (28) days of any demand by the Council provide a copy of the written statement. The written statement shall be clear about tenants' responsibility for not causing anti-social behaviour (ASB) and that breach of the statement's requirements may lead to eviction.
28. The Licence Holder shall demand references for new Tenants before entering into any Tenancy agreement with them or allowing them to occupy the premises. Where obtained, copies of these references shall be kept for the duration of this Licence and made available to the Council within twenty-eight (28) days of the Council's demand.
29. The Licence Holder shall ensure there is suitable and sufficient landlord buildings insurance in place for the duration of this Licence. The Licence Holder shall supply a copy of the insurance certificate within twenty-eight (28) days of the Council's demand.
30. Where a deposit is taken the Licence Holder must provide the Tenant(s) with relevant information about the deposit scheme to which it relates and any other information required under section 213 of the Housing Act 2004. The Licence Holder shall within twenty-eight (28) days of any demand by the Council provide this information.

#### **Tackling Anti-Social Behaviour**

31. The Licence Holder shall ensure that all reasonable and practical steps are taken to prevent or reduce anti-social behavior (ASB) or criminality by the Tenants of and visitors to the Property. In particular;
- a) The Licence Holder shall put in place written ASB procedures detailing how complaints made to the Licence Holder will be dealt with, a copy of which shall be provided to the tenants in the information pack. The Licence Holder shall within twenty-eight (28) days of any demand by the Council provide their written ASB procedure.
  - b) Where complaints of ASB or criminality are made to the Licence Holder, the Licence Holder shall investigate them and take action to resolve them. Copies of the complaint shall be kept together with notes arising during the course of the investigation and how the matter was resolved; and the Licence Holder must keep them for the duration of this Licence. Where the Licence Holder has reason to believe that criminal activity is taking place at the Property, the Licence Holder must ensure that the appropriate authorities are informed.

- c) There may be instances where anti-social behaviour (ASB) occurs more than once, but not continuously and possibly intermittently over several months. In such circumstances the Licence Holder shall, as far as reasonably practicable take all steps required to ensure that it is effectively managed and dealt with, up to and including eviction.

An ASB guide good practice guide for Landlords can be viewed on the Council's website at <https://www.nottinghamcity.gov.uk/housing/landlords-guide-to-licensing-your-rented-properties/mandatory-licensing-for-hmos/>

### **Notification of change of details or circumstances**

- 32. The Licence Holder shall inform the Council within twenty-eight (28) of any material change in circumstances including:
  - a) Change of their residential address or contact details; including when they no longer reside at the address on the Licence, or where the Licence Holder is a business, if their business address has changed.
  - b) Upon the manager (where it is an agent, or employee of the Licence Holder,) ceasing to act in that capacity or is no longer being employed by the Licence Holder.
  - c) Any of the matters described within Appendix 3 have occurred in respect of either the Licence Holder and/or the manager of the Property or any persons associated with them;
  - d) Where the Licence Holder is the manager of the HMO, upon them ceasing to be the manager of the Property.
  - e) Change of manager, management arrangements or ownership;
  - f) Any proposed changes to the structure, layout or amenity provision of the Property that would affect the Licence or Licence conditions.
  - g) Where the Property is sold or enters into a lease agreement with another party (change of legal interest).
  - h) Any proposed changes to the layout of the HMO that would affect the Licence or Licence conditions.
  - i) Where the Licence Holders is accredited by a body approved by the Council upon termination of such accreditation.

### **Licence Holder Training**

- 33. Where the Licence Holder has not attended relevant training in the previous three (3) years of the Licence being granted, they must as a minimum attend suitable training on the law and legal requirements relating to managing privately rented housing including HMOs within 12 months of the date the Licence is granted.

### **CCTV**

- 34. Where buildings are monitored by CCTV this must be advised in the entrance or on the external entrance to the building. Installation and operation must be in accordance with the relevant legislation.

### **Interpretation**

- 35. Where reports, certificates, declarations or other documents are required to be produced or supplied to the Council, this shall mean sending by submitting them via the online portal or via email.
- 36. Any reference to tenant or tenancy can also be interpreted to include occupancy by Licence or other form of written agreement of the terms on which they occupy for the purposes of these conditions.

37. Where electrical works / certificates are required to satisfy conditions 4 to 10 they shall be carried out by a suitably qualified electrical contractor who shall be a registered / member of an approved scheme such as NICEIC, ECA, NAPIT etc. or registered to undertake electrical works in accordance with Part P of the Building Regulations (unless exempt works). Electrical contractors that are on a relevant competent person scheme can be found at [www.competentperson.co.uk](http://www.competentperson.co.uk)