

Appendix 4 Additional Houses of Multiple Occupation (HMO) Licensing 3 - Consultation Thematic Responses

Objection / Concurrence / View	Thematic Response
<i>Citywide coverage - against</i>	
Massive area way overboard.	<p>Having taken great care to use all known available data to make an informed decision the council believes a whole city designation of Additional HMO Licensing will offer the best outcomes for the citizens of Nottingham with regard to regulating HMOs.</p> <p>The evidence comprising report and 10 appendices presented in the February Executive board report (which can be viewed here at item 105: https://committee.nottinghamcity.gov.uk/ieListDocuments.aspx?CId=177&MId=9776) outlines the methodology used to identify the proposed designation. A variety of information was used to identify past and present issues, likelihood of hazards and potential future likelihood of issues in HMOs in the city which the decision to cover the whole city (subject to consultation) was based on.</p> <p>Information was gathered from a variety of sources including intelligence from the mandatory and selective licensing schemes, the investigatory team who work to identify unlicensed properties and other data such as council tax status as well as data from the Building Research Institute on the location of HMOs.</p> <p>Relevant governmental statistics were also factored into the research.</p> <p>Paragraphs 5.5 and 5.4 of the February Report makes it clear that enforcement of existing statutory requirements only allows for a reactive response compared to Additional HMO Licensing which requires landlords to be proactive in managing the risks in their properties and ensure satisfactory management from the outset thereby promoting consistent satisfactory standards and reducing the need for reactive interventions. Whilst any civil penalties collected are ring fenced to support enforcement, funding of enforcement from penalties alone is not feasible.</p> <p>Having noted the views of consultees the council still believes that other courses of action alone would not offer the benefits of the proposed scheme.</p>
I think licensing needs to be applied in a more restrictive fashion, rather than a catch all licensing arrangement.	
This is pretty much all of Nottingham City Council wards. Most excessive.	
Not required anywhere.	
The proposal lacks focus by covering all rented accommodation within the city, rather than targeting accommodation where there are clear concerns.	
This (an Additional HMO licensing scheme) could be achieved much better by simply enforcing statutory requirements and funding the enforcement scheme through penalties issued by the enforcement team	
Should not be extended	
It is difficult to house people on the outskirts of the actual city and usually they are better places . I think the licence if applicable should be just the areas very close to the inner city.	

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<p>It's good to keep the data about the rented properties and force the landlords to meet the standards of health and safety.</p>	<p style="text-align: center;"><i>Citywide coverage - for</i></p> <p>To date during the first two additional licensing designations / schemes the council have operated, respondents have repeatedly found the partial designation of licensing (not covering the whole city) confusing and there are many citizens, both involved in the private rented sector and those who simply live along side it who welcome whole city coverage to reduce confusion and to offer the same level of regulation for all private rented HMO tenants and protection for both tenants and good landlords from rogue landlords who offer substandard, unsafe accommodation.</p> <p>The licensing team offer advice and support to both tenants and landlords including specialist work by the tenancy matters team on matters such as tenancies and eviction; hosts landlord and agent forums and issues a regular newsletter with updates on the private rented sector.</p> <p>The council works with educational establishments, organisations, charities and groups to support a healthy private rented sector for all types of property.</p> <p>The council notes a number of consultation responses received directly outside of the survey by individuals, groups and bodies with an interest in the proposal and thanks them for taking the time to put forward their views.</p>
<p>Can't see any reason for it not to be citywide.</p>	
<p>Not only should the boundary apply to the whole city area but also the HMO license should also apply in full during that 5 year period to any new build HMO properties or any existing properties that are converted even if 1 month is left of the 5 year HMO license period. During the 5 year period when planning permission is sought to build a new HMO or convert an existing building of any type the applicant should be forced to show as part of the planning permission submission that all of the latest building standards will be complied with such as EPC C energy efficiency standards and modern electric and gas safety standards as well as properties being well ventilated to prevent mould and damp occurring.</p>	
<p>It is straightforward to understand a scheme that covers the whole city - everyone knows what the requirement is - tenants, landlords, letting agents and people who live near HMOs</p>	
<p>Should cover whole city as no one area is uniformly good or bad</p>	
<p>Despite the negative press landlords and HMO's get nationally and especially in Nottingham the majority of landlords want to provide good quality and safe housing for the community, by increasing the number of licenses issued it will encourage investment in</p>	

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<p>housing that simply isn't currently suitable for tenants. Empty or poor quality property doesn't enhance and provide for the community in anyway. Robust regulations and private investment can help promote Nottingham as an attractive place to live, work and study.</p>	
<p>The problems with HMOs do not stop at the city boundary. The council should do everything it can within its jurisdiction.</p>	
<p>I agree with a scheme which covers the whole city, it makes sense that all landlords of relevant property types should be held to the same standards, and that all areas of the city should have the numbers and locations/suitability of HMOs considered for the individual needs of the ward/community. Expansion will also ensure that all residents of Nottingham City are protected / covered by the scheme, particularly as over 50% of property in the city is rented.</p>	
<p>If you are serious about tackling bad landlords, why would you only be concerned about it in specific areas?</p>	
<i>HMOs quality and regulation</i>	
<p>Get rid of/force owners to radically update and improve the appalling properties (that were unbelievably horrible, dirty, damp and overpriced) that my daughter was presented with as a Medical Student in Nottingham, which resulted in us having to buy a house, with our Pension funds, for her to live during her time as a student and early years as a qualified Doctor.</p>	<p>The council notes the concern of respondents regarding the quality and regulation of HMOs. The ability for local authorities / councils to designate Additional HMO Licensing schemes has been granted by government in order to enable the council to address these issues with all of the powers it has available under the Housing Act 2004 and other relevant legislation and guidance.</p>

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<p>My focus is less on the area and conditions but more how you decide on how many licenses to give. Whilst you want quality to increase; it comes at a price with the HMO supply being limited. More licenses being given would add supply and reduce rental prices for tenants.</p>	<p>There is no minimum or maximum limit for the number of licences which may be granted. The legal requirement is that properties operating as HMOs within the designated area must apply for a licence.</p> <p>The council also notes respondents' comments on the quantity and density of HMOs which have been passed to the planning department for their information. Private rented sector licensing schemes do not have jurisdiction over planning matters such as the permission or restriction of conversion of properties to HMOs or the building of new HMOs and this consultation was solely to seek views on the proposed designation and scheme of Additional HMO Licensing. Should anyone require further information regarding these matters please contact the planning department directly at: planningcomments@nottinghamcity.gov.uk</p>
<p>Too many houses owned by landlords are left to rot, no outside work done and look dirty and unkempt in a conservation area. Stricter laws and licensing must be adhered to.</p>	
<p>As already a licenced HMO Landlord I can understand the advantages AND I see many properties that are let to tenants that sadly (from indications of the outside conditions) would fall well short of HMO requirements. I would like to know how to report such poor properties to the Council.</p>	
<p>The scheme will hopefully help to rebuild communities that have been severely impacted by HMOs and the resulting anti-social behaviour.</p>	
<i>Fees/Cost/Fear of cost being passed to landlords / tenants</i>	
<p>Leave the landlords alone people are struggling enough without even more of your money making legislation.</p>	<p>The fee reflects the costs of administering the scheme. The Council has used the most recent version of the Government Association (LGA) guidance "Open for Business LGA guidance on locally set licence fees"¹ available for precisely this type of process, to set the fee, and the application of the two part fee is administered as per this guidance. The Council disagrees that money follows the individual. The law allows fees to be charged in relation to the costs of the authorisation scheme in general which should be broadly cost neutral in budgetary terms. The council is not allowed to make a profit from the licence fee and the fee has not been calculated on a profit-making basis.</p>
<p>Zero evidence of improvement in properties. Cost being passed to tenant compounding to cost of living crisis.</p>	
<p>Far too expensive and good landlords not rewarded for good management.</p>	
<p>Can the council provide a breakdown between part A and part B monies paid by a landlord</p>	

¹ https://www.local.gov.uk/sites/default/files/documents/5%2013%20%20OpenForBusiness_02_web.pdf

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<p>and how you make sure that it is apportioned to the individual landlord and works done in connection to the licence. Money follows the individual and not pooling of monies.</p>	<p>The council agrees that good landlords should be recognised and that they should pay less. This is why there is a proposed lower fee for accredited landlords. The licensing fee gives a landlord the legal right to let within the designation as long as their property meets the required standards and the scheme enables the Council to be proactive in ensuring appropriate housing standards are met. The fee relates to the administration of the licensing scheme not a transaction whereby a service is provided.</p> <p>The lower fee for accredited landlords has been recommended in order to recognise good landlords and to encourage more landlords to become accredited. The number of accredited landlords continues to grow in the current second scheme.</p> <p>The accreditation partners the Council currently works with have a good track record of inspections, support, and removal of landlords that fail in their accreditation duties. Whilst other bodies have suggested themselves or been suggested as being suitable to benefit from the lower accredited fee the Council's assessment of them showed that they did not provide the same level and range of inspection and monitoring of those they accredited to provide similar reassurances to the Council as to the fitness and suitability of the agents that they accredited.</p> <p>Most of the proposed designation with the highest concentrations of HMOs is already covered by the current Additional HMO Licensing scheme and therefore fees have already been absorbed into landlords' business models over the past ten years and first two schemes of Additional HMO Licensing, the impact of a third scheme on rents should therefore be lessened.</p>
<p>How can every single area need licensing? It is just a penalty for HMO landlords which will inevitably be passed on to tenants. You are penalising low income, single to forward your own agenda.</p>	
<p>These schemes just add costs and kill off the private rental sector leaving higher monthly costs for any lucky tenants able to find something. This will make Nottingham less attractive and grow less. Student private lettings are being treated differently from university build rabbit hutch accommodation and not allowing fixed period lets. The green agenda punishes landlords by not allowing expenditures against income and in year tax (unlike companies who do not care for tenants). This is going to stop the universities offering private affordable accommodation to students and workers looking to move to Nottingham. The number of enforcements from existing schemes are not value for money. The fees fund a bureaucracy adding no value only dragging down the economy of Nottingham.</p>	
<p>Will attract less investors into Nottingham and affect Nottingham economy.</p>	
<p>Not having to license might open up cheaper options for the hard pressed students. It pushes rents up which people can't afford. Tenants already have power to report landlords.</p>	

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<p>HMO licensing is criminal all it has done in the last 10 years is to increase our rents by 3 folds I wish the council would stop its fund / tax raising ventures so that poor tenants don't have to face astronomical rent increases all the council does by charging landlords to create jobs for the boys increases the rents by the landlords</p> <p>I have experienced the extra paperwork, time costs involved in additional licensing and the lack of any real checks or inspections other than online. It is clear to me that the scheme has no real value in improving quality of accommodation and in fact just increases costs passed on to renters.</p>	
<p>Too much responsibility for the landlord and expense.</p>	
Fees Agree	
<p>Fees should be extortionate in order to fizzle out the capitalist corruption that is 'landlordism'.</p>	<p>The fee reflects the costs of administering and enforcing the scheme. The council has used the most recent version of the Local Government Association guidance "Open for Business LGA guidance on locally set licence fees"² available for precisely this type of process, to set the fee. The council is not allowed to make a profit from the licence fee and the fee has not been calculated on a profit-making basis.</p>
<p>The fee is reasonable given the rental income that can be generated by letting an HMO in Nottingham.</p>	
<p>The landlords are making a lot of money, they should contribute towards the rubbish collection, street cleaning, street lighting and antisocial activities.</p>	
<p>The larger the HMO the greater the licence fee should be to deter landlords overcrowding HMO properties by fitting in lots of bedrooms that meet the minimum bedroom size</p>	

² https://www.local.gov.uk/sites/default/files/documents/5%2013%20%20OpenForBusiness_02_web.pdf

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standards. To deter landlords not providing a communal lounge there should be a higher fee when one is not provided. Inspections should be done by the council after the license is issued to make sure the landlord told the truth on how many rooms are in the HMO to make sure they did not provide false information in order to pay a lower fee and make sure the property meets all modern safety standards.	
The proposed fee is a fraction of what landlords collect in rent.	
<i>Fees Disagree</i>	
Too costly on top of all the other action landlords are being made to take by central government. As a result of this second round, with even higher fees, I have decided to sell my property. If some of the money had been used to go after the bad guys, I would have supported this. Instead it's going after the same compliant, low-hanging fruit again.	The fee reflects the costs of administering and enforcing the scheme. The council has used the most recent version of the Local Government Association guidance "Open for Business LGA guidance on locally set licence fees" ³ available for precisely this type of process, to set the fee. The council is not allowed to make a profit from the licence fee and the fee has not been calculated on a profit-making basis.
I don't think the fee is fair for people who only have a few rental properties and use these to subsidise their income/pension.	
Account should be taken of the position of small scale landlords with for example a single property where the burden imposed feels greater than for the professional large scale landlord.	

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<i>Tackling rogue landlords</i>	
Noncompliant landlords should be dealt with by the authorities.	<p>The council agrees that rogue landlords should be identified and dealt with as soon as possible, the proposed whole city coverage for the Additional HMO Licensing designation and scheme should assist in this.</p> <p>We work closely with various teams who respond to complaints regarding privately rented properties. Where it is identified these are HMOs there are a range of actions which we take including joint visits with other teams, prioritising properties which have received complaints relating to compliance.</p> <p>We regularly publish our monthly enforcement figures here along with our policies for Civil Financial Penalties, Rogue Landlord Database and Banning Orders: https://www.nottinghamcity.gov.uk/information-for-residents/housing/private-rented-accommodation/investigating-housing-offences/</p>
The scheme will only work if it is policed correctly. There is not sufficient evidence that rogue landlords are being brought to account. It is easy to check and impose minor conditions on basically compliant landlords. The policing needs to concentrate 95% on the bad landlords.	
Would be useful to see figures on the amount of complaints from tenants about licensed properties, and the proportion of these that are followed up by the team. Then also perhaps what the outcomes were (complaint upheld, action required, no action etc) Having a new licensing scheme is a great idea if you have the resources to deal with the complaints, however if not, then tenants are still living in unsuitable properties and have no access to change, and the rogue landlord prevails.	
Cracking down on rogue landlords is something I wholeheartedly support.	
<i>The proposal as a whole</i>	
Housing is a human right. Landlords making a profit from housing people and increasing rents while doing nothing to the properties should result in criminal charges.	<p>The council offers support to any landlords who need help completing their applications. The legal requirements placed on licence holders for Additional HMOs are the same for each individual property whether a licence holder has 1 or 100 properties, an application per property must always be completed unless a statutory exemption as per schedule 14 of the Housing Act 2004 applies. https://www.legislation.gov.uk/ukpga/2004/34/schedule/14</p>
Make it simpler and reasonable for the small Landlords with only 1 or 2 properties.	
I can understand larger HMOs over 5 need some regulation but I think the system has just forced landlords to sell up and then increase rents	

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Very good idea.	<p data-bbox="842 539 1682 571">You can check whether a property is or should be licensed here:</p> <p data-bbox="842 608 1518 639">https://geoserver.nottinghamcity.gov.uk/myproperty/</p> <p data-bbox="842 676 1917 708">The council thanks consultees for taking the time to respond and notes their views.</p>
The proposal in Nottingham is clear and very well managed. There is schemes uses in various council with Nottingham been a very clear and easy process.	
I think the proposal is great, better regulation of the rental sector is always useful and will benefit a lot of tenants.	
I support this proposal. It will raise standards and ensure that all tenants and their neighbours are protected from the potential negative impacts of unlicensed shared housing.	
Landlords should bear the cost of managing the HMOs	
the proposed scheme will ensure that the costs previously borne by all NCC taxpayers to support NCC and the police to tackle unsafe and disruptive HMOs, will instead be borne by private landlords	
A tool should be available to check whether properties are or should be licensed	
I believe that this scheme has the potential to offer substantial benefits to public health and welfare.	