

THE LONDON BOROUGH OF BROMLEY

Houses in Multiple Occupation

Licence Application Guidance Notes



PLEASE COMPLETE THE LICENCE APPLICATION FORM IN BLOCK LETTERS

Please indicate if the application is for a new licence or for the renewal of an existing licence by ticking the appropriate box.

Address of property to be licensed:

Provide the full address of the property to be licensed, including the Post Code.

IF THE APPLICANT IS ALSO THE PROPOSED LICENCE HOLDER TICK THE BOX 'YES' AND GO STRAIGHT TO PART 2

PART 1: APPLICANT'S DETAILS

If you are the person completing this application form, then you are the 'applicant'. Applicants are required to complete every part of the application form and sign the declaration at the end, confirming that the information provided is correct to the best of their knowledge.

The applicant must provide their:

Full name

Correspondence address including post code

Contact details including a telephone number, mobile number and or email address

Date of birth

A statement of their interest in the property to be licensed and relationship with the proposed licence holder.

The applicant's interest in the property will usually be a legal interest such as:

Freeholder, Leaseholder, Trustee or Managing Agent

In some cases the applicant may have no legal interest in the property and may simply be completing the form on behalf of a relative or friend for example. If this is the case, please state this in the space provided.

PART 2: PROPOSED LICENCE HOLDER'S DETAILS

Who should be the licence holder?

The licence holder should be the [fit and proper person](#) or entity who owns the freehold or long leasehold for the property. This may be a single person, joint owners, a partnership, a limited company, other organisation or body such as a charity or trust.

We have a duty to issue the licence to the most appropriate person or entity. This is the 'person in control'.

A licence holder can nominate a 'manager', for example a letting agent, to take care of the day-to-day running activities of the HMO.

However, the manager will not usually hold the licence in their name. Instead, they will be named on the licence as the manager.

In some cases, the person who owns the freehold or leasehold for the property is not the 'person in control'.

For example, the property owner may hire a manager to deal with every facet of running the HMO and delegate authority to spend money on the property. In this instance, the manager will be deemed the person in control.

Both the proposed licence holder and manager must be [fit and proper people](#) in order to get the licence.

The proposed licence holder may be an individual or company.

The individual or company director(s) must be 'fit and proper persons' and the most appropriate to hold the licence for the property, usually the person or company in receipt of the rent.

The application must include the proposed licence holder's:

Full Name

Correspondence address including the post code

Contact details including a telephone number, mobile number and or e-mail address.

Date of birth (if the proposed licence holder is an individual)

The company's registered office address and registration number (if the proposed licence holder is a limited company)

Names and addresses of all partners and trustees (if the proposed licence holder is a partnership or trust)

IF THE PROPOSED LICENCE HOLDER IS ALSO THE PROPOSED MANAGER TICK THE BOX 'YES' AND GO STRAIGHT TO PART 4

PART 3: PROPOSED MANAGEMENT DETAILS

The proposed manager may be an individual or company.

The individual or company director(s) must be 'fit and proper persons'.

The application must include the proposed manager's:

Full name

Correspondence address including the post code

Contact details including a telephone number, mobile number and or email address.

If the manager is a member or associate of a recognised regulated body please indicate which body it is, for example:

The Association of Residential Letting Agents (ARLA)

The Association of Residential Managing Agents (ARMA)

The Royal Institute of Chartered Surveyors (RICS)

The National Association of Estate Agents (NAEA)

The National Approved Lettings Scheme (NALS)

PART 4: OWNERSHIP DETAILS OF THE PROPERTY TO BE LICENSED

Freeholders are persons or companies who own the freehold estate of the property and who are registered with Land Registry as having the title absolute of the freehold estate.

Leaseholders are persons or companies who own a long lease on the property or part of the property (usually for a term of more than 21 years), which gives them the right to occupy and use the property or part of the property for the term of the lease.

A person who collects the rent is the person(s) or company who regularly collect rent from any tenants occupying the property or part of the property.

A person who receives the rent is the person(s) or company who ultimately receive the rent paid by any tenants occupying the property or part of the property (whether directly or through an agent or trustee).

A person bound by a condition of the licence could be any person who is involved in the management and/or maintenance of the property. This will also depend on the licence conditions – see the general notes on the application form for a list of mandatory licence conditions.

PART 5: OCCUPIER INFORMATION

An occupier is anyone, including live in or resident landlords and or their managing agents, who have a room or residence within the property where they stay either on a permanent or part time basis. They may or may not have a tenancy or licence agreement and they may or may not have an alternative residence elsewhere.

Children and babies resident at a property are also considered to be occupiers and are counted as individuals, regardless of their age.

A letting is any rented unit of accommodation and includes:

- Rooms and bedsits

- Studio and self-contained flats

- Houses and maisonettes

A house let as bedsits and rented to five persons would count as five lettings.

A household for the purposes of the Housing Act 2004 includes:

- A single person

- Co-habiting or married couples (whether or not of the opposite sex)

- A family unit (including foster children, stepchildren and or children being cared for)

Domestic staff that live with their employers in rent-free accommodation are considered part of their employer's household.

Therefore, three friends sharing are considered to be three households because they are not related.

If a couple share with a third person this would constitute two households.

If a family rents a property this constitutes a single household. If an au-pair is employed to look after the children he/she would be included in the household.

PART 6: PROPERTY DETAILS

A shared house or flat is a house or flat occupied on a "shared" basis by members of a defined social group, e.g. students, work colleagues or a group of young single adults. Occupiers will have exclusive use of a bedroom whilst sharing the amenities and communal living space.

Properties referred to as "hostels", "guesthouses" or "bed and breakfast hotels", are houses or flats where accommodation is provided on a non-fixed term basis for people who have no other permanent place of residence, as distinct from hotels which provide accommodation for temporary visitors to an area.

Self-contained and studio flats are separate self-contained premises. All facilities are contained behind the front door of the living accommodation.

Houses or flats occupied by multiple households sharing one or more amenity, such as the kitchen or WC, are not self-contained.

Building Regulations are regulations made under the Building Acts.

For the purposes of HMO licensing a habitable room is a room of appropriate dimensions with adequate natural light and ventilation, electrical power sockets and lighting, fixed heating and suitable wall, floor and ceiling finishes. It does not include bathrooms, WC's and small kitchens.

Exclusive use of an amenity or facility is an amenity or facility which can only be used by one household.

It should be noted the minimum floor to ceiling height in all rooms, kitchens, bathrooms and water closets is 2.13m.

A habitable room in an attic or loft conversion must have at least 75% of the floor area with a ceiling height of at least 2.13m. Whilst there is no minimum ceiling height for the room's remaining floor area, any ceiling height below 1.53m will be excluded from a space assessment as it is not considered useable floor area.

PART 7: FIRE SAFETY

HMOs should have a safe escape route for use in the event of fire and adequate other fire precautions. These include an automated fire alarms system, fire blankets and in some cases 30 minute fire doors and an emergency lighting system. These must be maintained in accordance with the manufacturers' recommendations and British Standards.

Please tick the appropriate boxes on the form to indicate what fire safety measures are provided.

Fire Alarm systems are designed to raise the alarm in the event of fire within the property. Fire alarm systems must comply with BS5839.

Emergency lighting systems are designed to automatically illuminate the escape route upon failure of the supply to the normal lighting circuit. Emergency lighting systems must comply with BS 5266.

A 30-minute fire door must be installed and maintained in accordance with BS 8214. It will be capable of resisting a fire for 30 minutes and will be fitted with three hinges, a self-closer and combined intumescent strips/flexible smoke seals. The door will be close fitting to its frame.

Kitchens within an HMO must be supplied with a fire blanket and or appropriate extinguisher.

PART 8: PROPERTY MANAGEMENT

Landlords Gas Safety Record

Gas appliances include gas fires, cookers, ovens, hobs, individual water heaters and central heating boilers. All associated fittings, including flues, are deemed to be included in the appliance.

Businesses and self-employed people working on gas fittings or appliances are legally required to be registered with GAS SAFE. If you need to find a registered gas engineer, or need to check anyone's registration, then visit the GAS SAFE website at: <https://www.gassaferegister.co.uk> or telephone their Customer Services on 0800 408 5500

The Gas Safety (Installation & Use) Regulations 1998 specify that it is the duty of landlords of relevant premises to ensure that all gas appliances, fittings and flues provided for tenants are safe.

Landlords must arrange gas safety checks on an annual basis and provide the local authority with copies of the Landlord's Gas Safety Record from a GAS SAFE registered gas engineer.

Electrical Installation Condition Report (EICR)

All multi-occupied properties should have their electrics inspected by an approved electrical engineer at least every 5 years. The electrical engineer will provide an EICR which will identify any electrical problems which may exist.

An approved electrical engineer will be registered with NAPIT, NICEIC or ELECSA.

Heating in a property may be powered by electricity, gas, oil and or some form of renewable fuel. The installation and maintenance of heating systems will require either a GAS SAFE or approved electrical engineer or an approved domestic heating engineer.

An approved domestic heating engineer will be registered with:

Domestic Heating	Authorised Organisation
APHC	Association of Plumbing and Heating Contractors
Benchmark	Benchmark Certification Ltd
OFTEC	OFTEC (heating and cooking)
BESCA	Building and Engineering Services Competence Assessment Ltd
Blue Flame	Blue Flame Certification Ltd

Rooms and areas in common use are rooms and areas that are accessible to everyone occupying the property and include shared kitchens and bathrooms, staircases, hallways, landings and storage rooms etc.

Examples of pests and vermin that can affect rented accommodation are:

rats, mice, squirrels, foxes, cockroaches, beetles, flies, silverfish, garden ants, pharaoh ants, wasps, bedbugs, fleas and moths.

PART 9: TENANCY MANAGEMENT

Please provide us with copies or details of any written tenancy agreements or similar document that sets out the terms of the contract between the landlord and tenant.

Please tell us whether a written record is made of the furniture, fixtures and fittings in each letting and the condition they are in (an inventory) when tenants move into the property.

Please indicate whether the tenants receive a written record of the rent that has been paid. Unless records are given regularly to all tenants, please tick the 'No' box.

Please indicate whether the tenants are given a written procedure which explains what they should do if they have a complaint. This could be a part of the Tenancy Agreement or a separate document.

If the tenants are given a 24-hour telephone number to use in an emergency, please indicate this and provide the telephone number.

If tenants are asked to pay a deposit at the beginning of the tenancy, please indicate this. If a deposit is requested, tell us whether the tenants are given a written procedure for dealing with any dispute about whether the deposit should be returned in full or in part when the tenancy ends.

This procedure could be part of the Tenancy Agreement or a separate document.

PART 10: RELEVANT INFORMATION

This part is intended to collect information on all persons named in Parts 1 to 4 of the form to enable the council to determine if they (or any associate of those persons) are 'fit and proper' persons. (See Landlords Guide to Licensing for definitions).

Answering yes to any of the questions in this Part will not necessarily mean that the council will refuse to issue a licence.

However, the council reserves the right to reject any person nominated as the proposed licence holder if they are not considered to be a fit and proper person.

Under such circumstances, somebody who is deemed to be a fit and proper person will have to be nominated to hold the HMO licence.

PART 11: ADDITIONAL INFORMATION

This part gives the applicant the opportunity to demonstrate whether the landlord takes any steps to keep him/herself informed of good management practices and any changes in the law which could affect his/her duties as a landlord.

Landlord's Association refers to a legally constituted trade body, which regulates the conduct of its members and represents their interests.

PART 12: FURTHER INFORMATION

Please use this section if you require any further space to answer any of the previous questions (please indicate which question your answer relates to).

You can also use this area to add any further information that you feel could be relevant to your application.

PART 13: DECLARATION

You must complete Part 13 by using the space provided to list the names, addresses and descriptions (e.g. leaseholder, mortgagee etc.) of all persons who need to know that an application for an HMO licence has been made.

The full list of persons who must be informed of the application are listed in Part 13 of the form. The details that you must provide these people with are also listed in Part 13.

If you require more space to complete Part 13, please use the space provided in Part 12, or continue on additional sheets of paper, making sure you clearly number the sheets and attach them securely to the form.

The declaration must be signed and dated by:

The applicant

The proposed licence holder (if different to the applicant)

The manager (if there is a manager)

CHECKLIST

Before returning the completed application form please ensure that it has been signed and dated and that the appropriate fee and documentation has been enclosed.

Any documents not accompanying the application form must be submitted as soon as they are available and not later than the time indicated in the licence conditions.

Please tick the appropriate boxes to inform the council which documents have been submitted.

Please note that each application has to contain a sketch plan or professional plans of the property in order to license the property. The Council has to obtain certain information about the type of property, its layout and position of each room detailed in the application form.

The Council requires you to provide a plan of the property as part of the complete application. (For renewals of a licence where the layout has not changed check with the Local Authority as this information may already be held on their records).

You do not have to draw this yourself. However, if you engage someone to do this for you such as an architect you should be aware that it would be an additional cost.

You may already have plans of the building, which could be used, if new plans need to be drawn, they need not be to scale, however they should be as clear as possible and clearly marked with the address and date the plan was drawn.

Any text should be legible detailing which floor is which. There should be a separate layout plan for each floor e.g. ground, first and second floors.

The application will be considered incomplete unless all the relevant parts of the form have been completed in a legible way and the correct licence fee is submitted with the application form.

Address to send completed application form and copy of payment receipt:

Housing Enforcement Team
Public Protection Division
Civic Centre
Stockwell Close
Bromley, BR1 3UH