

Houses in Multiple Occupation Factsheet (Licensing)



A house in multiple occupation (HMO) is a house that is rented out by at least 3 people who do not form one household and share basic amenities such as a bathroom and kitchen. A HMO occupied by more than five people making up more than one household requires a licence from the Council.

Legislation requires for some HMOs to be licensed. This is because larger HMOs can be considered as high risk.

It is an offence to operate a HMO without a licence that falls under the mandatory licensing remit.

Davertry District Council operates a mandatory HMO licensing scheme, and in order to obtain a licence DDC must be satisfied:

- That the property meets housing and fire safety standards
- That amenity standards are met i.e. enough bathrooms and cooking facilities for the occupants
- That the landlord/managing agent are determined to be 'fit and proper'
- That there are suitable management arrangements in place.

Operating without a licence

It is an offence to operate a HMO that requires a licence, without one. The Council has powers to take enforcement action including prosecution or civil penalties to a maximum of £30,000. As landlords are not legally allowed to collect a rental income from unlicensed HMOs, rent can also be recovered.

A licence must be held for each separate licensable HMO.

Landlords and managing agents that operate an HMO that falls under mandatory licensing, and is not so licensed, are committing a criminal offence.

Who should have a licence?

The licence holder must be the most appropriate person, this would usually be the landlord or a managing agent. The Council will decide if a person is suitable by assessment of if they are 'fit and proper'. This means, for instance, if someone has been found guilty for certain (not all) offence or offences, they could be deemed not suitable through the 'fit and proper' determination.



How long will a licence last?

A licence can be granted for up to five years, this time-scale is dependent on the licence holder complying with mandatory obligations. The full cost is applied for the full five years and remains the same should the time be varied.

Licence fee

The Housing Act 2004 allows for the Council to charge a fee for HMO licence applications. The fees and charges are based on a true reflection of the cost of administering the scheme, making them reasonable and proportionate to the work involved.

There is a discount for early renewal.



We're here to help

This fact sheet is not a definitive set of guidance and therefore, if you are not sure that your property is a licensable HMO, please be sure to contact the Council. Please note:

- There are some exemptions to HMO licensing
- We can give advice to landlords and tenants regarding HMOs

Environmental Improvement
Davertry District Council
Lodge Road
Davertry
NN11 0XE
Tel: 01327 871100
Email: environmentalimprovement@davertrydc.gov.uk