

Daventry District Council

Houses in Multiple Occupation (HMO) Licensing Application Guidance Notes

Prior to completing a HMO application, please ensure you have carried out the necessary checks to determine whether a mandatory licence is required.

These guidance notes are intended to assist in the completion of the HMO Licensing application form. It is recommended that the guidance notes be read in conjunction with the application form.

Please return completed applications with the appropriate fee to Environmental Improvement, **Daventry District Council, Lodge Road, Daventry, NN11 4FP.**

The mandatory HMO licence application form is in 5 parts - each part is divided into sections for ease of completion. A HMO licensing application will be required for each property that requires a licence.

We aim to make a decision about the licence within 3 months of the receipt of a “duly made” application form (check website to check what this includes). You will be kept up to date as the application progresses.

Guidance Notes

Note 1: Named individuals

The Council has a duty to grant a licence to the most appropriate person and for this purpose the applicant and proposed licence holder must be named individuals and not a company name.

Should a company apply for a licence, they will need to appoint an individual within that company.

The most appropriate individual to apply for a licence will be the person that is in control of the property, and would be responsible for matters such as: letting, rent collection, accessing the property, repairs and maintenance. The Council will emphasise the importance that the licence holder is the person who has authority to ensure that licence conditions are complied with.

Note 2: Official correspondence address

The information provided within this section will be used for the purpose of a public register of licensed HMOs.

Note 3: Control of the property

This relates to the person responsible for the property. In normal circumstances this would be the legal owner or freeholder. Where the property has been leased to another person or company, the leaseholder will be the person having control of the property.

Note 4: Fit and Proper Person

The Council must consider if any people associated with the application or management of the property are fit and proper. In order to do this the Council must refer to criteria set out in the Housing Act 2004. The questions contained within this section are designed to obtain information which will satisfy these criteria.

All details requested must be disclosed, as it is an offence to knowingly

supply information which is false or
The address to be listed needs to be either the permanent residential address or business address of the proposed licence holder.

Where answered yes within this section, you are required to give full details and it may be necessary for the Council to request additional information in accordance with the Rehabilitation of Offenders Act 1974. The Council may request this at the earliest opportunity, if applicable, to avoid potential delay of an application being processed. It is for the applicant to obtain the requested information.

Where a limited company or partnership has been used, offences attributed to the company and directors or partners must be included.

Information provided is treated in confidence. Should you require any advice on if you are required to declare a previous conviction, you can contact your local Probation Officer, Citizens Advice or a Solicitor.

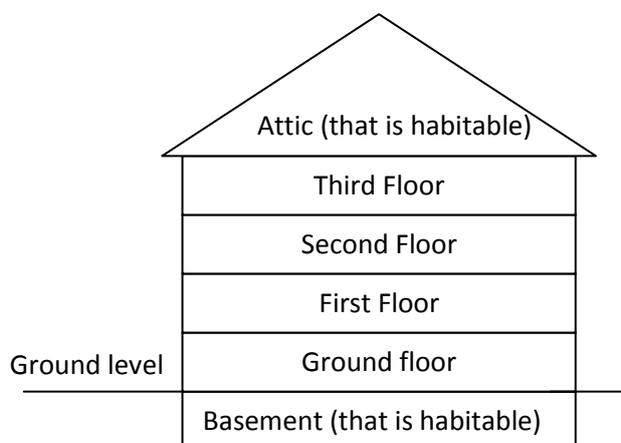
Note 5: Storeys in the property

Properties that fall under the mandatory licensing scheme include a number of different property types irrelevant of how many storeys the property has.

However, for the purpose of the licence, we need to be aware of how many storeys exist in the property so that we can make a fair assessment on any licence conditions.

If a storey of a property is used for commercial purposes e.g. a shop, this is still included in the number of storeys. Other examples of storeys can sometimes include basements and attics.

The below diagram provides a guide, to indicate on the application form, the numbering of storeys within your property.



Note 6: Households

Households are people belonging to the same family or co-habiting couples. Exceptions are made to this rule in the case of foster children, and for certain forms of employment such as live-in care workers, where they are also included as part of a household.

Note 7: Facilities

Information for all the lettable units should be recorded within this table to indicate the facilities that are provided within the whole dwelling.

- An example is provided in the first row of the table (coloured in grey).
- If any of the listed facilities are not contained within the unit, please indicate by inserting 0.

Note 8: Upholstered Furniture

Furnishings (Fire safety) Amendment Regulations 1993' set levels of fire resistance for domestic upholstered furniture, furnishings and other products containing upholstery. Upholstered furniture must have fire resistant filling material and must pass a cigarette resistance test and permanent covers must pass a match resistance test.

Landlords letting residential property will be expected to ensure that any soft furniture complies with these regulations.

'Upholstered furniture' which is covered by the above regulations include: beds, headboards, mattresses, sofa-beds, nursery furniture, garden furniture which can be used indoors, furniture in new caravans, scatter cushions, seat pads and pillows and loose and stretch covers for furniture.