

## **Houses in Multiple Occupation Factsheet**

### **How do I get an HMO Licence?**

Contact the Private Sector Housing team on 01789 260848 or e-mail psht@stratford-dc.gov.uk and we will send you a HMO licence application pack. This is paper based at the moment.

A fee will be charged to cover the administration and inspection costs for the HMO licence procedure according to the number of occupants.

### **What happens if I don't licence my HMO?**

Landlords who have failed to apply for a license will be at risk of:

- Prosecution - which may result in a fine up to £20,000
- Re-paying rent through possible rent repayment orders for non-compliance
- May be denied possession of a property under section 21 the Housing Act 1988 due to non-compliance

We would encourage landlords who need their houses licensed but have so far not applied, to do so. If we discover a property that is unlicensed but should be, there will be a penalty and the likelihood of prosecution, especially for landlords who do not declare their full portfolio of licensable properties.

### **What standards do I need to maintain in a HMO?**

The Council can inspect HMO's for many reasons these include complaint from tenants, neighbours, internal and external agencies.

There are two sets of management regulations, that apply to HMOs. These are available on the GOV.UK website.

Management Regulations impose duties on both managers and occupiers of an HMO, these duties imposed are to ensure the property is kept in good order and clean.

### **Duties of tenants**

It is the responsibility of all occupants to ensure the landlord can effectively carry out his duties. All residents must:

- allow the manager access, at reasonable times, to any occupied room,
- comply with arrangements made by the agent in respect of fire precautions or litter storage/disposal
- take reasonable care to avoid damaging items which the agent is obliged to keep in good repair
- do not take part in anti-social behaviour that affects other occupants/neighbours

## **Licensable HMO's**

HMO space and amenity standards are set out in our current booklet.

The Council will not grant a license where:

- Properties which are clearly well below the minimum prescribed standard
- where there appears to be little prospect of work being carried out within a reasonable period
- where the health, safety, welfare of the occupiers is at imminent risk

Where a license is issued with conditions, it is an offence to fail to comply without reasonable excuse with any such conditions within the specified time limit(s) and may result in a fine of up to £5000.

## **Non licensable HMO's**

Landlords/managers of non-licensable HMO's are encouraged to follow advice given in the space and amenity standards as a code of good practice. This is in order to lessen the possibility of any enforcement action being taken under section 234 of the Housing Act 2004.

## **Fire safety in HMOs**

Fire safety within the home is an extremely important issue, especially in mixed use premises and where unrelated occupiers who live independently from one another, share common areas of the same building. Landlords of HMOs must ensure that there is adequate fire safety in these types of accommodation.

Guidance has been introduced by LACORS offering advice for residential building to ensure they are safe from fire.

Stratford upon Avon District Council and Warwickshire Fire & Rescue Service have a mutual agreement as set out in the LACORS guidance. Every property is assessed individually. Many properties have identical layouts and construction and can be treated similarly for fire precautions and means of escape in the absence of complicating factors.

We would strongly recommend that existing landlords or prospective landlords, who are unsure whether they have sufficient fire safety, should contact us for advice and guidance

For further information about HMO licensing contact the Private Sector Housing Standards Officer on **01789 260848** or by email on [psht@stratford-dc.gov.uk](mailto:psht@stratford-dc.gov.uk)