

Licence of house in multiple occupation (HMO)

The Council of the London Borough of Hillingdon
hereby grant to Mr Rajiv Khanna
of 3 Somerset Gardens
Wembley
Middlesex
HA0 3BP

("the Authority")

Licence under section 64 of the Housing Act 2004, subject to the conditions set out in the schedules attached, in respect of premises situated at:-

2 Castle Avenue
Yiewsley
West Drayton
Middlesex
UB7 8LG

The Authority has decided that the house is reasonably suitable for occupation by not more than the maximum of [Six (6) households] [and] [Six (6) persons].

This Licence is granted this 14th day of December 20 16 . It shall come into force on 15th day of December 20 16 , and shall remain in effect for a period of Five (5) years from that date, unless previously revoked.

Dated 14th December 2016

Signed



Designation † Deputy Director Residents Services

The officer appointed for this purpose

Number of Schedule 1 attachments
(For Schedule 1 form see HMO 64A)

One (1)

Number of Schedule 2 attachments
(For Schedule 2 form see HMO 64B)

One (1)

NON-TRANSFERABLE

These notes are intended as general information to the recipient(s) of this licence. The notes are not intended to be definitive and the recipient should refer to the full version of the Housing Act 2004.

"category 1 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score of or above a prescribed amount;

"category 2 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score below the minimum amount prescribed for a category 1 hazard of that description; and

"hazard" means any risk of harm to the health or safety of an actual or potential occupier of a dwelling or HMO which arises from a deficiency in the dwelling or HMO or in any building or land in the vicinity (whether the deficiency arises as a result of the construction of any building, an absence of maintenance or repair or otherwise).

Section 64

Grant or refusal of licence

- (1) Where an application in respect of an HMO is made to the local housing authority under section 63, the authority must either -
 - (a) grant a licence in accordance with subsection (2), or
 - (b) refuse to grant a licence.
- (2) If the authority are satisfied as to the matters mentioned in subsection (3), they may grant a licence either -
 - (a) to the applicant, or
 - (b) to some other person, if both he and the applicant agree.
- (3) The matters are -
 - (a) that the house is reasonably suitable for occupation by not more than the maximum number of households or persons mentioned in subsection (4) or that it can be made so suitable by the imposition of conditions under section 67;
 - (b) that the proposed licence holder -
 - (i) is a fit and proper person to be the licence holder and
 - (ii) is, out of all the persons reasonably available to be the licence holder in respect of the house, the most appropriate person to be the licence holder;
 - (c) that the proposed manager of the house is either -
 - (i) the person having control of the house, or
 - (ii) a person who is an agent or employee of the person having control of the house;
 - (d) that the proposed manager of the house is a fit and proper person to be the manager of the house; and
 - (e) that the proposed management arrangements for the house are otherwise satisfactory.
- (4) The maximum number of households or persons referred to in subsection (3)(a) is -
 - (a) the maximum number specified in the application, or
 - (b) some other maximum number decided by the authority.
- (5) Sections 65 and 66 apply for the purposes of this section.

65 Tests as to suitability for multiple occupation

- (1) The local housing authority cannot be satisfied for the purposes of section 64(3)(a) that the house is reasonably suitable for occupation by a particular maximum number of households or persons if they consider that it fails to meet prescribed standards for occupation by that number of households or persons.
- (2) But the authority may decide that the house is not reasonably suitable for occupation by a particular maximum number of households or persons even if it does meet prescribed standards for occupation by that number of households or persons.
- (3) In this section "prescribed standards" means standards prescribed by regulations made by the appropriate national authority.
- (4) The standards that may be so prescribed include -
 - (a) standards as to the number, type and quality of -
 - (i) bathrooms, toilets, wash-basins and showers,

(ii) areas for food storage, preparation and cooking, and

(iii) laundry facilities,

which should be available in particular circumstances; and

(b) standards as to the number, type and quality of other facilities or equipment which should be available in particular circumstances.

66 Tests for fitness etc. and satisfactory management arrangements

- (1) In deciding for the purposes of section 64(3)(b) or (d) whether a person ("P") is a fit and proper person to be the licence holder or (as the case may be) the manager of the house, the local housing authority must have regard (among other things) to any evidence within subsection (2) or (3).
- (2) Evidence is within this subsection if it shows that P has -
 - (a) committed any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (c.42) (offences attracting notification requirements);
 - (b) practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business;
 - (c) contravened any provision of the law relating to housing or of landlord and tenant law; or
 - (d) acted otherwise than in accordance with any applicable code of practice approved under section 233.
- (3) Evidence is within this subsection if -
 - (a) it shows that any person associated or formerly associated with P (whether on a person, work or other basis) has done any of the things set out in subsection (2)(a) to (d), and
 - (b) it appears to the authority that the evidence is relevant to the question whether P is a fit and proper person to be the licence holder or (as the case may be) the manager of the house
- (4) For the purposes of section 64(3)(b) the local housing authority must assume, unless the contrary is shown, that the person having control of the house is a more appropriate person to be the licence holder than a person not having control of it.
- (5) In deciding for the purposes of section 64(3)(e) whether the proposed management arrangements for the house are otherwise satisfactory, the local housing authority must have regard (among other things) to the considerations mentioned in subsection (6).
- (6) The considerations are -
 - (a) whether any person proposed to be involved in the management of the house has a sufficient level of competence to be so involved;
 - (b) whether any person proposed to be involved in the management of the house (other than the manager) is a fit and proper person to be so involved; and
 - (c) whether any proposed management structures and funding arrangements are suitable.
- (7) Any reference in section 64(3)(c)(i) or (ii) or subsection (4) above to a person having control of the house, or to being a person of any other description, includes a reference to a person who is proposing to have control of the house, or (as the case may be) to be a person of that description, at the time when the licence would come into force.

Advice

If you do not understand this licence or wish to know more about it, you should contact the Local Authority. If you want independent advice about your rights and obligations, you should go to a Citizens' Advice Bureau, Housing Aid Centre, Law Centre or a solicitor. You may be able to obtain help with all or part of the cost of legal advice from a solicitor under the Legal Aid Scheme. If you do not know whether you could apply for Legal Aid you can see a solicitor who may be prepared to give you half-an-hour of legal advice for a small fee. If you want to know more about the works the Local Authority require you to do, you may wish to consult a surveyor.

Mandatory Conditions

Conditions requiring the following requirements must be included in this Schedule.

1. *If gas is supplied to the house, to produce to the Authority annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months;*
2. *To keep electrical appliances and furniture made available by the licence holder in the house in a safe condition;*
3. *To supply the Authority, on demand, with a declaration by the licence holder as to the safety of the appliances and furniture detailed in condition 2;*
4. *To ensure that smoke alarms are installed in the house and to keep them in proper working order;*
5. *To supply the Authority, on demand, with a declaration by the licence holder as to the condition and positioning of the smoke alarms detailed in condition 4.*
6. *The licence holder to supply to the occupiers of the house a written statement of the terms on which they occupy it.*

Gas installations and appliances

The licence holder shall ensure that the gas installations and appliances are maintained in safe working order in accordance with the Gas Safety (Installation and Use) Regulations 1998.

You must provide the London Borough of Hillingdon with a copy of an annual gas safety certificate to show that all the gas installations and appliances have been checked, by a Gas Safe Register (GSR) registered engineer, and comply with the Gas Safety (Installation and Use) Regulations 1998.

Furniture and electrical appliances

Electrical appliances and furniture, where present and supplied by the licence holder must be kept in a safe condition and regularly inspected, as part of a maintenance programme.

Electrical installations in the licensed HMO must be inspected and tested at least every five years by a qualified person who should provide a certificate giving the results of the inspections.

The licence holder must supply the London Borough of Hillingdon, on demand, with a declaration as to the safety of such electrical appliances and furniture.

Fire safety

The licence holder shall ensure that an adequate fire detection system is installed in the house and is kept in proper working order. The licence holder must supply the London Borough of Hillingdon, on demand, with a declaration as to the condition and positioning of such system.

Please note that the London Borough of Hillingdon are placed under a statutory duty to satisfy ourselves as soon as reasonably practicable after an application for a licence has been made, that the HMO is free from any serious hazards under the Housing Health and Safety Rating System (HHSRS).

Tenancy arrangements

The licence holder must supply to the occupiers of the house a written statement of the terms on which they occupy it. The agreement shall comply with the 'Unfair Terms in Consumer Contracts Regulations'.

Changes to the licensed property or licence holder

You must notify this office of any changes in the particulars that are entered on the public register so that appropriate amendments can be made. This includes any change in ownership or management as this may require a new application to be submitted.

Schedule 2

Other Conditions

Conditions the Authority consider appropriate may be included in this schedule.

1. To regulate the management, use and occupation of the house concerned.
2. To regulate the condition and contents of the house.
3. Conditions imposing restrictions or prohibitions on the use or occupation of particular parts of the house by persons occupying it.
4. Conditions requiring the taking of reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house.
5. Conditions requiring facilities and equipment to be made available in the house for the purpose of meeting standards prescribed under section 65.
6. Conditions requiring such facilities and equipment to be kept in repair and proper working order.
7. Conditions requiring, in the case of any works needed in order for any such facilities or equipment to be made available or to meet any such standards, that the works are carried out within such period or periods as may be specified in, or determined under, the licence.
8. Conditions requiring the licence holder or the manager of the house to attend training courses in relation to any applicable code of practice approved under section 233 of the Act.
9. Any other conditions which the local housing authority consider appropriate.

Restrictions or prohibitions on the use or occupation of particular parts of the house by persons occupying it; S67 (2) (a)

The number of persons residing in the premises shall not exceed the maximum number stated on the licence. The number permitted is in relation to the numbers of amenities provided and on the size of habitable rooms available.

~~Additional restrictions or prohibitions: The [first/second floor] [front/rear] [right/left hand] bedroom or [room number] is not to be occupied by more than two individual persons of the opposite sexes at or over the age of 10 or over 16 who do not live as husband and wife, for letting purposes due to legal restriction set under the Housing Act 1985 Part X: S325.~~

Provision of facilities and equipment to be made available in accordance with prescribed standards and to be kept in repair and proper working order; S67 (2) (c) (d) and (e)

Facilities and equipment must be made available in the house for the purpose of meeting standards prescribed under S65 of the Housing Act 2004 and must be kept in repair and working order.

Management and condition of house and contents; S67 (1) (a) and (b)

The licence holder shall ensure that the property is ~~XXXXXXXXXXXX~~ in reasonable condition in accordance with the requirements of The Management of Houses in Multiple Occupation (England) 2006.

Managing anti-social behaviour; S67 (2) (f)

The licence holder must take reasonable and practicable steps to prevent or reduce antisocial behaviour by persons occupying or visiting the house.