

Northumberland County Council

Mandatory HMO property licensing conditions

Housing Act 2004, Part 2 and The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018

Once the licence is issued certain conditions will be attached. Those conditions must be complied with in order to retain the licence. Failure to adhere to one or more of these licence conditions could result in formal proceedings against you, with a financial penalty and/or the loss of your licence.

All licensed HMOs will be inspected as part of the application process and further inspections may be conducted throughout the term of the license. We can carry out additional inspections if necessary, for example, if we receive complaints.

The licence holder must:

1. Produce to Northumberland County Council **annually**, a Gas Safe Safety Certificate. The document must be provided to the Council no later than 7 days following expiry of the preceding certificate.

2. Produce to Northumberland County Council **annually**, Fire Alarm and Emergency Lighting Periodic Inspection Certificates.

NB: in relation to the fire alarm, this condition only applies if the property is fitted with a fire alarm meeting BS 5839 Part 6 Grade A (typified by a system that has a control panel and alarm call points). The documents must be provided to the Council no later than 7 days following expiry of the preceding certificates.

3. Produce to Northumberland County Council **annually**, Portable Appliance Testing (PAT) Certificates. The documents must be provided to the Council no later than 7 days following expiry of the preceding certificates.

4. Ensure that a suitable fire alarm is installed within the property and kept in proper working order. Produce to Northumberland County Council **annually**, a logbook detailing the weekly tests carried out within the last 12 months.

5. Produce to Northumberland County Council for their inspection a written copy of the Fire Risk Assessment (reviewed annually). The annual review of this document must be provided to the Council no later than 7 days following expiry of the preceding assessment.

6. Supply the occupiers of the house with a written statement of the terms on which they occupy it.

7. The licence holder must supply the Council with an electrical installation condition report for the whole of the electrical installation in accordance with current IET wiring regulations. Such a report should be provided by a suitably trained, experienced and competent person, e.g. NICEIC, ECA or NAPIT member. The Council will not accept any report containing any code 1 or 2 identified defects, unless it is accompanied by a minor works certificate indicating that the items of concern have been remedied. The

report document must state that the installation is in a satisfactory condition. The document must be dated within the last five years. You must hold a current, satisfactory electrical installation condition report throughout the duration of the HMO Licence. The documents must be provided to the Council no later than 7 days following expiry of the preceding report.

8. The licence holder must provide arrangements for disposal of refuse and ensure that there are adequate facilities for the storage of household refuse between collections, such that bags or loose refuse are not exposed for a period longer than 12 hours prior to collection.

9. The licence holder must inform the Council of any change to the person managing the property, for example, managing agent or other person who exerts significant control within the HMO, **before** such changes take place, in order that any necessary fit and proper person checks with regard to the new proposed manager can take place prior to their takeover.

10. The licence holder and or manager must inform the Council and their tenants of significant changes to their contact details - address, telephone number, or email address - within 7 days of the change.

11. The licence holder must ensure that the house is fully compliant with the minimum room sizes for sleeping rooms in multi-occupied houses. The current minimum sizes are as follows:

- 6.51m² for one person over 10 years of age;
- 10.22m² for two persons over 10 years of age;
- 4.64m² for one child under the age of 10 years;

Any room less than 4.64m² may not be used as sleeping accommodation for any person. In addition, any area of rooms with a ceiling height of less than 1.5m cannot be counted towards the minimum room size.

12. For every licence issued, the Council will specify the maximum number of persons over 10 years of age and/or persons under 10 years of age who may occupy specified rooms provided in HMOs for sleeping accommodation.

13. The licence holder must not permit the house to be occupied by more than the number of persons specified in the licence and must ensure that the common areas, including shared living rooms, kitchens and hallways of the house, are not used for sleeping purposes either by their tenants or their guests.

14. The licence holder must ensure all amenities, facilities and equipment provided for occupants, are adequately maintained and remain available for use at all times. The licence holder must ensure that the property is provided with a heating system that ensures all habitable rooms including kitchens and bathrooms, are capable of maintaining an indoor temperature of 19 degrees centigrade when the external temperature is minus 1 degree centigrade on a 24 hour basis. The licence holder must ensure that the control and access to availability of heating is within the control of tenants, sufficient to ensure that the above requirements are met.

15. The licence holder must ensure that any privately controlled electricity supply meters that supply any tenant or any part of the HMO, are set to provide electrical supply units that do not result in any profit being made on the resale of electricity, in line with their legal duty under [OFGEM rules](#). If private meters are fitted, the licence holder must provide their tenants and the Council with a copy of their electrical supply bill including detailed tariff information, within 7 days of such a request.

16. All doors giving access to the staircase enclosure from rooms, including bathrooms or wc's that contain a fire risk (electric showers, boilers etc.) should be of thirty minutes fire rated construction and fitted in accordance with BS 8214:2008.

17. All doors leading onto the means of escape and final exit doors from the building, should be fitted with a type of lock that does not require the use of a key from the inside. Locks to external doors should give the equivalent of five lever security level.

18. The premises must be fitted with a fire alarm system in accordance with the recommendations of the [Local Government Regulation Guide](#) (formerly known as LACoR's Guide). A competent contractor or fire alarm engineer should undertake the installation and commissioning. Guidance is available from Northumberland Fire & Rescue Service.

19. Subject to the findings of the fire risk assessment, emergency lighting may be required. (Guidance is available from the Local Government Regulation Guide or Northumberland Fire & Rescue Service.)

20. Exit signage may be required, subject to the findings of the risk assessment. (Guidance is available from the Local Government Regulation Guide or Northumberland Fire & Rescue Service.)

21. Cellar ceilings, spandrels, soffits, horizontal floor separations, walls between flats, internal lobby walls, internal rooms and common parts, must all be constructed to resist the passage of fire and smoke for a minimum of thirty minutes.

22. A fire safety plan detailing action to be taken in the event of a fire should be displayed either in each individual letting, or in a prominent position within the common parts.

23. The licence holder must provide the tenants of the licensed property and the occupiers of any adjoining properties, with the following:

- Name of the licence holder or managing agent.
- A contact address and daytime telephone number.
- An emergency contact telephone number.

24. The licence holder must act lawfully and reasonably in requiring any advanced payments, handling rents, returning deposits and making deductions from deposits.

25. If the licence holder or his nominated agent or manager requires a tenancy deposit, it must be placed within an approved tenancy deposit scheme.

26. The licence holder must take reasonable and practicable steps to prevent, or where appropriate reduce, anti-social behaviour by persons occupying or visiting the

house. They must also reasonably co-operate with the licensing authority over any action being taken in respect of the same.

27. The licence holder and where appropriate, their nominated managing agent, must recognise the importance of tackling anti-social behaviour in order to ensure that communities are safe and that areas do not decline because of a failure to act. The licence holder and/or where appropriate, their nominated agent, must have the facilities to receive, record and respond to initial complaints about their tenants' behaviour.

28. The licence holder and where appropriate, their nominated managing agent, are required to undertake a detailed investigation of any complaints which have been made either directly to them, or via the Local Authority, regarding their tenants and keep a written record.

29. If CCTV is installed within or outside the premises it must be regularly maintained & checked and recorded footage retained for (time)

30. The licence holder must ensure that they are familiar and compliant with the requirements of the [Equalities Act 2010](#).

31. The licence holder must allow officers of the local authority access to the licensed property for the purpose of carrying out inspections, where this request has been made in writing with reasonable notice.

32. The licence holder must co-operate with licensing staff in circumstances where complaints of alleged breaches of licence conditions have been made in respect of the licensed property.

33. The licence holder must ensure that all monies in respect of the licence fee are paid to the local authority by the due date.

34. The licence holder must provide the local authority with a 24 hour emergency contact telephone number for the licence holder and the management agent.

35. In circumstances where the licence holder seeks repossession of the property, this must be done using lawful means.

36. The licence holder must outline to the tenants/occupiers their responsibilities in respect of refuse storage and disposal.

37. At the request of Northumberland County Council, the licence holder and where appropriate, the nominated managing agent, are required to provide information regarding the number of occupants and whether they are adults or children.

38. The licence holder and where appropriate, the nominated managing agent, must inform the licensing authority of any relevant changes in their circumstances including:

- Any new convictions/cautions which may be deemed relevant to the fit and proper person test.
- Change of ownership and or managing agent of the licensed property.
- Any substantial works to the property.

39. The licence holder is required to submit a completed licence renewal application form 28 days prior to the expiry date of the existing licence.

40. The licence holder and where appropriate, the nominated managing agent, must maintain the property free of significant hazards within the scope of Part 1 of the Act as covered by the Housing Health and Safety Rating System.

41. The licence holder must maintain all garden areas, yards and outbuildings within the curtilage of the property in a reasonably acceptable condition. This includes regular garden maintenance such as mowing, in order that the HMO does not unduly detract from the appearance of the neighbourhood.

42. The property must have an EPC certificate with a minimum E rating for energy efficiency. If a rating of E or above is not possible, a valid exemption must be registered. The Licence Holder must ensure that all such tenants are provided with a copy of the EPC and that the Authority is provided with a copy of the same on demand.

Notes

“Authority” refers to the local housing authority, namely Northumberland County Council

All records referred to in the conditions must be provided to the Authority on demand within 28 days.