

Application for Mandatory Licence for House in Multiple Occupation

Please use the guidance notes on pages 14-15 when completing this form. If you have more than one house in multiple occupation you need to complete a separate application form for each property. Please fill in the form using BLOCK CAPITALS and black ink. If you require more space to answer any question, please use additional sheets, specifying which question your answer relates to, and attach the sheets to the application form

For office use only

Date received

Date passed to officer

Reference number

Fees received

Address of property to be licensed

 Post code:

Is the applicant the proposed licence holder? Yes No (see note 1)

If **yes**, please go straight to Part 2 of the form. If **no**, please complete Part 1 of the form.

Type of application New Renewal

Part 1 Applicant details – see note 1

Surname

First name(s)

Address

 Post code

Telephone numbers: Home

Work

Mobile

Fax number

Email address

Date of birth

PLEASE TICK HERE IF THE APPLICANT IS ALSO THE PROPOSED LICENCE HOLDER

What is your relationship to proposed licence holder: (please tick the appropriate box)

Friend Relative Agent Solicitor Other (please specify)

What is your interest in the property?

Part 2 Proposed licence holder details – see note 2

Is the proposed licence holder, if different from the applicant (please tick the appropriate box)

Individual Partnership Trustee Charity

Other (please specify)

Name of proposed licence holder (if a company, please give full name company)

Address (if company please give registered office address)

Telephone numbers:

Home

Work

Mobile

Fax number

Email address

Date of birth

Name of company secretary: (if applicable)

Name of directors/partners/trustees: (if applicable)

Please go to Part 3

Part 3 Manager Details – see note 3

Please provide the name, address and telephone number of the person who is responsible for the management of the property

Name of manager (if a company, please give full name company)

Address (if company please give registered office address)

Telephone numbers:

Home

Work

Part 3 Manager Details (continued) – see note 3

Mobile

Fax number

Email address

Date of birth

Is the manager a member of a regulatory body?
If **yes**, please state which regulatory body

Yes

No

Please go to Part 4

Part 4 Ownership details of property to be licensed – see note 4

Please provide the details of ownership and all others with a legal interest in the property to be licensed. Please include all freeholders, leaseholders and mortgagees. If you require more space, please continue on a separate sheet.

4.1

Full Name

Address

Post code:

Email

Telephone

State nature of interest

4.2 Name of mortgagee

E.g. bank, building society or other who has a loan secured against the property

Roll number

Address of mortgagee

Post code:

4.3 Name of leaseholder(s) (if none, state none). Please continue on an additional sheet if necessary.

Surname of leaseholder 1

Forename(s)

Address of leaseholder 1

Post code:

Email

Telephone

4.4 Name of the person who collects the rent

Surname

Forename(s)

Address of the person who collects the rent

Post code:

Email

Telephone

4.5 Person who receives the rent

Surname

Forename(s)

Address of the person receives the rent

Post code:

Email

Telephone

4.6 Name of any person who may be bound by a condition of the proposed licence and who is not referred to in Parts 1, 2 and 3 of the form

Surname

Forename(s)

Address

Post code:

Email

Telephone

Please go to part 5

Part 5 Occupier information – see note 5

Please include all occupiers, including children and babies occupying the lettings

5.1 How many individuals currently live in the property?

5.2 How many households currently live in the property?

5.3 How many separate lettings are available in the property?

5.4 Are there any of the people listed in Parts 1, 2, 3 and 4 of the form living in the property? (Please tick appropriate box)

Yes

No

If **yes**, please state their names:

6.1.1 When was the property built? (Please tick appropriate box)

- Pre 1919 1919 to 1944 1945 to 1964
 1965 to 1980 Post 1980

6.1.2 Description of the property (please tick appropriate boxes)

- Detached Semi-detached Terraced End of Terrace
 Purpose built block of flats Mixed Residential and Commercial
 House converted into self-contained flats other (please specify)

6.1.3 Description of occupation (please tick appropriate boxes)

- Shared house Hostel Studios Shared Flat
 A mix of self-contained units and shared accommodation Bedsits with shared facilities
 A self-contained single household unit other (please specify)

6.4 Has planning permission been granted for use as a house in multiple occupation? Yes No don't know

6.5 If the accommodation is within a converted property, was the conversion done in accordance with the relevant building regulations in force at the time? Yes No don't know

If yes, what year was the conversion carried out? Date

Please provide the relevant Building Control completion certificate for the conversion

6.6 Please tick the entire floor the property has, including mezzanine floors and any floors used for commercial purpose:

- Basement storage Basement Residential Basement Commercial
 Ground floor First floor Second floor Third floor
 Fourth floor Fifth floor Sixth floor over Six floors

Part 6 continued - room and occupier detail – see note 6

You must list all rooms within your property included any occupied by a resident landlord. You must provide accurate room sizes for all rooms. Please continue on separate sheet if necessary. Please note it is both a requirement and a condition of the licence that the licence holder ensures the property complies with the councils HMO standards. A copy of these can be found at www.sutton.gov.uk

| Location (To be taken when looking at the property from the front at street level) | | Room name | Description e.g. bedsit, living room, kitchen and amenities | Total number of occupiers Sharing | Total number of Households Using | Size of room in M ₂ |
|---|--------------------------------------|------------------------|--|-----------------------------------|----------------------------------|--------------------------------|
| <i>E.G</i> | <i>First Floor Middle</i> | <i>Shared bathroom</i> | <i>Bathroom (Bath with overhead shower, WC and WHB)</i> | <i>5</i> | <i>5</i> | <i>7m₂</i> |
| <i>E.G</i> | <i>Ground Floor Front Right room</i> | <i>Room 1</i> | <i>Bedsit with bathroom with shower, toilet and WHB) and kitchenette</i> | <i>2</i> | <i>1</i> | <i>28m₂</i> |
| <i>E.G</i> | <i>Ground Floor Rear</i> | <i>Shared kitchen</i> | <i>Kitchen</i> | <i>5</i> | <i>5</i> | <i>10m₂</i> |
| <i>E.G</i> | <i>Ground Floor Rear room</i> | <i>Room 2</i> | <i>Bedroom</i> | <i>1</i> | <i>1</i> | <i>10m₂</i> |
| 1 | | | | | | |
| 2 | | | | | | |
| 3 | | | | | | |
| 4 | | | | | | |
| 5 | | | | | | |
| 6 | | | | | | |
| 7 | | | | | | |

Please go to Part 7

Part 7 Amenities – see note 7

7.1 Please specify how many sole use bath and/or showers are in the property?

7.2 How many shared baths and/or showers are there in the property?

Baths

Showers

7.3 How many sole-use WCs are there in the property?

7.4 How many shared WCs are in a separate compartment to the bathroom?

7.5 How many sole-use wash hand basins are there in the property?

7.6 How many shared wash hand basins are there in the property?

7.7 How many sets of shared kitchen facilities are provided in the house?

7.8 How many lettings have exclusive use of a set of kitchen facilities (please specify)

7.9 How many sinks are there in the property?

Please go to Part 8

Part 8 Fire safety – see note 8

8.1 Does the property have a system of fire detection?

If yes, does the system include?

- | | | |
|---|------------------------------|-----------------------------|
| a) A fire alarm control panel | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b) Heat detectors in the kitchen | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c) Mains wired smoke detectors in rooms | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| d) Battery powered smoke detectors in rooms only | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| e) Mains wired smoke detector in common parts | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| f) Battery powered smoke detectors in common parts only | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| g) Sounders/alarms on all levels | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| h) Calls point in the communal areas | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If there is mains wired fire alarm and detection system, has it been tested in accordance with the BS5839 at least quarterly? (Please provide a copy of a current certificate of testing showing compliance to BS5839) Yes No

8.2 Does the property have an emergency lighting system? Yes No

If yes, has the system been tested in accordance with British Standards?

Part 1: at least every year? (If yes, please provide a copy of the most recent periodic inspection and test certificate)

Yes No

Part 8 Fire safety continued— see note 8

- 8.3** Are the doors that open on to the communal areas?
Fire doors capable of 30 minutes fire resistance? Yes No
- If yes, are they fitted with self-closers? Yes No
- Are they fitted with smoke seals and intumescent strips? Yes No
- 8.4** Is the following fire safety equipment provided?
- a) Fire blankets in all kitchens Yes No
- b) Fire blankets in shared kitchens only Yes No
- c) Fire extinguishers Yes No
- Has the fire safety equipment been serviced for the last 12 months? Yes No
- 8.5** Does each tenant have clear written instructions on what to do in the event of a fire? Yes No
- 8.6** Are the tenants provided with upholstered furniture? Yes No
- Does all the upholstered furniture you provided comply with the Furnishings (Fire Safety) Amendment Regulations 1933? Yes No

Part 9 Property management – see note 9

- 9.1** Is there, displayed in a suitable position within a property, a notice giving the name, address and telephone number of the manager? Yes No

Part 10 Tenancy management – see note 10

- 10.1** Are the tenants provided with written details of the terms of the terms of their tenancy? Yes No

Please go to Part 11

Part 11 Licence holder test of fitness – see note 11

- 11.1** Has any person named in Parts 1,2,3 and 4 of this form any unspent convictions for or involving fraud, dishonesty, drugs, violence or sexual offence? Yes No
- 11.2** Has any person named in Parts 1,2,3 and 4 of this form been found guilty of practising any unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in relation to any business? Yes No

Part 11 Licence holder test of fitness continued – see note 11

- 11.3** Has any person named parts 1,2,3 and 4 of this form been found guilty of any enactments relating to housing or land law and tenant law? Yes No
- 11.4** Has any person named in Parts 1,2,3 and 4 of this form been convicted of Housing Benefit fraud or subject to legal proceedings by a local authority for breaches of planning, compulsory purchase, environmental protection or related legislation? Yes No
- 11.5** Has any person named in parts 1,2,3 and 4 of this form not been compliant with the Tenancy Deposit Scheme? Yes No
- 11.6** Has any person named in Parts 1,2,3 and 4 of this form not been deemed a fit and proper person by another local authority? Yes No
- 11.7** Has any person named in Parts 1,2,3 and or 4 of this form previously held or do they currently hold a licence for another house in multiple occupation? Yes No

If yes, please provide the addresses of these properties, along with details of the authorities that issued the licence.

Post code:

Post code:

Part 12 Calculation of fees – see note 12

Licence applications are to be accompanied by a fee. The standard rate is £250 per available letting. A licence will be in force for 5 years. Please complete the calculation below:-

Total number of available lettings

x 250 =

Part 13 Exemption from licensing – see note 13

If you consider that the property does not require a licensing please apply for a Temporary Exemption Notice. The application form can be found at www.sutton.gov.uk

It is a criminal offence to be in control of, or be managing a House in Multiple Occupation which is not licensed but is required to be so. It is also a criminal offence to make a false statement in an application for an HMO licence or to fail to comply with any condition of the licence under parts 1 to 4 of the Housing Act 2004

As the applicant, you must let certain persons know in writing that you have made this application or give them a copy of it.

The people who need to know about it are:

- Any mortgagee of the property to be licensed;
- Any owner of the property to which the application relates (if that is not you) i.e. the free holder and any head lessors who are known to you
- Any other person who is a tenant or long leaseholder of the property or any part of it (including any flat) who is known to you other than a statutory tenant or other tenant who lease or tenancy is less for less than three years (including a periodic tenancy);
- The proposed licence holder (if that is not you)
- The proposed managing agent (if any) (if that is not you);
- Any person who has agreed that he will be bound by any conditions in a licence if it's granted.

You must tell each of these persons:

- Your name, address, telephone number and email address or fax number (if any);
- The name, address, telephone number and email address or fax number (if any) of the proposed licence holder (if it will not be you);
- The address of the property to which the application relates;
- The name and address of this local housing authority to which the application will be made;
- The date the application will be submitted.

I/we declare that I/we have served a notice of this application on the following persons who are the only persons known to me/us that are required to be informed that I/we have made this application.

| Name | Address | Date | Description of the persons interest in the property |
|-------------|----------------|-------------|--|
| | | | |
| | | | |
| | | | |
| | | | |

Part 14 Declaration continued– see note 14

I/we declare that the information contained in this application is correct to the best of my/our knowledge. I/we understand that I/we commit an offence if I/we supply any information to a local housing authority in connection with any of their functions under any of Parts 1 to 4 of the Housing Act 2004 that is false or misleading and which I/we know is false or misleading or am/are reckless as to whether it is false or misleading.

| | | |
|--|-------------|------------------|
| Name of the applicant | | Signature |
| | Date | |
| Name of the proposed licence holder (if different to applicant) | | Signature |
| | Date | |
| Name of the manager | | Signature |
| | Date | |
| Name (if different to applicant) | | Signature |
| | Date | |
| Name (if different to applicant) | | Signature |
| | Date | |

Part 15 – Please complete for monitoring purposes – see note 15

Sutton Council is committed to providing you with a good service. We need information about who uses our services to help the Council to improve them. If we don't have this information it is difficult to ensure that we are being fair to everyone.

It would therefore be helpful if you would tick the boxes that apply to you in the table below. All the answers you give are **highly confidential**. This is protected by the Data Protection Act 1998 and the Human Rights Act 1998. The law makes the Council respect your confidentiality and treat you without discrimination.

To which group do you belong?

| | | |
|--------------------------------------|----------------------------|--------------------------|
| White | British | <input type="checkbox"/> |
| | Irish | <input type="checkbox"/> |
| | Any other White background | <input type="checkbox"/> |
| Mixed | White & Black | <input type="checkbox"/> |
| | Caribbean | <input type="checkbox"/> |
| | White & Black African | <input type="checkbox"/> |
| | White & Asian | <input type="checkbox"/> |
| | Any other Mixed background | <input type="checkbox"/> |
| | | |
| Asian or Asian British | Indian | <input type="checkbox"/> |
| | Pakistani | <input type="checkbox"/> |
| | Bangladeshi | <input type="checkbox"/> |
| | Any other Asian background | <input type="checkbox"/> |
| Black or Black British | Caribbean | <input type="checkbox"/> |
| | African | <input type="checkbox"/> |
| | Any other Black background | <input type="checkbox"/> |
| Chinese or other ethnic group | Chinese | <input type="checkbox"/> |
| | Other | <input type="checkbox"/> |

Checklist for submitting an application

Please enclose the following: - You must submit these documents with your application or it will not be processed.

- A completed and signed application form? Yes No
- A copy of a floor plan for each storey including room dimensions or floor area, room numbers, common rooms, bathrooms including facilities, kitchens including facilities and the position of fire safety measures Yes No
- Licence fee Yes No

The council requires you to also produce the following documentation. Failure to do so can result in a £300 fee

- A current Inspection Report from a competent electrician Yes No
- A current gas safety certificate (if applicable) Yes No
- BS5839 test reports relating to the fire detection system (if applicable) Yes No
- BS5266 test reports relating to the emergency lighting system (if applicable) Yes No
- Building Control certificate (if applicable) Yes No
- A copy of a current Fire Risk Assessment for the property under the Regulatory Reform (Fire Safety) Order 2005 Yes No

The Council may require you to submit, or you may wish to submit, other documents, for example, copies of planning permissions, tenancy/licence agreements, certified accounts (or summaries), recent portable electrical equipment tests in support of your application.

Please send the application form, and copies of any necessary documentation to;

London Borough of Sutton, Regulatory Services, Civic Offices, St Nicolas Way, Sutton. SM1 1EA

Before submitting the application for a licence for a House in Multiple Occupations (HMO) please read the following guidance notes.

Part 1 – Applicant Details

These are the details of the person who is dealing with the application, and to whom correspondence and the invoice for the licence will be sent.

Part 2 – Proposed Licence Holder Details

These are the details of the person in whose name the licence will be held if granted.

Part 3 – Manager Details

These are the details of the person or company who has responsibility for the day to management of the property such as letting vacant units, organising cleaning or repairs.

Part 4 – Ownership Details

- 4.1 The details of the freeholder(s)
- 4.2 The details of the mortgagee, including roll number, if applicable.
- 4.3 Details of the leaseholder(s), if applicable.
- 4.4 Details of the person who collects the rent.
- 4.5 Details of the person who receives the rent.
- 4.6 Any other interested person who may be bound by conditions on the licence.

Part 5 – Occupier Information

- 5.1 All the occupants must be counted, including people living at the property but not necessarily included on a tenancy agreement, and children of any age.
- 5.2 A household may be any of the following: a family, including foster children and current domestic employees. The definition includes parents, grand-parents, children, grandchildren, siblings, uncles, aunts, nephews and nieces. A single person and a co-habiting couple (whether single or opposite sex)
- 5.3 A letting may be any of the following: A room, more than one room let to the same tenant(s) (who may share amenities with other tenants or have the use of their own amenities but which are not self-contained), and a self-contained unit

Part 6 – Property Information

General details of the type of property, when it was built or converted. If converted, a relevant Building Control completion certificate must be enclosed with the application. Details must be provided on location and use of each of the rooms and amenities

Part 7 – Amenities

Amenities are cooking, bathing and toilet facilities which may be shared by people or households or available for the exclusive use of people or households

Part 8 – Fire Safety

All HMOs must have adequate fire precautions for detection and giving warning of fire and escape from the building, and some properties are also required to have facilities for fighting fire.

Part 9 – Property Management

Details of the arrangements in place for the management of the property. Standards of management are specified in The Management of HMOs (England) Regulations 2006.

Part 10 – Tenancy Management

Details of how tenancies are managed.

Part 11 – Licence Holder Test of Fitness

The Council must be satisfied that the person applying for HMO licence is a 'fit and proper' person to hold such a licence. The same test applies to any person managing the HMO and any director or partner in a company which owns and manages the HMO. 'Housing' and/or 'Landlord and Tenant'. Law includes, but is not limited to the following:

- Owning or managing a HMO which was subject to Control Order under the Housing Act 1985.
- Being subject to legal action in a Magistrates or Crown Court for breaches of any part of Housing or Landlord/Tenant Legislation,
- Owning or managing a property where a Council have carried out works in default when a notice under the Housing Act 1985 or 2004 has been complied with.
- Owning or managing a property subject to a Management Order under the Housing Act 2004
- Being subject to action, legal or otherwise, taken by a Council in respect of harassment or illegal eviction of tenants.
- Contravention of any relevant Approved Code of Practice (ACoP)
- Being subject to any other proceedings brought by a Council or other Regulatory Body, (e.g. breaches of the Environmental Protection Act 1990, planning control and fire safety requirements).

Part 12 – Calculation of Fees

The fees charged are intended to offset the cost of the Council of administering the scheme. The full fee is payable if the licence has to be re-issued as a result of change of ownership.

Part 13 – Exemption from Licensing

If you believe that the property is not an HMO within the meaning of the Act or that it is but is exempted from the need to be licensed, please apply for a temporary exemption notice (TEN) which will exempt the property from licensing for a period of 3 months, and in exceptional circumstances an additional TEN may be granted for a further three months. However, the Council will only entertain such an application if you provide details of the steps you intend to take with a view to securing the property will longer require to be licensed.

Please note that if your property requires a licence but does not have one, Section 75 of the Act prohibits from serving notices to quit on tenants with assured short hold tenancies unless you have applied for a licence or a TEN.

Part 14 – Notification and Declaration

It is a criminal offence to supply information which is false or misleading for the purpose of obtaining a licence. Evidence of statements made in support of this application may be required at a later date. We may approach other authorities such as police authority, Fire and Rescue Service, Office of Fair Trading etc, and tenants for additional information or verification. Signing the application will be taken as your agreement to any such action. If we subsequently discover something which is relevant and which you should have disclosed, or which has been incorrectly stated, your licence may be cancelled or further action, including legal action, taken against you.

Part 15 – Monitoring and checklist

If you require any further advice or assistance, please contact the Environmental Health Team via email environmentalhealth@sutton.gov.uk