

## Proposed Additional HMO Licence Conditions

*In these conditions, "house" is meant to refer to the building or part of a building, which is licensed as a House in Multiple Occupation under Part 2 of the Housing Act 2004.*

*"Authority" is meant to refer to the local housing authority, namely Salford City Council*

### Housing Act 2004 Prescribed Conditions

1. If gas is supplied to the house, the licence holder shall produce to Salford City Council, upon expiry of the previous gas certificate, a valid gas safety certificate obtained in respect of the house within the last 12 months
2. The licence holder must keep electrical appliances and furniture made available by him in the house in a safe condition; and
  - i) Must supply the authority, on demand, with a declaration by him as to the safety of such appliances and furniture
- 2a The licence holder must ensure that every electrical installation in the house is in proper working order and safe for continued use; and
  - ii) to supply the authority, on demand, with a declaration by him as to the safety of such installations;
3. The licence holder must:
  - i) Ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation; and
  - ii) Keep each such alarm in proper working order; and
  - iii) Supply the authority, on demand, with a declaration by him as to the condition and positioning of such alarms.
4. The licence holder must provide each occupier of the house with a written statement of the conditions of the terms on which they occupy the house. The licence holder shall provide a copy of the said terms to the authority on demand.
- 4a. The licence holder must:
  - i) Ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance;
  - ii) Keep each such alarm in proper working order; and
  - iii) Supply the authority, on demand, with a declaration by him as to the condition and positioning of such alarms.

## **Conditions relating to Property**

5. The Licence Holder must produce to the authority annually for their inspection, a Fire Detection & Alarm System Certificate (in accordance with BS5839) obtained in respect of the house within the last 12 months.
6. The Licence Holder must produce to the authority a periodic electrical survey inspection report for the whole of the electrical installations within the house in accordance with current IEE wiring regulations. Such a report should be provided by a suitably trained, experienced and competent person *i.e.* a NICEIC or ECA member. This must be supplied to the landlord licensing team within the first twelve months of the licence period.
  - (i) The licence holder must ensure, throughout the period of the licence, that the premises are covered by a valid periodic electrical survey inspection report. Where a report expires during the term of the licence, an up-to-date report must be provided to the landlord licensing team within 28 days of the expiry date.
  - (ii) Should any remedial works be recommended on the periodic electrical survey report, the Licence Holder must ensure that such works are completed no later than 12 months following the date of the report and must inform the licensing team upon completion of such works.
7. If accommodation within the house is provided on a furnished basis and includes electrical appliances, the Licence Holder must produce to the authority for their inspection a portable appliance test (PAT) certificate within the first twelve months of the licence period, and yearly after.
8. The Licence Holder will ensure that any furniture supplied in relation to a tenancy or licence is in safe and good condition and maintained or replaced as far as it is the Licence Holder's responsibility throughout the tenancy [under the terms and conditions of the licence or tenancy].
9. The licence holder must ensure that the house is compliant with Salford City Council's approved standards for Houses in Multiple Occupation, which are attached.
10. Where any works are to be carried to the house, the licence holder must ensure the appropriate consent from Building Control at Salford City Council is obtained prior to works commencing.

## **Management Of the Licensed Property**

11. The Licence Holder must provide the occupiers of the house and the occupiers of any adjoining properties, with details of the following:
  - Name of the licence holder or managing agent,
  - A contact address, daytime telephone number
  - An emergency contact telephone number.

This information must be supplied within 28 days of receipt of the licence document and should be clearly displayed in a prominent position within the house. An emergency contact telephone number for the licence holder and/or management agency shall also be available and notified to the authority.

12. The Licence Holder will provide each occupant of the house with copies of user manuals, where available, for any installations or equipment provided as part of the agreement for the occupation of the house.
13. The licence holder shall display at all times it is in force a copy of the licence certificate and licence conditions in a prominent position inside the house where all occupiers will be able to view the said documents.
14. The licence holder shall ensure that occupants of the house receive written confirmation detailing arrangements in place to deal with repair issues and emergencies should they arise.
15. If the let on a furnished basis, the Licence Holder will arrange to undertake a detailed inventory to be agreed with each occupant upon commencement of their occupation of the house and kept on file by the licence holder at their business address. (Draft Inventory forms are available from Salford City Council - <https://www.salford.gov.uk/housing/information-for-landlords/landlord-licensing/how-will-licensing-work/salfords-approach-to-landlord-licensing/> ).
16. The Licence Holder will not discriminate against prospective occupiers of the house on the grounds of race, disability, gender, religion or sexual orientation.
17. The Licence Holder must act lawfully and reasonably in requiring any advanced payments from occupiers; in handling rents; in returning deposits; and in making deductions from deposits. The Licence Holder will provide any occupier/prospective occupier with the following information:
  - The amount of rent payable;
  - The details of any deposit required;
  - Details of what the deposit covers and arrangements for return;
  - The frequency of such payments;
  - The details of any utilities or other charges included in the rent;
  - The responsibility for payment of Council Tax;
  - The responsibility for payment of utilities and arranging provision of such.
18. The Licence Holder and/or his manager must ensure that the property is inspected at regular intervals, of at least once every 12 months, to ensure that the conditions of the tenancy agreement are being adhered to. Should the Licence Holder receive a complaint about the property or tenancy, the Licence Holder and/or his manager must ensure that the property is inspected to investigate such complaint. For example, if a complaint was made with regards to the accumulation of rubbish in the garden of the property, or in the event that payments of two months' rent are missed, a visit must be made to the property to ensure that the property is secure, tidy and has not been abandoned.

19. The Licence Holder and his managing agent must inform the licensing team of the authority within ten working days of any changes in their circumstances as follows;
- a. Details of any unspent<sup>1</sup> convictions not previously disclosed to the Local Authority, that may be relevant to the licence holder and/or the property manager and their fit and proper person status and In particular any such conviction in respect of any offence involving fraud or dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
  - b. Details of any finding by a court or tribunal against the licence holder and /or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business
  - c. Details of any contravention on the part of the licence holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her
  - d. Information about any property the licence holder or manager owns or manages or has owned or managed which has been the subject of:
    - A control order under section 379 of the Housing Act 1985 in the five years preceding the date of the application; or
    - Any appropriate enforcement action described in section 5(2) of the Act
  - e. Information about any property the proposed licence holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the licence holder breaching the conditions of his/her licence
  - f. Information about any property the proposed licence holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004;
  - g. Change in managing agent or the instruction of a managing agent;
  - h. Change of address to Licence Holder or Landlord
  - i. The undertaking of any substantial works to the property including conversions and modernisations;
20. The Licence Holder must complete and return any correspondence from the Housing Crime Reduction Team regarding the closure of rear alleyways using gating in the vicinity of the house. Such correspondence must be returned as requested in the correspondence supplied.
21. Where there are alley-gates installed to the rear of the licensed property, the Licence Holder must:
- Take responsibility for holding a key for any alley-gates which are in place or which are installed;

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<sup>1</sup> The Rehabilitation of Offenders Act 1974 enables some criminal convictions to become 'spent', or ignored, after a 'rehabilitation period'. A rehabilitation period is a set length of time from the date of conviction. After this period, with certain exceptions, an ex-offender is not normally obliged to mention the conviction when applying for a job or obtaining insurance, or when involved in criminal or civil proceedings.

- and at the time of letting, provide all new tenants with details of Salford City Council's, Housing Crime Reduction Team (0161 604 7719) along with instructions on how to obtain a key.
  - Ensure that all new tenants are advised of the need to keep the alley gates locked.
22. The licence holder must ensure that any persons involved with the management of the house are to the best of their knowledge "fit and proper persons" for the purposes of the Act.
23. The Licence Holder is required to demand references from persons who wish to occupy the house and shall supply evidence of these to the Local Authority on demand.

### **Security**

24. Where window locks are fitted, the Licence Holder will ensure that keys are provided to the relevant occupant.
25. Where a burglar alarm is fitted to the house, the Licence Holder will inform the occupant in writing as to how the code may be changed and in what circumstances they are allowed to do so.
26. Where previous occupants have not surrendered keys, the licence holder will arrange for a lock change to be undertaken, prior to new occupants moving in.

### **Anti Social Behaviour**

27. The Licence Holder must take all reasonable and all practicable steps for preventing and dealing effectively with anti social behaviour. The Licence Holder and/or his manager are required to undertake an incremental process of investigation of any complaints, which have been made either directly to them, or via the Local Authority, regarding their occupiers. For the purposes of these conditions, anti-social behaviour is taken to comprise behaviour by the occupants of the house and/or their visitors, which causes a nuisance or annoyance to other occupants of the house, to lawful visitors to the house or to persons residing in or lawfully visiting the locality of the house.
28. The Licence Holder will ensure that the occupants of the house are aware of the services available to them and how they can report nuisance and anti social behaviour to the authority.
29. The Licence Holder and/or their nominated agent must have the facilities to receive and respond to initial complaints about their occupiers' behaviour.

## **Occupation**

30. The licence holder must ensure that only bedrooms are to be used to sleep in. No persons shall sleep within any common areas including shared lounges.

<b>Room</b>	<b>Use</b>	<b>Maximum number of occupants</b>
Kitchen	Kitchen	n/a
Lounge	Lounge	n/a
Bedroom 1 (ground floor rear)	Sleeping accommodation	1 adult
Bedroom 2 ( 1 <sup>st</sup> floor front)	Sleeping accommodation	2 adult

31. The number of persons residing at the house shall not exceed the maximum number stated on the licence.
32. The use and level of occupancy of each unit of accommodation shall not be changed without the prior written approval of the authority.
33. The minimum sleeping room sizes are:
- 6.51m<sup>2</sup> for one person over 10 years of age
  - 10.22m<sup>2</sup> for two persons over 10 years of age
  - 4.64m<sup>2</sup> for one child under the age of 10 years
34. Any room less than 4.64m<sup>2</sup> may not be used as sleeping accommodation.
35. The Licence Holder must notify Salford City Council of any room in the HMO with a floor area of less than 4.64m<sup>2</sup>.

## **Environmental Management/Amenity of the Neighbourhood**

36. The licence holder shall ensure that the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.
37. The licence holder must ensure that all outbuildings, yards, forecourts and gardens surrounding the house are maintained, in repair and kept in a clean, tidy and safe condition and free from infestations.
38. The licence holder shall ensure that suitable and adequate provision for refuse storage and collection is made at the house and that the Council's arrangements for refuse collection including recycling are adhered to. This shall include the provision of closable bins of suitable capacity as specified by the Council. Arrangements shall be made immediately for the proper collection and disposal of any rubbish additional to that within the bins and such rubbish shall be stored within the curtilage of the property at the rear if feasible. The licence holder shall ensure

- that all refuse containers are returned within the curtilage of the property on the same day that they are emptied by the Council.
39. The Licence Holder shall provide tenants with information regarding waste and recycling services including collection dates and how to present their waste for collection, including the requirement to return the refuse containers to the property on the same day they are emptied by the council. This information can be found on the Councils website <https://www.salford.gov.uk/bins-and-recycling/bin-collection-days/>. Where a notice is served against the property, the landlord shall ensure a copy is provided to each tenant at the start of their tenancy agreement.
40. The Licence Holder shall ensure that a full set of bins is available for new tenants before they move in:-
- i) black bin: general waste
  - ii) blue bin: pulpable waste(i.e. paper & cardboard)
  - iii) brown bin: co-mingle waste(i.e. tin cans, glass & plastic bottles)
  - iv) pink lidded bin or kerbside caddy: bio waste(i.e. food & garden waste)
41. The Licence Holder shall ensure all bins are empty before new tenants moves in.
42. The Licence Holder shall ensure all items cleared from properties before new tenants moves in are disposed of properly.
43. The Licence Holder shall inform tenants of how to dispose of 'bulky waste' including details the Councils service, which can be found here <https://www.salford.gov.uk/bins-and-recycling/get-rid-of-a-large-unwanted-item-bulky-waste/> .
44. The Licence Holder shall inform their tenants that Salford City Council *currently* has a charge of £26.20 to provide new domestic waste bins; however, recycling bins are provided free of charge; however, recycling bins are provided free of charge. *It would be advisable that a refundable deposit is taken by the Licence Holder to ensure that a replacement can be provided if lost or stolen by the tenant.*

End of standard conditions

### **Extra Conditions**