

HMO Licence Conditions

The licence holder must comply with these conditions.

Permitted Occupation

1. A resident must not be permitted to occupy the house or any part of the house if that occupation:
 - a. exceeds the maximum permitted number of persons or households for the house as detailed in the schedule of permitted occupation below.
 - b. exceeds the maximum permitted number of persons for any letting as detailed in the schedule of permitted occupation below.

Occupancy and Maximum Permitted Persons per Letting

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Letting	Location	Area (sq m)	Max permitted per room
Bedroom 1	front room	24.6	2 persons
Bedroom 2	rear room	9.15	1 person
Total maximum permitted number of persons for the house:			3
Total maximum permitted number of households:			2
There is a bathroom located on:			rear
There is a kitchen			8.5 m ²

2. No persons will share a bedroom unless they are living as part of a household, in accordance with the table below.

Age and sex of household member	Number of bedrooms
An adult couple * Children under the age of 2 are permitted to share a room with the parent(s)	1 bedroom
2 persons of the same sex aged 10 and above	1 bedroom
1 or 2 children under 10yrs (not necessary of same sex)	1 bedroom

Gas

3. If gas is supplied to the house, produce to the Property Licensing Team annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.

Electrical

4. Ensure that every electrical installation in the house is in proper working order and safe for continued use; and
 - a. supply the Authority, on demand, with a declaration by him as to the safety of such installations.
 - b. supply the Property Licensing Team, on demand, a copy of a valid and satisfactory Electrical installation condition report (EICR) obtained in respect of the house.

Fire Safety

5. You must comply with the requirements of the Property Licensing Standards document.
6. 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, (including a bathroom or a lavatory) and
 - a. keep each such alarm(s) in proper working order;
 - b. supply the Property Licensing Team, on demand, with a declaration as to the condition and positioning of such alarms.
7. Keep electrical appliances and furniture made available in the house in a safe condition.
 - a. Supply to the Property Licensing Team, on demand, with a declaration as to the safety of such appliances and furniture
8. Produce on demand to the Property Licensing Team a declaration confirming the fire detection system is tested on an annual basis and at the start of every tenancy. The fire detection system should be maintained in accordance with manufacturer's instructions.

Carbon Monoxide

9. Ensure that a carbon monoxide alarm is installed in any room in the house (including a hall or landing) which is used wholly or partly as living accommodation (including a bathroom or a lavatory, hall, or landing) and contains a fixed combustion appliance, other than a gas cooker;
 - a. keep any such alarm in proper working order.
 - b. supply the Property Licensing Team, on demand, with a declaration by him as to the condition and positioning of any such alarm.

- c. Ensure all carbon monoxide alarms are installed in line with manufacturer instructions.

Space Standards

10. You must comply with the requirements of the Property Licensing Standards Document.
11. Ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square meters.
12. Ensure that the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square meters.
13. Ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square meters.
14. Ensure that any room in the HMO with a floor area of less than 4.64 square meters is not used as sleeping accommodation.
15. Where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence.
16. Where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence.
17. Where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified.
18. Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 meters is not to be taken into account in determining the floor area of that room for the purposes of this paragraph.
19. The licence holder will be required to rectify any breach within a specified period if:
 - a. any of the conditions imposed pursuant to conditions 10-17 have been breached in relation to the HMO.
 - b. the licence holder has not knowingly permitted the breach, and
 - c. the Property Licensing Team have notified the licence holder of the breach. The specified period means the period, of not more than 18 months beginning with the date of the notification, which is specified in the notification.
20. The licence holder must notify the Property Licensing Team of any room in the HMO with a floor area of less than 4.64 square meters.

21. Ensure that the floor area of the kitchen is compliant with the requirements of the Property Licensing Standards Document.

Bathing Facilities

22. You must comply with the requirements of the Property Licensing Standards Document.

Kitchen Facilities

23. You must comply with the requirements of the Property Licensing Standards Document.

Waste Provision

24. Ensure that there:
 - a. are suitable refuse storage facilities provided.
 - b. is adequate capacity is provided for the number of occupants.
25. Give written information to the tenants on arrangements for the storage and disposal of waste to include specific detail about bins, collection days and information about the disposal of bulky items such as furniture.
 - a. Supply the Property Licensing Team, on demand, a copy of the information provided to tenants, and confirmation of how and when such information was provided.
26. No refuse shall be kept in the front, side or rear garden or yard other than in an appropriate storage container for that purpose.
27. Licence holders must respond reasonably and effectively if there are complaints concerning accumulations of waste and refuse at the property.
28. Any waste must be removed lawfully and collected by a registered waste carrier with the appropriate permit.
29. All bins must be kept within the boundary walls of the property and placed out on the day of collection. The bins must be returned to the property once they have been emptied. Licence Holders must work with the tenant to ensure bins are not left outside of the curtilage of the property longer than necessary.

Property Management

30. The Licence Holder must reside in the United Kingdom for the duration of the licence. If there is any change, they must inform the Property Licensing Team within 14 days of change of address.
31. Ensure that inspections of the property are carried out at least every 6 months to identify any problems relating to the condition and management of the property. This includes detailing record of any damp and mould within the property.

- a. The written records of such inspections must include details of who did the inspection, the date, any issues raised, and signed by the tenant.
 - b. The written inspection must be kept for a period of 12 months after the expiry of the licence. Written inspection records must be supplied on demand to the Property Licensing team.
 - c. In the event a payment of rent is missed, a visit must be made to the property no later than one month from the date the payment was due, to ensure that the property is secure and has not been abandoned.
32. Ensure that any complaint made in writing about disrepair or pest infestation is actioned and any necessary works carried out.
33. As far as is reasonably practicable, emergency works required to protect the security of the property must be carried out within 24 hours.
34. Ensure that all repairs to the house or any installations, facilities, or equipment within it are completed to a reasonable standard by competent and reputable persons.
35. The property must have an Energy Performance Certificate with a minimum rating of E. If a rating of E or above is not possible, a valid exemption must be registered.
36. Provided a copy of the Energy Performance Certificate to the Property Licensing Team upon demand.
37. Ensure:
- a. the exterior of the house is maintained in a reasonable decorative order and in repair.
 - b. 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.
 - c. licence holders must respond reasonably and effectively if there are complaints concerning accumulations of waste and refuse at the property.
38. Ensure that the Property Licensing Team is informed in writing, within 14 days of the following changes:
- a. any change in ownership or management of the property.
 - b. any change in the licence holder or management contact details.
 - c. any proposed change to the construction, layout or amenity provision of the house that would affect the licence or the licence conditions.
39. Ensure that all monies in respect of the licence fee are paid to the Council within 28 days of a licence being issued.

Tenancy Management

40. Supply all occupants of the property with a written statement of the terms under which they occupy it.
41. Ensure tenants are provided with:

- a. a copy of the licence and conditions.
 - b. written information about arrangements in place to deal with repair issues and emergencies should they arise, including name of the licence holder or managing agent with contact details (include an emergency contact telephone number) and the expected timescales for a response.
 - c. copies of manuals/instructions for installations and equipment provided including any burglar alarm.
 - d. copies of the gas and electrical safety certificates and the EPC Energy Performance Certificate.
42. Obtain references from persons who wish to occupy the house before entering any tenancy, licence, or other agreement. The reference must be kept for the duration of the licence.
- a. Supply the Property Licensing Team, on demand, a copy of any such references.
43. Ensure that the tenants' right to quiet enjoyment of the property is respected. If entry is required to the property, the tenant should receive at least 24 hours' notice in writing explaining why the entry is required.
- a. Supply the Property Licensing Team, on demand, a copy of any such written notice.
44. The licence holder must protect any deposit taken under an assured shorthold tenancy by placing it in a statutory tenancy deposit scheme. The tenant must be given prescribed information about the scheme being used at a time when the deposit is taken.
45. Upon demand, provide the Property Licensing Team with a written management statement explaining how you or your managing agent respond to issues of disrepair, including timescales, emergency contact details and waste provisions in place for the property.
46. At the start of any new tenancy the licence holder must ensure there is no refuse or waste left inside the property or within the curtilage.
47. The exterior of the property and all boundary wall fences and gates must be kept free of vandalism and or graffiti.

Managing anti-social behaviour (ASB)

48. Provide the Property Licensing Team upon demand a written statement explaining how you or your managing agent respond to issues of anti-social behaviour.
49. Take all reasonable and practicable steps for preventing and dealing effectively with anti-social behaviour.
50. Tenancy agreements should contain
- a. a clause holding the occupants responsible for any anti-social behaviour by themselves and/or their visitors.

- b. a clause specifying who is responsible for maintaining the gardens and other external areas with the curtilage of the property.
51. The Licence Holder is 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.
 52. Copies of warning letters sent and/or notices of seeking possession served on the tenants of the property for breaching tenancy agreements and causing anti-social behaviour should be kept for the duration of the licence and supplied to the Property Licensing team on demand.
 53. If the licence holder has reason to believe that the anti-social behaviour involves criminal behaviour, they shall ensure the appropriate authorities are informed in writing and copies supplied on demand.
 54. Where the licence holder is specifically invited, they should attend any case conferences or multi-agency meetings arranged with the Council or the Police.
 55. The Licence Holder must ensure that within 28 working days of the property becoming vacant the Property Licensing Team is notified. He/she must ensure that all reasonable measures are taken to ensure that the property and curtilage are kept secure from unauthorised entry during periods when the property is unoccupied.

Fit and proper persons licence holders and managing agents.

56. The Licence Holder must inform the Property Licensing Team in writing within 7 days of any changes in their circumstances as follows:
 - a. details of any unspent convictions not previously disclosed to the Property Licensing Team 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 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.

- e. information about any property the 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.

Training

57. The Licence Holder must improve and maintain their knowledge and competency by keeping up to date with current housing issues and regulation to enable the effective management of their property and tenants. Licence holders must complete at least five hours professional development per year. Evidence of this must be provided to the Property Licensing Team upon request and could include attendance at:

- a. Landlord Forums when attendance is taken.
- b. Landlord Association meetings
- c. Certified On-line or in person training courses in relation to housing matters

Optional conditions for accreditation

1. The property must fulfil the accreditation standard for the full duration of the licence. Failure to do so will result in payment of the full licence fee, minus any payments already received, becoming due within 28 days.

Notes

"Authority" refers to the local housing authority, namely Newcastle City Council. All records referred to in the conditions must be provided to the Property Licensing Team on demand in the specified time.

The Property Licensing Standards Document can be found at www.propertylicensing@newcastle.gov.uk