

**HOUSING ACT 2004**

**DRAFT LICENCE TO OPERATE A HOUSE IN  
MULTIPLE OCCUPATION**

I hereby certify that the House in Multiple Occupation situated at

is proposed to be licensed with Thurrock Council for a period of five years from the date the licence is issued

The licence holder will be

The manager will be

The maximum number of households permitted to occupy the property will be

The maximum number of occupants permitted to occupy the property will be

The Public Register is available for public inspection at Thurrock Council, Private Sector Housing and Adaptation Team, Civic Offices, New Road, Grays, Thurrock, Essex RM17 6SL

Licence number

Dated

Signed

## **Proposed Licence Conditions**

### **Mandatory Licence Conditions as specified in Schedule 4 of Housing Act 2004-**

- The licence holder must, if gas is supplied to the property, submit to Thurrock Council annually for inspection a Landlord's Gas Safety Record as produced by a Gas Safe registered engineer within the last 12 months.
- The licence holder must keep electrical appliances and furniture made available by him in the property in safe condition and supply Thurrock Council, on demand, with a declaration by him as to the safety of such appliances and furniture.
- The licence holder must keep all fire alarm systems installed in the property in proper working order and supply Thurrock Council, on demand, with a declaration by him as to the condition and positioning of such systems.
- The licence holder must supply to the occupiers of the property a written statement of the terms on which they occupy it.
- The licence holder must supply to the occupiers use of receptacles complying with for the storage of waste and make arrangements for the disposal of domestic waste generated from the HMO

DRAFT

**ADDRESS OF PROPERTY**

**SCHEDULE 1 – SCHEDULE OF LICENCE CONDITIONS**

(Housing Act 2004, Section 67)

**1. Numbers of persons permitted to occupy**

- 1.1 The licence holder must not let the property or parts of the property to numbers of households and/or persons exceeding the maximum numbers specified in the licence.
- 1.2 Where the numbers are in excess of the permitted levels at the time of the granting of the licence, the licence holder must take the appropriate **legal** steps to reduce the numbers at the earliest opportunity.
- 1.3 Where a tenant (or tenants) allows someone to move into their accommodation so that the permitted number for that accommodation is exceeded, the licence holder must again take the appropriate **legal** steps to reduce the numbers at the earliest opportunity.

**2. Changes to the licensed property or licence holder**

- 2.1 The licence holder must notify the Council of any material change of circumstances or of any intended alterations or changes in the use or occupancy of any room which may affect the contents of the licence, the conditions attached to the licence, or the operation of the property. *[N.B. It is not necessary to notify the Council of changes in occupancy **unless** the maximum numbers of households or persons are exceeded].*

**3. Requirement for works to be carried out**

- 3.1 The licence holder must carry out the works in the attached schedule within the specified time period(s).

**4. Letting arrangements**

- 4.1 The licence holder must check that the tenant can legally rent the property before the start of their tenancy/letting a room. For more guidance visit [www.gov.uk/check-tenant-right-to-rent-documents](http://www.gov.uk/check-tenant-right-to-rent-documents)
- 4.2 The licence holder must ensure that the tenants are provided with written statements of the terms of their occupation at the commencement of their tenancies.
- 4.3 Where the rent is payable weekly, the licence holder must **either** ensure that payments are recorded in a rent book to be kept by the tenant **or** ensure that a written receipt of each rental payment is issued to the tenants.
- 4.4 The licence holder must respect the legal rights of the tenants in relation to their occupation of the property and protect their deposits in a secure deposit scheme. Proper regard is to be given to these rights when, for example, terminating tenancy agreements, undertaking inspections of tenants' rooms, imposing rent increases, and reimbursing rent deposits.

- 4.5 The licence holder must provide each tenant with a tenancy agreement that contains their obligations of what is and isn't acceptable behaviour living in their home and the landlord responsibility for dealing with such cases.

**5. Managing anti-social behaviour**

- 5.1 The licence holder must ensure that any anti-social behaviour by tenants or their visitors is dealt with appropriately and effectively.
- 5.2 In this regard, complaints of noise or other anti-social behaviour must be properly investigated, whether these complaints are made by other tenants of the property or by residents of neighbouring properties.
- 5.3 Where complaints are found to be justified, the licence holder must ensure that all reasonable steps are taken to resolve the problems.**

**6. Security**

- 6.1 The licence holder must ensure that there are sufficient measures in the property to provide a secure environment for the occupiers.
- 6.2 The licence holder must ensure that house and room keys are returned when rooms are vacated. Where keys are not returned the licence holder must ensure that locks or lock barrels are changed.
- 6.3 The licence holder should seek the advice of the local police station's crime prevention officer on measures to improve the security of the property (including lettings and communal areas).

**7. Condition of furniture and electrical appliances**

- 7.1 The licence holder must ensure that all furniture and any portable electrical appliances provided are kept in a safe condition.
- 7.2 The licence holder must ensure that any upholstered furniture provided, whether new or second-hand, complies with the Furniture and Furnishings (Fire) (Safety) Regulations 1988, as amended.
- 7.3 If requested by the Council, the licence holder will be required to supply a declaration as to the safety of electrical appliances and furniture.

**8. Management**

- 8.1 The licence holder must deal with any complaints from tenants or the local authority on disrepair or pest infestation in the property within 7 days
- 8.2 The licence holder must ensure that means of escape and fire precautions are maintained, and that electricity supplies to automatic fire detection and emergency lighting systems are not disconnected or threatened with disconnection due to non-payment of monies owed to the relevant statutory undertaker.
- 8.3 The licence holder must provide to the Council copies of annual inspection and

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test certificates for Grade A automatic fire detection systems or confirmation annually that a Grade D system has been tested and is operating correctly, and annual test certificates for emergency lighting systems, where provided.

- 8.4 The licence holder must ensure that gas or electricity supplies to common parts or shared amenities are on landlord's supplies via quarterly credit meters and that they are not disconnected or threatened with disconnection due to non-payment of monies owed to the relevant statutory undertaker.
- 8.5 Where rents are inclusive of gas or electricity the licence holder must ensure that gas or electricity supplies to units of accommodation are not disconnected or threatened with disconnection due to non-payment of monies owed to the relevant statutory undertaker.
- 8.6 The licence holder must ensure that any remedial works identified following inspections of gas and electrical installations and appliances are carried out within a reasonable time period.
- 8.7 The licence holder must provide to the Council copies of annual gas safety inspection certificates.
- 8.8 In addition to the above management items, the licence holder must ensure that the manager of the property, be that the licence holder or some other person, complies with the requirements of regulations 3 to 9 of The Management of Houses in Multiple Occupation (England) Regulations 2006:-

### Duty of manager to provide information to occupier

The manager must provide the occupiers with details of his/her name, address and contact telephone number and must display such details in a prominent position within the HMO.

### Duty of manager to take safety measures

The manager must ensure that the property has a safe design and construction.

The manager must ensure that any means of escape from fire are maintained and kept free from obstructions, that all fire precautions are maintained, and that any fire notices are clearly visible.

### Duty of manager to maintain water supply and drainage

The manager must maintain the water supply and drainage system to the property.

The manager must ensure that there is no unreasonable interruption to the water supply or drainage.

### Duty of manager to supply and maintain gas and electricity

If requested at any time by the Council, the manager must supply, within 7 days, the latest gas safety inspection certificate for the property as carried out by a recognised engineer.

The manager must ensure that the property's electrical installation is inspected and tested at least every five years, and that, if requested, the latest inspection certificate is supplied to the Council within 7 days.

The manager must also ensure that there is no unreasonable interruption to the gas or electricity supplies used by any occupier.

Duty of manager to maintain common parts, fixtures, fittings and appliances

The manager must ensure that all common parts, fixtures, fittings and appliances are well-maintained.

The manager must also ensure that outbuildings, yards, gardens, and boundary walls, fences and railings are well-maintained and safe.

Duty of manager to maintain living accommodation

The manager must ensure that units of accommodation and any furniture supplied are clean and in good repair at the commencement of a tenancy, and that any fixtures, fittings or appliances within the letting are clean and in good working order.

Duty to supply waste disposal facilities

The manager must ensure that a sufficient number of rubbish bins are provided for the occupiers, and that, where necessary, arrangements are made for the disposal of refuse and litter.

**N.B.** If you require full details of the Regulations you can obtain a copy from Stationery Office Ltd or on-line at:

<http://www.legislation.gov.uk/ukxi/2006/372/contents/made>

**9. Table of Occupancy**

Room Number	Room Position	Room Size	Number of Persons

The total number of persons who can occupy the property is .....

The total number of households who can occupy the property is.....

Add/remove as appropriate....

The maximum number is restricted by the number of kitchen/bathrooms available

Room ..... is suitable for 1 person this this instance because there is access to a living room/garage/storage cupboard/dining room/garden

**ADDRESS OF PROPERTY**

**SCHEDULE 2- SCHEDULE OF WORKS**

(Housing Act 2004, Section 67)

DRAFT

**Floor Plan**

DRAFT LICENCE