

Housing Act 2004, Part 2

Licensing of Houses in Multiple Occupation (HMOs)

Guidance Notes – New and full applications

Where a property is occupied by 5 or more individuals, forming 2 or more households an HMO licence is usually required.

These guidance notes will guide you through the application form for applications for new and full HMO licences, for applications for renewal licences please use the renewal guidance.

The Full application form should be used for applications for new licences only, where applying for a renewal application the renewal form should be used.

Please follow this guide when completing your application, applications will only be processed where all information, including enclosures, are present and where the correct payment has been made.

Please note – when applying for HMO licences you should make the council's planning team aware, as planning restrictions may apply.

Front Page – Property and License Information

Address of property: Please include the full address of the property, including the post code of the property that you wish to licence.

Number of persons the property is to be licenced for: This is the total amount of persons that you require the property to be licenced for. This number may be revised following inspection.

Date at which the property became licensable: This should be the date at which 5 or more people, forming 2 or more households began residing at the property. Where this date is in the past the licence will be back dated. If the property isn't currently at this occupancy level, please state the date at which it will be.

Type of property to which the application applies – Please see the supporting information on <https://www.sheffield.gov.uk/home/housing/licensing-houses-in-multiple-occupation> for further information on types of HMO.



Part 1 – Details of Interested Parties

1. **The Applicant** – The applicant is the person applying for the licence. This does not have to be the Proposed Licence Holder or Manager. The applicant needs to have access to the relevant documents that will need to be provided as part of the application.

Where the applicant is also the existing or proposed Licence Holder or Manager they should confirm this by marking yes or no in the relevant boxes.

Where the applicant is also the person in control of the HMO they should confirm this by marking yes or no. The person in control is usually the person receiving and in control of the rack rent.

Where the applicant is also the freeholder or leaseholder they should confirm this by marking yes or no.
2. **The Proposed Licence Holder** – Where the Proposed Licence Holder is not the applicant, the details should be entered in this section.

Please note – Where the Proposed Licence Holder is a limited company, it is preferential for the licence to be held in the company name rather than an individual within the company. This allows for staff changes to be made within the company without the need for changes to be made to the licence. Where a licence holder changes (including a named individual) a new licence will be required and this will incur costs.
3. **The Proposed Manager** – Where the Proposed Manager is not the applicant or Proposed Licence Holder the details should be entered in this section

Please note – Where the Proposed Manager is a limited company, it is preferential for the company name to be used on the licence rather than an individual within the company. This allows for staff changes to be made within the company without the need for changes to be made to the licence. In the event of ‘a change of manager’, the licence will need to be varied
4. **Additional Licence Holder or Manager** – Where there are additional proposed Licence Holders or Managers, this section should be completed to provide their information. Mark the correct box to show their involvement.
5. **Mortgagee(s) of the property** – As an interested party we are required to notify Mortgagees that an application has been made to licence an HMO. Information about mortgagees should be provided in this section.

Please note – The applicant also has a duty to notify the Mortgagee of the application (see section 10- of the application form)

6.	<p><u>Freeholder of the HMO</u> - As an interested party we are required to notify Freeholders that an application has been made to licence an HMO. Information about mortgagees should be provided in this section. Where any of the interested parties named above are the freeholder then this section can be left blank</p> <p><i>Please note</i> – The applicant also has a duty to notify the Freeholder of the application (see section 10- of the application form)</p>
7.	<p><u>Leaseholder of the HMO</u> - As an interested party we are required to notify Leaseholders that an application has been made to licence an HMO. Information about Leaseholders should be provided in this section. Where any of the interested parties named above are the Leaseholders then this section can be left blank</p> <p><i>Please note</i> – The applicant also has a duty to notify the Leaseholder of the application (see section 10- of the application form)</p>
8.	<p><u>Persons to Be Bound By The Licence Conditions</u> – You are only required to complete this section if you have previously been informed to do so by Private Housing Standards. It is only relevant where specific conditions apply to licensing for which the applicant will already be aware. If this doesn't apply then leave this section blank.</p>
9.	<p><u>Suitable Management Arrangements</u> – In order to issue an HMO licence, the council need to be happy that suitable management arrangements are in place to deal with any issues raised at the property. Where the Licence Holder is more than 2 hours from the property, and they do not have a local manager in place, the questions in this section should be answered.</p> <p><i>Please note</i> - There is no requirement to answer these questions where the Licence Holder is within 2 hours of the property, or where there is a Manager in place.</p>
10.	<p><u>Persons to be informed of the application</u> – The applicant should complete this section and declaration. All parties named in sections 2 to 8 of the application should be made aware of the application. Information about how interested parties should be notified can be found within this section.</p>
11-14.	<p><u>Fit and Proper Person Information</u> – Before issuing the HMO licence the council have an obligation to carry out tests to ensure that the Proposed Licence Holder and Proposed Manager are Fit and Proper. Sections 11 – 14 are designed to capture information relating to the test.</p> <p>It is s- a requirement that the sections are completed by the Proposed Licence Holder and Manager (where not also the applicant) In the case of a limited company they should be completed at director level</p>
15.	<p>The applicant should provide addresses for any other licences held by the licence holder. This applies to HMO and Selective Licensing addresses</p>

Part 2 – Property Information

Part 2 of the form is designed to gather information about the property that is to be licenced.

As this section is property specific it is not possible to offer guidance as to how it should be completed. If you do have any queries relating to any specific areas of this section of the form, please contact Private Housing Standards directly on 0114 273 4680 or via hmo@sheffield.gov.uk

Enclosures

To constitute a valid application, it is a requirement that you provide up to date copies (where applicable) of the certificates listed below. Where the certificates are not provided, and the council has to request them you may be liable to additional charges.

Please note – where it is not possible to supply a certificate with the application you should contact Private Housing Standards on 0114 2734680 or hmo@sheffield.gov.uk to discuss the matter.

Gas Safety Certificate – Where the property has a gas supply an up-to-date gas safety certificate should be supplied, the assessment needs to have been made by a registered Gas Safe engineer. The certificate should show each gas appliance and needs to have passed inspection.

Electrical Safety Certificate – Required for all HMO properties. The assessment needs to be the full condition report, be in date and have been made by a qualified electrician. Where there are C1 and C2 faults, or the assessment is unsatisfactory, we will require evidence that the faults have since been rectified.

Emergency Lighting Certificate – Required for all HMO properties.

Grade A Alarm System – Where a grade A alarm system (Panel System) is in operation, up to date certification is required.

Certification of completion of HMO training – It is a condition of the licence that all Licence Holders and Managers attend an approved training course, within 1 year of issue of the licence. This condition is also met if training has been completed within the 5 years prior to the issuing of the licence. Where training has already been undertaken, a copy of the completion certificate should be provided.

Floor Plan – An up-to-date floor plan should be provided with the application. Part 2 section 24 of the application form shows the requirements for the plan.

Payment Receipt – Where payment has been made over the phone or via the council website, a copy of the receipt should be provided. Further information about fees and ways of paying can be found at <https://www.sheffield.gov.uk/home/housing/licensing-houses-in-multiple-occupation>

Consent and Declaration Pages

Electronic Licensing Consent Form – Where possible we will aim to issue licences electronically. In order to do this, we require consent from the individuals who will be receiving the information.

This section should be completed and signed by the intended recipient (where not also the applicant) In order to supply the information electronically an email address at which the documents are to be served should be supplied.

Declarations – The declarations section should be completed by anyone named in sections 1 to 4 of the application form. The applicant shouldn't sign on behalf of any other persons.

Licensing Process

Once in receipt of your application and all relevant certificates Private Housing Standards will carry out a several checks to verify the application, this may include land registry searches to ascertain that no interested parties have been omitted from the application. Where information is missing, we will contact the applicant for further information.

Once everything is received the application will go through the Fit and Proper test which usually takes 14 days. Once complete the application is deemed to be valid and can move on to the inspection stage.

A Housing Officer will contact you to arrange a mutually convenient appointment to inspect the property. The inspection will assess the suitability of the property for the intended number of occupants, and licence conditions will be drawn up based on the findings. In some circumstance's issues may be encountered that require action outside of licensing.

Following the inspection all interested parties will receive a draft copy of the licence. A 21-day consultation period will then commence allowing representations to be made to the issuing of the licence, if no representations are received the licence will come in to force on day 21 and you will receive a copy if the final licence.

The licence will run for 5 years from the date that the property became licensable.

We aim to complete the process within 45 working days of the application being deemed to be valid. Operational constraints and unforeseen circumstances may result in the licence being issued outside of this timeframe.

Please note – the preferred method of application is via email to hmo@sheffield.gov.uk By applying via email you have evidence that the application has been made and that you have fulfilled your statutory obligation.

Applications can also be posted to Private Housing Standard, Moorfoot Building, Sheffield S1 4PL. We recommend sending via recorded delivery

