

## Housing Act 2004, Part 2

### Licensing of Houses in Multiple Occupation (HMOs)

#### Guidance Notes – Renewal applications

These guidance notes will guide you through the application form for Renewal HMO applications. For full and new applications, please refer to the guidance notes for new applications.

**Please note** - In order to qualify as a renewal, you will need to be making this application before the expiry of the existing licence. Applications made after this time will require a full application form and full fee.

Please follow this guide when completing your application, applications will only be processed where the application is received before expiry of the existing licence, where the correct payment is received and where all documents including enclosures are included.

#### **Front Page – Property and License Information**

**Date of expiry of previous licence** – You should provide the date that the existing licence expires. Where applications are received after this date legislation dictates that a renewal licence cannot be applied for and a full licence application and fee will be required.

***Please note*** – we advise that applications are made via email or sent recorded delivery so that you can evidence the date that you made the application.

**Number of occupants** – This will usually be the same as the occupancy level of the existing licence, changes can be made where space standards and amenities are sufficient.

**Address and postcode of the property** – This information should be supplied in full.



## 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 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. ***To qualify as a renewal the Licence Holder must be the same person / company as on the existing licence.***

**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, as 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. **Persons Bound By The Licence Conditions** – 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.

6.	<p><b><u>Person in control of the HMO</u></b> – This is usually the person who receives the rack rent and who is in control of matters such as allowing funds to be used for repairs. Where this is not the licence holder or manager you should provide this information.</p> <p><b><i>Please note</i></b> – It may be that the person in control is the person who is most appropriate to be the licence holder and changes to the application may be required.</p>
7.	<p><b><u>Persons to be informed of the application</u></b> – 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>
8 – 10.	<p><b><u>Fit and Proper Person Information</u></b> – 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 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>
11	<p><b><u>Enclosures</u></b> - 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.</p> <p><b><i>Please note</i></b> – where it is not possible to supply a certificate with the application you should contact Private Housing Standards on 0114 2734680 or <a href="mailto:hmo@sheffield.gov.uk">hmo@sheffield.gov.uk</a> to discuss the matter.</p> <p><b><u>Gas Safety Certificate</u></b> – 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.</p> <p><b><u>Electrical Safety Certificate</u></b> – 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.</p> <p><b><u>Emergency Lighting Certificate</u></b> – Required for all HMO properties.</p>

	<p><b><u>Grade A Alarm System</u></b> – Where a grade A alarm system (Panel System) is in operation, up to date certification is required.</p> <p><b><u>Payment Receipt</u></b> – 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 <a href="https://www.sheffield.gov.uk/home/housing/licensing-houses-in-multiple-occupation">https://www.sheffield.gov.uk/home/housing/licensing-houses-in-multiple-occupation</a></p>
12	<p><b><u>HMO Renewal Declaration</u></b> – In this section you must notify the council of any material changes that have been made to the property since the issue of the existing licence. A material change could be a change to the number of smoke alarms, but could also be the addition of a room.</p> <p><b><i>Please note</i></b> – failure to disclose any changes may result in the application being invalid and could result in you having to apply as a new application at full cost.</p>
<b>Consent and Declaration Pages</b>	
<p><b><u>Electronic Licensing Consent Form</u></b> – Where possible we will aim to issue licences electronically. To do this, we require consent from the individuals who will be receiving the information.</p> <p>This section should be completed and signed by the intended recipients (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.</p> <p><b><i>Please note</i></b> – In circumstances where emails are undeliverable, we will send out paper copies of the documents.</p> <p><b><u>Declarations</u></b> – 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.</p>	

## Licensing Process

Once in receipt of your application and all relevant certification, Private Housing Standards will carry out 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 circumstances 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 of the final licence.

The licence will run for 5 years from the date of expiry of the previous / existing licence.

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](mailto: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 advise sending as recorded delivery.

**Any questions about this application should be directed by email to [hmo@sheffield.gov.uk](mailto:hmo@sheffield.gov.uk) or by telephone to 0114 273 4680.**

