

London, Abbeydale and Chesterfield Road Selective Licensing **Application Form Guidance Notes**

We want to help you to fill this form in correctly and in full. So please read these guidance notes. Forms that aren't filled in correctly will be subject to an increased application fee.

General Information

When applying for a licence you must complete all sections unless otherwise stated.

Where possible, we will acknowledge receipt of your application within 10 working days. Please keep your acknowledgement safe as this is proof that you have applied, and that you have complied with the law.

When you have completed the form, please send it with the proof of first payment (see fee section on page 2) to:

Private Housing Standards
Moorfoot Building
Sheffield
S1 4PL

If you have any further queries or need any further clarification, you can get in touch with us at the above address or by email to selectivelicensing@sheffield.gov.uk or by phone to 0114 2734680.

In the vast majority of cases we will process your application without visiting your property. All properties will be inspected at least once during the licence period.

When we issue your licence, it will have conditions on it. Many of these conditions must be there because it is the law. Other conditions will apply to making sure the property complies with our standards for the selective licensing area.

One of the things the law says we must do, is to consult all relevant parties about the conditions on the licence. You are allowed a period of representation about the licence conditions, during which any concerns can be considered and hopefully resolved. Where agreement cannot be reached the licence will be issued and you will have the opportunity to make an appeal to the First-Tier Tribunal. Your rights of appeal will be detailed with the issue of the licence.

Once we have processed your application we will enter details of your licence on a public register that the Council is obliged by law to keep.

Mandatory Licensing of Houses in Multiple Occupation (HMO)

Some properties need a different type of licence. This is when a property is occupied by 5 or more people, in 2 or more separate households on 3 or more storeys. If you think your property fits into this category, you will need to make an application for an HMO. Let us know and we can send you the application form for it.

Please note, that from 1 October 2018 the definition of a licensable HMO changes. The building no longer needs to be over 3 storeys – and this means that many more properties are subject to licensing. If you are unsure – please check.

A Selective licence is not required if you already have a HMO licence.

Licence Information

A licence is not transferable. Where a property changes ownership the new owner must make a new application for a licence.

There are no refunds for licences that have not expired and the fee will be required from the new applicant.

It is important to tell you that it is a **criminal offence** to make a false statement in an application for a Selective licence.

It is also a criminal offence if you fail to apply for a licence, fail to comply with any licence condition, or to allow the property to be occupied by more people than we state on the licence.

If you are a Licence Holder and wish to change the terms of the licence, for example there is a change in Manager details, you should apply for a variation to the licence. Please let us know if you need to make any changes. It is very important that if you have a change of address or phone number, you tell us within one month of the change occurring.

We must be satisfied that the person applying to the Licence Holder or Manager of a property is a "fit and proper person" to hold a licence. The test is applied to the proposed licence holder or any person managing the premises. Not all convictions are relevant to a person's prospective role as an operator of a property.

Fee

You must pay your fee in two stages. The first payment is required with the application and we will tell you when you must make the second payment after we have processed your application

This payment must be made online or by phone and you will get a confirmation that payment has been successful. **A copy of this confirmation must be included with the application.**

First Payment – The Processing Fee

Application Fee	How we process it
£500.00	Checking all the information, land registry checks, cross checking with IT systems, processing payments, Fit and Proper, certificates, risk assessment for inspection programme, entrance onto training programme, provision of landlord pack

Second Payment – The Inspection and Monitoring Fee

The second payment is the inspection and monitoring fee, this will apply to all applications and the amount will depend on if the application form and been fully and correctly completed and all requested documents must be provided and be valid. The required documents are set out in the application form.

Factors considered include	Level assessed as	Next payment
Accuracy of information supplied, cross checks with IT systems/council tax, property layout, previous inspections/compliance, Fit and Proper checks	Low Risk – Valid Application	Landlord advised that assessed as low risk; Next payment will be £250 . The correspondence will advise when the next payment is due.
	High Risk – Invalid Application	Landlord advised that assessed as High Risk with reasons why (eg. Missing Information, details incorrect) Next payment due will be £500 . The correspondence will advise when the next payment is due.
	Failure to Licence	Landlords advised that highest charge is payable due to failure to apply for licence or providing deliberately false or misleading information) Next/Full payment of £1000 due within 28 days of date of letter

Guidance notes for application form

Front Page

Type of Selective Licence you are applying for

First of all, we need you to think about how your property is let out because it has an impact on the licence conditions.

If you let your property to a family, or a couple for example – we describe that as a '**Single Occupation**' property.

Or is it a **House in Multiple Occupation** (HMO)? We describe it as a HMO if:

- it is a shared house or flat,
- there are at least 3 people living there in 2 separate households
- they share facilities.

Part 1 – Details of Interested Parties

1 - Applicant

There are a variety of people that can make the application. This may be the property owner, the proposed Licence Holder, the proposed property Manager, the person having control of the property or the person managing the property or somebody acting on their behalf who has completed the application for whatever reason. The applicant will need to state clearly what other positions they wish to apply for i.e. Licence Holder; there is no requirement to repeat the information in the below sections if the applicant is declared as that role.

(Person Having Control) - In simple terms this means the person receiving the rent for the property.

2 – Proposed Licence Holder

This is asking for you to tell us who the most appropriate person to be responsible for the property and to hold the licence. This person will ultimately be responsible for the property and be bound the conditions set out in the licence. If the applicant is intended to be the proposed licence holder you do not need to repeat the information.

3 – Proposed Manager

The Licence Holder may choose not have day-to-day responsibility for repairs, maintenance or tenant management of the property. So the person who does have this responsibility is called the Manager. They will also be bound by the conditions set out in the licence. If the applicant is intended to be the proposed Manager you do not need to repeat the information.

4- Additional Licence Holder or Manager

If you would like to have another person as joint Licence Holder/Manager you can fill in the additional person's details here.

5 - Mortgagee

The mortgagee is the company lending money against the security of the premises. If you do not have a mortgage you can ignore this box.

6 - Freeholder

Many properties in Sheffield are leasehold, and ground rent is paid to a freeholder. The freeholder is the person or company with the freehold interest in the property. They are a relevant party to the application so please tell us about them here.

7 – Leaseholder

There may also be a leaseholder, which is a person or company who has a leasehold interest in the property. They are a relevant party to the application so please tell us about them here.

8 – Space for additional parties

This box is where you must tell us about any other people you know of that has an estate or interest in the property, or any other reasons an additional party is relevant to the application, such as an owner that isn't in the application or any other category. We also need to know if you have any tenants in the property with a statutory tenancy, or similar, with an unexpired term of 3 years or more. If there aren't any additional parties, you do not need to fill in this box.

9 -Suitable Management Arrangements

We need to make sure that there is someone that lives close enough to the property to respond in a reasonable time. If you are applying as a Licence Holder and are based more than two hours away from the property, we urge you to appoint someone as Manager and tell us about them in this form. Otherwise we need to make sure that the proposed management arrangements are satisfactory. Answering question A-E is necessary to justifying that there are satisfactory management arrangements in place.

10 – Persons to be informed of the application

This section tells you who you must inform that you have made an application and the information you must provide to those parties. The applicant must inform all appropriate parties and sign to confirm that they have done so. The application form sets out the details of which parties need to be informed and what information you must provide.

11 – Proposed Licence Holder/Manager declarations

Sections (a – f) must be completed by the proposed Licence Holder and Manager. If you are unsure about the meaning of any of the questions please get in contact and we can provide advice. Please note the Council may carry out any necessary legal checks to ensure your responses are accurate.

12 - Further details

If you have answered yes to any questions in 11 a-f then you must provide further details in this section.

13 – Training

The proposed Licence Holder and Manager must provide information to whether they have relevant recent training about managing a licenced property. All relevant qualifications and attendance at suitable training events with continued professional development certification should be included with the application if you wish to be exempt from the training licence condition. A judgement on the appropriateness of the training will be carried out after we have received the application.

14 – Declaration

The Licence Holder and Manager must declare to the best of their knowledge and belief that all the information detailed in sections 11-13 is true.

15 – Other licensed properties

Provide details of any other properties where you are the Licence Holder and are licensed under mandatory or additional House of Multiple Occupation Licensing (Part 2) or Selective Licensing (Part 3) in Sheffield or any other Local Authority areas.

Part 2 - Property Information

16 – Property

Please fill in the details of the property you are applying for.

One of the questions in section 16 asks whether you have had planning permission for the property to be a HMO. A HMO is defined on page 2 within these guidance notes.

17 – Room Types

This section is asking for basic information regarding the property and how many Storeys, letting units and habitable (occupied) rooms it contains.

18 – Facilities

This section requires you to input the number of certain type of facilities in the property.

19 – Fire Safety

Please fill in the details of the fire safety system and precautions within the property you are applying for.

All furniture provided with rented accommodation must comply with The Furniture and Furnishings (Fire Safety) Regulations 1988. You need to sign to say that the furniture and furnishings comply with these regulations.

20 – Gas Safety

Please fill in the details regarding the gas safety (if your property has gas) in the property you are applying for. Gas appliances must be safe and tested and certificated in accordance with the Gas Safety Installations and use regulations 1998, a copy of the gas safety certificate must be included with the application. You need to make the declaration that the gas appliances meet the safety requirements.

21 – Emergency Lighting

Please fill in the details regarding the emergency lighting system in the property you are applying for. If your property has an emergency lighting system installed you must provide a completion/test certificate for the system.

22 – Flats above shops and associated with other lettings

This section is asking you to tell us more details about your property if it is a flat above a shop.

23 – Property information and floor plan

This section asks for details of where things are in the property and asks for a floor plan. The plan should be an accurate representation of the property .

An example floor plan is available on page 9 of these guidance notes.

24 – About the tenancy

Please provide details of any tenancy agreements and add the basic information required regarding the age and number of tenants currently in the property.

25 – Documents

You must provide **all the documents required**. Some of the documents may not need providing if you do not require them i.e. if you do not have a gas supply, you will not need a Gas Safety Record

Photographic Identification (ID)

You must provide photographic ID of the proposed Licence Holder. The list of acceptable photographic ID below is not an exhaustive list, if you do not have any of the acceptable ID as set out below please get in contact and we can advise on what will be accepted.

- Current Passport
- Current UK or EEA photocard driving licence
- National identity card bearing a photograph of the applicant

Declaration

The declaration must be signed by all parties who are named in sections 1-4 of the application, this includes the applicant, the proposed Licence Holder(s) and any proposed Manager(s).

Address 3, Acacia Ave, Sheffield

