

## Housing Act 2004 (Part 2)

It is the duty of the Licence Holder to ensure that all the conditions of the Licence are met. Any failure to comply with these Conditions may render the Licence Holder liable to prosecution under Section 72 (3) of the Housing Act 2004. A fine of up to £5000 plus costs may be payable upon conviction. Alternatively, the Licence Holder could be issued with a Civil Penalty of up to £30,000. The Licence may also be revoked.

### 1. Occupation of Rooms

Where an HMO licence is granted on or after 1<sup>st</sup> October 2018 no room in the property shall be occupied by more persons than are detailed below:

Room number	Room location	Max Persons

COMPLETION: This must be complied with from the date of the licence.

AUTHORITY: Section 67(1)(a), para 1A(3) and 1A(6) of Schedule 4 of the Housing Act 2004 inserted by Regulation 2 of the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 - SI 2018/616.

### 2. Restrictions and Prohibitions

The Licence Holder must not permit the house to be occupied in any other way or by more than the number of households or persons specified in the licence. The Licence Holder must comply with any direction issued by the Council restricting or prohibiting the use or occupation of any particular part or parts of the house by persons occupying it as specified in page 1 or schedule 2 of the licence

COMPLETION: This must be complied with from the date of the licence.

AUTHORITY: Section 67(1)(a), Section 67(2)(a), Section 72(2) and Section 72(3) of the Housing Act 2004.

### 3. Written Terms of Occupancy

Supply the occupiers of the house, on commencement of their occupancy, with a written statement of the terms in which they occupy the house. The Licence Holder must, on demand, provide the Council with a copy of the written statement.

COMPLETION: This must be complied with from the date of the Licence and whenever there is a change of occupants.

AUTHORITY: para 1(5) of Schedule 4 of the Housing Act 2004.

#### **4. Inventory of House Contents and Statement of Condition**

Supply the occupiers of the house, on the commencement of their occupancy, with

- (1) a written inventory of the contents of the house, and
- (2) a written statement of the condition of each room and its fittings.

The Licence Holder must, on demand, provide the Council with a copy of the inventory of contents and a copy of the statement of condition.

COMPLETION: This must be complied with from the date of the Licence and whenever there is a change of occupants.

AUTHORITY: Section 67(1)(b) of the Housing Act 2004.

#### **5. Smoke Alarms**

Ensure that smoke alarms are installed in the house and are kept in proper working order. The Licence Holder must supply, on demand, a declaration as to the condition and positioning of the smoke alarms.

COMPLETION: This must be complied with from the date of the licence.

AUTHORITY: para 1(4)(za) & (c) of Schedule 4 of the Housing Act 2004 inserted by Regulation 15 of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 - SI 2015/1693.

#### **6. Portable Appliance Test Certificate**

Keep all electrical appliances made available to the occupants in a safe condition. If an appliance is more than twelve (12) months old obtain for that appliance a Portable Appliance Test (PAT) certificate issued by a competent person. On demand, the Licence Holder must submit a copy of the certificate to the Council.

COMPLETION: This must be complied with from the date of the Licence.

AUTHORITY: para 1(3)(a) & (b) of Schedule 4 of the Housing Act 2004.

#### **7. Landlords Electrical Installation Condition Report**

On 1 June 2020, the following duties in respect of electrical installations became part of the HMO licence conditions:

- to ensure that every electrical installation in the house is in proper working order and safe for continued use;
- to supply the local authority with a declaration confirming the safety of the electrical installation if the authority requests one

'Electrical installation' means fixed electrical cables or fixed electrical equipment located on the consumer's side of the electricity supply meter.

"Electrical installation" has the meaning given in regulation 2(1) of the Building Regulations 2010.

COMPLETION: This must be complied with from the date of the Licence or, if the tenancy began before 1<sup>st</sup> July 2020, from the end of that tenancy or 1<sup>st</sup> April 2021 (whichever is soonest).

AUTHORITY: para 1(3) of Schedule 4 of the Housing Act 2004 inserted by Regulation 13 of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 SI 2020/312; Regulation 2(1) of the Building Regulations 2010 SI 2010/2214.

## **8. Landlord's Gas Safety Certificate**

If gas is supplied to the dwelling, on the expiry of the landlord's gas safety certificate, obtain and submit annually to the Council a new certificate issued by a recognised engineer approved under Regulation 3 of the Gas Safety (Installation and Use) Regulations 1998.

COMPLETION: This must be complied with from the date of the Licence.

AUTHORITY: para 1(2) of Schedule 4 of the Housing Act 2004, para 6 of the Management of Houses in Multiple Occupation (England) Regulations 2006 and para 7 of The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007.

## **9. Furniture and Furnishings**

The Licence Holder must ensure that all furniture and furnishings supplied by them for use by any occupier of the premise complies with the Furniture and Furnishings (Fire) (Safety) Regulations 1998 (as amended 1989 and 1993) and must provide to the Council on demand a declaration as to their safety.

COMPLETION: This must be complied with from the date of the Licence.

AUTHORITY: para 1(3) of Schedule 4 of the Housing Act 2004.

## **10. Manager's Details**

The licence Holder must display, in a prominent position within the house, a notice containing the name, address and telephone contact number of the person who manages the house.

COMPLETION: This must be complied with from the date of the licence.

AUTHORITY: Section 67(1)(a) of the Housing Act 2004, para 3 of The Management of Houses in Multiple Occupation (England) Regulations 2006 and para 4 of The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007

## **11. Fire Notices**

Provide a notice about what to do in the event of a fire. The notice which shall be located adjacent to the Notice containing the name, address and telephone contact number of the person who manages the house.

COMPLETION: This must be complied with from the date of the licence.

AUTHORITY: Section 67(1)(a) of the Housing Act 2004 and para 5 of Schedule 3 of the Licensing and Management of Houses in Multiple Occupation (Miscellaneous Provisions) (England) Regulations 2006.

### **12. Display a Copy of the Licence**

The Licence Holder must display a copy of the HMO Licence in the house. It shall be located adjacent to the Notice containing the name, address and telephone contact number of the person who manages the house.

COMPLETION: This must be complied with from the date of the licence.

AUTHORITY: Section 67(1)(a) of the Housing Act 2004.

### **13. Changes Within the House**

The Licence Holder must advise the HMO Licensing Officer in writing of any change in the house (apart from the change of occupants) that is likely to affect the operation or management of the HMO.

COMPLETION: This must be done within twenty-one (21) days of the change occurring.

AUTHORITY: Section 67(1)(a) of the Housing Act 2004.

### **14. Changes to Personal Circumstances**

The Licence Holder must advise the HMO Licensing Officer in writing of any change to the circumstances of each person (except any mortgage provider) named on the licence application form if the new circumstances are likely to affect the ability of such a person to carry out any function concerning the operation or management of the HMO.

COMPLETION: This must be done within twenty-one (21) days of a permanent change occurring.

AUTHORITY: Section 67(1)(a) of the Housing Act 2004.

### **15. Changes to Address Details**

The Licence Holder must advise the HMO Licensing Officer in writing of any permanent change to the address or contact details of each person (except any mortgage provider) named on the licence application form.

COMPLETION: This must be done within twenty-one (21) days of a permanent change occurring.

AUTHORITY: Section 67(1)(a) of the Housing Act 2004.

## **16. Carbon Monoxide Detection**

The licence holder is to ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and to keep any such alarm in proper working order; and to supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm. For the purposes of this paragraph, a hall or landing and a bathroom or lavatory are to be treated as a room used as living accommodation.

COMPLETION: This must be complied with from the date of the licence.

AUTHORITY: Paragraph 1(4A) of Schedule 4 of the Housing Act 2004.

## **17. Bedroom Sizes**

The Licence holder is required to:

- (i) 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 metres.
- (ii) 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 metres.
- (iii) 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 metres.
- (iv) Ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.
- (v) Notify the local housing authority of any room in the HMO with a floor area of less than 4.64 square metres.
- (vi) Ensure that 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.
- (vii) Ensure that 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.
- (viii) Ensure that 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.

COMPLETION: This must be complied with from the date of the licence unless otherwise stated in schedule 2.

AUTHORITY: para 1A of Schedule 4 of the Housing Act 2004 inserted by Regulation 2 Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 SI 2018/616.

## **18. Waste**

The licence holder is required to comply with Coventry City Council's Waste Management Strategy details of which can be found at

[http://www.coventry.gov.uk/downloads/download/1195/waste\\_strategy](http://www.coventry.gov.uk/downloads/download/1195/waste_strategy)

COMPLETION: This must be complied with from the date of the licence.

AUTHORITY: para 1C of Schedule 4 of the Housing Act 2004 inserted by Regulation 2 Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 SI 2018/616.

### **Schedule 2 – Discretionary Conditions**

#### **Conditions specific to «ADDR1»**

*For the avoidance of doubt the terms "Left", "Right", "Front", "Rear" shall be constructed as those relative positions in the Property when viewing the house as if standing in the road serving the property*