

Additional Licensing

What is Additional Licensing?

The Housing Act 2004 gives powers to local authorities to require other Houses in Multiple Occupation (HMOs) outside of the Mandatory scheme to be licensed in specific circumstances.

Coventry City Council is proposing to include all HMOs that are occupied by three or four people to be licensed and those HMOs that fall under the definition of s.257 of the Housing Act – “poorly converted blocks of flats”.

What is a HMO?

A HMO is a House in Multiple Occupation, a building or part of building that is occupied by three or more people, in two or more households that are sharing at least one basic amenity, a kitchen, bathroom or toilet.

Some self-contained flats and converted buildings will also be HMOs.

How long will the Additional Licensing Scheme last?

The Scheme will run for no longer than 5 years.

I am a landlord of a HMO, do I have to pay for a Selective Licence and an Additional Licence?

Yes – if you rent out a property to a family that is in a Selective Licensing area and you rent out a HMO then you will need to apply for two licences. Each scheme is separate and you will be required to licence both properties.

How much does an Additional Licence cost?

The Council is proposing to introduce a range of fees to reflect the level of compliance and competence of the landlord/manager. Lower fees and longer licences will be provided to compliant landlords and shorter licence with higher fees to the non-compliant. The proposed fees are as follows:

Stage	Type of Licence	Fee
Stage 1 Fee – Payable at the time of making the application	1 year licence	£ 599.00
Stage 2 Fee – Payable once the Council has determined to Grant a Licence.	1 year licence – where landlord has been found to be operating an unlicensed HMO.	£ 649.00
Total Fee		£ 1,250

Stage	Type of Licence	Fee
Stage 1 Fee – Payable at the time of making the application	1 year licence	£ 599.00
Stage 2 Fee – Payable once the Council has determined to Grant a Licence.	1 year licence – where the landlord is licensing a new HMO without being identified as part of the Council proactive enforcement regime.	£ 453.00
Total Fee		£ 1,055.00

Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making the application	2 year licence – subject to criteria	£ 413.00
Stage 2 – Payable once the Council has determined to Grant a Licence.	2 year licence.	£ 290.00
Total Fee		£ 705.00

Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making the application	5 year licence – subject to criteria	£ 444.00
Stage 2 – Payable once the Council has determined to Grant a Licence	5 year licence.	£ 193.00
Total Fee		£ 640.00

Stage	Type of Licence	Fee
-------	-----------------	-----

Stage 1 – Payable at the time of making a Renewal Application.	Renewal of licence – subject to criteria for 2 and 5 year licences	£ 254.00
Stage 2 – Payable once the Council has determined to Grant a Renewal of a Licence	Renewal of licence.	£ 290.00
Total Fee		£ 545.00

When would the Additional Licensing scheme start?

The Scheme is proposed to commence in 2020.

Are houses converted into flats included in the Additional Licensing scheme?

Yes – if a building has been converted into self-contained flats without the benefit of building regulations then they may be classed as s.257 HMOs and as such will require a licence.

Can I pay the Licensing fees in instalments?

No

Will accredited members of schemes receive a discount?

The fees and charges and criteria set for licences has been done so to provide incentives for compliant landlords to benefit from longer licences at a lower fee. Accredited members will be eligible for a two year or five year licence (subject to other criteria) and will benefit from discounted fees as a result of their compliance with the scheme requirements.

What happens if I don't apply for a licence?

Failure to licence a HMO is an offence for which you could be prosecuted or fined up to £30,000.

Are licences transferable if I sell my HMO?

No – licences are not transferable.

If I get an Additional Licence will I still need planning permission for my property to be used as HMO?

In cases where a HMO is licensed under the Additional Licensing scheme there is no requirement to obtain planning permission, as long as the HMO will be occupied by no more than 6 people. Planning permission is required in all cases where you are proposing to increase the occupancy of a HMO to 7 or more people; or to increase the occupancy of a HMO that already benefits from planning permission.

As a landlord, how am I expected to tackle antisocial behaviour?

You should take reasonable steps to prevent or reduce ASB by managing your property and the tenants effectively. If you are experiencing problems with tenants not complying with your requests then the Council can intervene to assist but you will need to prove that you have taken steps in the first instance to try and deal with the situation.

Are any properties exempt from paying a fee for Additional Licensing

Yes – the Council is proposing that In cases of a registered `not for profit` charity or an individual housing provider, such as a private landlord or organisation who is assisting the Council by offering permanent accommodation to meet our homelessness duties, applications will be accepted, for the particular property being provided without a fee being payable. An assessment of the organisation will then be carried out and if appropriate the Council will determine the application and issue a licence without requiring any fee. Each case will be considered on its merits based on the type of individual or organisation submitting the application and the removal of the fee requirement will only be applied to the licence for the house being provided for homelessness purposes.

How do I find out if my property is in the proposed Additional Licensing area?

The proposals are to licence all HMOs in the city so if you are renting out a HMO in Coventry it will require a licence.

Are any HMOs exempt from Additional Licensing?

Schedule 14 of the Housing Act 2004 sets out the exemptions relating to HMO licensing which include certain types of properties. In summary these include:

- Two person flat share – a property, or part of a property, lived in by no more than two “households” each of which consists of just one person.
- A property where the landlord and their household lives with up to two tenants
- Buildings occupied entirely by freeholders or long leaseholders
- Buildings owned or managed by a public body (such as the NHS or police), a local housing authority or a registered social landlord
- A building where the residential accommodation is ancillary to the main use of the building, for example, religious buildings, conference centres etc. Buildings which are already regulated (and where the description of the building is specified in regulations), such as care homes, bail hostels etc. Domestic refuges are not exempt.
- Buildings which are already regulated (and where the description of the building is specified in regulations), such as care homes, bail hostels etc. Domestic refuges are not exempt.
- Certain buildings that are controlled or managed by a co-operative society.