

# City of Bradford Metropolitan District Council

HOUSING ACT 2004 – Section 67

**Licence Number:**

**Licence conditions relating to:**

## Schedule 1

### 1.0 Duty to notify changes

#### Licence holder / manager details

- 1.1 The licence holder must inform the City of Bradford Metropolitan District Council (The Authority) in writing if they are no longer available at the contact address given and provide the authority with the new address details in writing within 21 days of a change.
- 1.2 The licence holder must inform the authority in writing if there is a change in managing agent, within 21 days of such a change (\*see notes).
- 1.3 If the licence holder is a managing agent they must inform the authority if the person who is specified as the main contact ceases to be employed by them and inform the authority in writing of a new contact, within 21 days of such a change.
- 1.4 If the licence holder is a managing agent they must inform the authority if they cease to have an interest in the property, within 21 days of such a change.

#### Fit and Proper Person

- 1.5 If the licence holder or the person managing the property contravenes any of the following since becoming the licence holder they must inform the Authority, in writing, within 21 days of such a contravention, this being the criteria by which the authority assessed whether the licence holder is a fit and proper person.
  - a) Committed an offence involving
    - Fraud
    - Dishonesty
    - Violence
    - Drugs
    - Current legislation relating to the Sexual Offences Act.
    - Practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disabilities in connection with a business.

- b) Contravened any provision of housing or landlord and tenant law. In particular:
- been refused a licence under the Housing Act 2004, or breached conditions of a licence in this or any other authority.
  - subject to a management order in this or any other Authority.
- c) Acted in contravention of any Housing related Approved Code of Practice (ACoP)

## **2.0 Information to be displayed**

- 2.1 The licence holder must display within the common parts of the house his/her contact details together with those of any manager/agent appointed in connection with the running of the house. This must include their name, contact address and telephone number.
- 2.2 The licence holder should ensure that a copy of the licence is clearly displayed in the common parts.

## **3.0 Management of the property**

### Property general

- 3.1 The licence holder must not permit the house to be occupied in any other way or by more than the number of persons or households specified in the licence.
- 3.2 The licence holder must consult with the Authority before making any material changes to the layout, amenity provision, fire precautions or mode of occupation.
- 3.3 The licence holder must ensure the property is compliant with the space and occupancy requirements detailed below-

3.3.1 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

3.3.2 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;

3.3.3 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;

3.3.4 that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation. The licence holder must notify the Authority of any rooms with a floor area less than 4.64 square metres.

*Note: Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken into account when determining the floor area of that room.*

The licence holder must further ensure –

3.3.5 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;

3.3.6 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;

3.3.7 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.

#### Landlord and Tenant issues

- 3.3 The licence holder must supply to the occupiers a written statement of the terms in which they occupy the house, within 28 days of the commencement of each tenancy.

The licence holder is expected to maintain a file for the property, holding copies of all tenancy agreements for inspection at any time.

- 3.4 The licence holder must ensure that notification in writing is given to all occupants at the beginning of their occupancy regarding the arrangements in place to deal with emergencies and other repairs.
- 3.5 The licence holder should ensure that all reasonably practicable steps are taken to ensure that the property is appropriately managed to prevent or deal effectively with any anti-social behaviour from tenants or their visitors to anyone else in the house or the locality.
- 3.6 The licence holder must ensure that each occupier is made aware of the Condition(s) imposed by the Council relating to the behaviour of occupants and that compliance with any such conditions is made a condition of their occupancy. Those conditions are that occupants shall:-
- not cause nuisance and annoyance to other occupants or to neighbouring residents.
  - comply with arrangements made by the manager for the storage and disposal of refuse.
  - not cause damage to fixtures, fittings, fire precautions or premises.
  - not use abusive or threatening behaviour.
  - allow access to the agents/landlord to maintain communal areas and with reasonable notice to carry out works within the occupant's own accommodation.

## Safety

- 3.7 The licence holder must ensure that smoke alarms installed in the property are kept in proper working order and to supply the authority, on demand, with certification as to the condition and positioning of such alarms.

The licence holder should maintain a file for the property, holding copies of all certification for inspection at any time.

- 3.8 The licence holder must ensure that all means of escape from fire in the house and all apparatus, systems and other items provided by way of precaution are in and are maintained in good order and repair and are kept free from obstruction.

The licence holder should maintain a file for the property, holding copies of all certification for inspection at any time.

- 3.9 The licence holder must keep furniture (supplied with the occupancy) in a safe condition and to supply to the authority, on demand, with a declaration by him/her as to the safety of such furniture.

The licence holder should maintain a file for the property, holding copies of all such declarations for inspection at any time.

- 3.10 Where mains gas is supplied to the house, the licence holder must supply to the authority, on demand, a copy of the current gas safety certificate obtained in respect of the house. A copy of this certificate must be either displayed in a suitable location within the property or given to the tenants.

The licence holder should maintain a file for the property, holding copies of all certification for inspection at any time.

- 3.11 The licence holder must ensure;
- (i) that every electrical installation in the house is in proper working order and safe for continued use; and
  - (ii) to supply the authority, on demand, with a declaration as to the safety of such installation

The licence holder should maintain a file for the property, holding copies of all such declarations for inspection at any time.

## Cleanliness

- 3.12 The licence holder must ensure that the following installations in common use or which serve any part of the house in common use, are in and are maintained in good repair, a clean condition and good order (including, where appropriate, proper working order).
- the supply of gas and electricity, for lighting and for space heating or heating water

- sanitary conveniences, baths, sinks, wash hand basins and installations for cooking or storing food
- 3.13 The licence holder must ensure that such parts of the house in common use including staircases, passageways, corridors, halls, lobbies, balconies and entrances (including entrance doors, porches and steps) are clean, maintained in good state of repair (including decorative repair) and kept free from obstruction.
- 3.14 The licence holder must ensure that every outbuilding, yard area and forecourt, which belongs to the house and is in common use, is in and is maintained in a good state of repair, in a clean condition and that any garden in common use belonging to the house is kept in a reasonable condition.
- 3.15 The licence holder must ensure the provision of suitable receptacles for refuse containment and awaiting disposal that are adequate for the requirements of each household occupying the HMO. Regard should be made to any service for such disposal provided by the Authority.
- 3.16 The licence holder must comply with Bradford Council's scheme relating to the storage and disposal of household waste at the HMO pending collection

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## **Schedule 2**

This licence is granted in respect of a [Category A – bedsit type] [Category B – shared] house in multiple occupation. The Authority may require additional works should it find, upon inspection or knowledge otherwise, that the category or type of HMO has changed since the granting of the licence.

[The licence holder is required to liaise with the responsible person in commissioning a full fire risk assessment of the building and Houses in Multiple Occupation (HMOs) contained therein by a competent risk assessor. The fire risk assessments must be thorough examination of all areas and must cover all common areas and also individual .rooms.

Any urgent or immediate works identified must be undertaken to an agreed timescale with the Council.

A copy of the fire risk assessment report must be submitted to the Authority.

The licence holder must comply with the above within 4 months of commencement date of the licence.]

## Notes

1. A house in multiple occupation (HMO) is defined within sections 254-259 of the Housing Act 2004 (the 'Act').
2. Section 67 of the Housing Act 2004 (the 'Act') provides for the attaching of conditions as Bradford Metropolitan District Council (the 'Authority') deems appropriate for regulating all or any of the following:
  - i. the management, use and occupation of the house concerned, and
  - ii. its condition and contents.
3. The stipulated conditions are based upon the information supplied in the application form and may be varied upon inspection or further information.
4. A licence MUST include certain conditions specified in Schedule 4 of the Act.
5. A person who fails to comply with the obligations and conditions set out in the licence and attached schedule(s) will be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
6. \*Where there is a change in managing agent, or a proposed increase in the number of persons intending to occupy the property, the licence holder is required to make a formal application to this Authority for a variation to the licence.
7. The stipulated conditions shall not prejudice any action that may be necessary as a result of an assessment using the Housing Health and Safety Rating System under Part 1 of the Act.