

Private Sector Housing, HMO Licencing and Enforcement

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Private Sector Housing

Private Sector Housing Team covers all housing which is not owned by the council.

This includes leasehold properties, privately rented accommodation, housing association properties, mobile home/park homes sites and owner occupied homes.

Typical issues dealt with by the team are:

- **disrepair**
- **tenancy advice**
- **eviction and harassment**
- **Licensing of Homes of Multiple Occupation (HMOs)**
- **Filthy and Verminous**
- **Partnership work – suspected illegal HMOs/rented property/ASB**

Who we work with

Landlords:

Forum to improve private tenanted property standards

Enforcement action as necessary

Advice for landlords on home standards and legal evictions

Guidance on how to comply with the 2018 Minimum Level of Energy Efficiency standard (EPC band E)

Licence Houses in Multiple Occupation (HMOs)

Smoke and Carbon Monoxide Laws in privately rented properties

Tenants:

Page 5 Help and advice for tenants on their legal rights

Eviction advice to tenants

Enforcement action against landlords for tenants

Harassment by landlord

Repairs required by landlords

Mobile Homes/Park Homes Sites - to ensure health, safety and welfare and standards are maintained according to their licence

Homeowners:

Advice on empty homes to bring properties back into use

Energy and installation advice through the HEAT service

Advice to vulnerable homeowners to help them repair/ improve their homes

What is an HMO?

Under the Housing Act 2004 an HMO ('House in Multiple Occupation') is:

- A house or flat let to 3 or more tenants, forming 2 or more households, sharing a kitchen, bathroom or toilet.
- A house converted entirely into bedsits or non-self contained accommodation, and let to three or more tenants, forming 2 or more households and sharing a kitchen, bathroom or toilet.
- A converted house containing 1 or more flats which are not self contained (i.e. do not contain kitchen, bathroom and toilet) and which is occupied by 3 or more tenants who form 2 or more households.
- A building which is converted entirely into self-contained flats and the conversion did not meet the standards of the 1991 Building Regulations, and more than one-third of the flats are let on short-term tenancies.

A property with a live-in resident landlord who has three or more lodgers will also be deemed to be a HMO. These types of HMOs can also require licensing if the property has three or more storeys, is occupied by five or more persons and there is sharing of facilities.

HMO Licence is mandatory if property is:

- **Occupied by five or more people**
- **Has shared facilities such as a bathroom or kitchen**

It is an offence if a landlord fails to submit a full application for an HMO licence or request a Temporary Exemption Notice. Failure could result in enforcement and fines of up to £20,000

Current fees

Application fee: £574.80 for a five bedspace house

An additional £37.79 applies for each bedspace above five

We will grant a licence if:

- The property requires a licence in accordance with the Housing Act 2004
- We are satisfied that - subject to the proposed licence conditions - the property is suitable for occupation
- The property does not have any significant hazards identified under the Housing Health and Safety Rating System (HHSRS)
- The proposed licence holder is a fit and proper person
- The proposed licence holder is the most appropriate person to hold the licence
- The person managing the property will be the proposed licence holder
- Subject to the conditions of the licence the management arrangements are satisfactory
- There is a valid gas safety certificate (to be forwarded every year)
- Smoke alarms are installed and maintained
- Safety certificates for all electrical appliances are available when requested

Public Register

Requirement of the Council to maintain a register of licenced HMOs on our website to include:

- **Address of property**
- **Name of Licence Holder**
- **No of Bedrooms/communal areas/bathrooms**
- **Date and duration of licence**
- **Any conditions to the licence**

67 HMOs currently licenced

6 HMO licences in progress

Private Rented Properties

3000 properties in Tamworth

Case studies:

- Issued notice to owner of empty property to secure property to prevent vandalism (in partnership with Police October 2021)
- Completed Work in Default for filthy and verminous private property and placed charge notice on house
- Supported tenant with illegal eviction notice and gave landlord suitable advice and guidance. Tenant remained in property.
- Issued improvement notice to landlord for damp and mould allowing vulnerable tenant to remain in property
- 2 Prohibition notices issued to landlords where properties could not be rented out. Inspections due on completion of work
- Fit and proper persons licence issued to Mobile/Park Homes in Tamworth and licences reviewed
- Drainage work completed under Works in Default to ensure tenant stayed in property (absent landlord). Charge placed on property