

**Mandatory HMO licensing conditions**

**Schedule of conditions in respect of XXX (property address)**

**A. Management Conditions**

**Gas Safety**

1. The licence holder shall ensure that an annual gas safety check is carried out by a Gas Safe registered engineer on each gas appliance/flue in the house. The licence holder shall either a) display a copy of the current gas safety certificate in a prominent position in the common parts of the property or b) provide a copy to all tenants/occupiers at the start of their tenancy and keep a written record that it has been so provided.
2. The licence holder shall produce the gas safety certificate issued in respect of the house within the previous 12 months for inspection by the Council within 7 days of any demand given by the Council to do so.

**Safety of Electrical Appliances**

3. The licence holder shall ensure that electrical appliances made available in the house by them are kept in a safe condition and proper working order at all times.
4. The licence holder shall ensure that all electrical appliances made available in the house by them are inspected visually for defects (e.g. frayed wiring, badly fitting plugs etc) at the beginning of each occupancy, regularly thereafter and in any event every two years.
5. The licence holder shall ensure that class 1 earthed equipment provided by him is tested as follows:
  - 5.1 Subject to (5.2) below, the licence holder shall ensure that earthed electrical equipment (class 1) and the associated leads and plugs made available by him are tested at least every five years (more often if deemed necessary by a risk assessment undertaken by the licence holder).
  - 5.2 The licence holder shall ensure that all portable earthed electrical equipment (class 1) and the associated leads and plugs made available by him are tested at least every two years.
  - 5.3 This testing shall be undertaken by a person who is competent in the use of the testing equipment and has the appropriate electrical knowledge and training (i.e. a competent electrician or competent other person in possession of a City and Guilds certificate 2377).

1. The licence holder shall ensure that as soon as any electrical appliance is identified as being unsafe, it shall be removed from the house immediately.
2. The licence holder shall ensure that a record of visual inspections and tests is maintained.
8. The licence holder shall submit to the Council on demand the record of visual inspections and tests within 7 days of the Council's demand.
9. The licence holder shall on the demand of the Council supply a declaration as to the safety of electrical appliances made available by him at the house within 7 days of the Council's demand.

### **Safety of Electrical Installations**

10. The licence holder shall ensure that the electrical installation in the house is kept safe and in proper working order at all times.
11. The licence holder shall ensure that there is fixed wire inspection and testing of the electrical installation in the house is undertaken in accordance with BS 7671 (or any British Standard which subsequently replaces this) at intervals of no more than 5 years or such lesser period as may be indicated on the previous periodic inspection report.
12. The licence holder shall on the demand of the Council supply the most recent fixed wire inspection and test certificate in the format recommended in Appendix 6 of BS 7671, within 7 days of the Council's demand. This report must be issued by a competent person (including but not limited to NICEIC enrolled contractors, ECA or NAPIT members who regularly inspect, and are qualified to inspect domestic electrical installation systems and whose work is subject to regular assessment)

### **Furniture and Furnishings (Fire Safety)**

13. The licence holder shall ensure that the furniture made available by them at the house is kept in a safe condition at all times.
14. The licence holder shall on the demand of the Council supply a declaration as to the safety of the furniture made available by him at the house within 7 days of the Council's demand.

### **Smoke Alarms / Fire Detection Systems**

15. The licence holder shall ensure that at all times a suitable fire detection system designed in accordance with the current BS 5839-6 is installed in the house and is maintained in proper working order. As a minimum there must be a smoke alarm installed on each storey of the house on which there is a room used wholly or partly as living accommodation. For the purposes of this

paragraph, a bathroom or lavatory is to be treated as a room used as living accommodation.

16. The licence holder shall ensure that the fire alarm system in the house is tested, inspected and serviced in accordance with the current BS 5839-1: (for Grade A systems) or the current BS 5839-6 (for all other grades of system), or any British Standards which subsequently replace these. In particular (where relevant) the following shall be carried out:

Grade A system

The system shall be inspected and serviced at periods not exceeding six months in accordance with the recommendations of Clause 45 of the current BS 5839-1. Throughout the period of the licence and where relevant, inspection and servicing certificates in the format recommended by the current BS 5839-1 (Annex G 6) shall be submitted to the Council within 7 days of its demand.

The above-mentioned checks shall be carried out by a competent person. A competent person in this respect includes, but not limited to NICEIC (National Inspection Council for Electrical Installation Contracting) enrolled contractors, ECA (Electrical Contractors Association) or NAPIT (National Association of Professional Inspectors and Testers) members who are familiar with all British Standards relating to automatic fire detection systems, regularly inspect fire detection systems, are qualified to inspect fire detection systems and whose work is subject to regular assessment.

Grade D system (mains wired interlinked smoke or heat alarms with battery backup)

Smoke alarms shall be cleaned periodically in accordance with supplier's instructions.

17. The licence holder shall on the demand of the Council supply a declaration as to the condition and position of any smoke alarms/detectors in the property within 7 days of the Council's demand.

**Carbon Monoxide Alarms**

18. The licence holder shall 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. Any such alarm must be kept in proper working order. For the purposes of this paragraph, a bathroom, lavatory, hall or landing are all treated as being a room used as living accommodation.
19. The licence holder shall on the demand of the Council supply a declaration as to the condition and position of any carbon monoxide alarms in the property within 7 days of the Council's demand.

**Written Agreements**

20. The licence holder shall supply to the occupiers of the house a written statement of the terms on which they occupy it. Such statement shall be provided within 7 days of the occupancy commencing.
21. The licence holder shall on the demand of the Council supply a copy of the written statement, within 7 days of the Council's demand.

**General Environmental Health and Environmental Housing Standards**

22. The licence holder shall ensure that the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.
23. The licence holder, in cases of HMOs, shall ensure that gardens, yards, paths and drives are maintained such that their condition does not adversely affect the amenity of the neighbourhood. To that extent the licence holder shall ensure that gardens, yards paths and drives and other areas within the curtilage of the HMOs are kept in a reasonably clean and tidy condition and free from rodent infestations at all times.
24. The licence holder shall ensure that suitable and adequate provision for refuse storage and collection is made at the house. This shall include a closable bin(s) of suitable capacity as specified by the Council. The licence holder shall make arrangements for any rubbish additional to that within the dustbins to be collected and/or disposed of as soon as is reasonably practicable; and, pending collection/disposal, such rubbish shall where practicable be stored at the rear of and within the curtilage of the dwelling. The licence holder shall require the occupiers of the house to ensure that all refuse containers are returned within the curtilage of the property on the same day that they are emptied by the Council.

**Landlord and Tenant Issues**

25. The licence holder shall ensure that notification in writing is given to all occupants at the beginning of their occupancy of the arrangements in place to deal with emergency and other repairs. The licence holder shall ensure all reasonable and practical steps are taken to respond to repair and maintenance issues at their property. The licence holder shall have in place written details of how they respond to complaints from tenants about repair and maintenance issues. Copies of these must be provided within 7 days of the Council's demand.
26. The licence holder shall ensure that all reasonable and practical steps are taken to prevent or reduce anti-social behaviour by the occupants and all persons visiting the house. The licence holder shall put in place written tenancy management arrangements that have been, or are able to be made to prevent or reduce anti-social behaviour by persons occupying or visiting the

property. Copies of these must be provided within 7 days of the Council's demand.

### **Change of Details**

27. The licence holder must inform the Council if they no longer reside at the address stated on the licence, and provide the authority with the new address details within 21 days of the change taking place.
28. The licence holder must notify the Council in writing of any change of manager of the house within 21 days of such a change.
29. If the manager is an agent or employee of the person having control of the house the licence holder must inform the Council in writing if the manager ceases to be so employed or to act as agent, and inform the Council of a new proposed manager within 21 days of such a change.
30. If the licence holder is a manager, they must inform the Council if they cease to have an interest in the property within 21 days of such a change.

### **Fit and Proper Person**

31. The licence holder must inform the Council in writing if, since becoming the licence holder any of the events described within paragraphs A) to D) below have occurred in respect of either the licence holder, the manager of the house or any persons associated with them. Notification to the Council shall be within 21 days of such occurrence.

A. Commission of an offence involving:

- fraud
- dishonesty
- violence
- drugs
- Sexual Offences Act Schedule 3.

B. Practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in connection with a business.

C. Contravened any provision of housing or landlord and tenant law. By way of example this may include but is not limited to:

- proceedings being taken by a local authority
- a local authority has carrying out works in default
- premises being made subject to a management order under the Housing Act 2004
- refusal of a HMO licence or breach conditions of a licence.

D. Acted in contravention of any Approved Code of Practice.

**Documents to be Displayed**

32. The licence holder shall display a copy of the licence to which these conditions apply in the common parts of the property. Alternatively copies must be provided to all tenants/occupiers at the start of their tenancy.

**Changes to Property**

33. The licence holder must notify the Council's HMO team in writing of any proposed changes to the external or internal construction, layout or amenity provision of the house that would affect the licence or licence conditions.

**Emergency Escape Lighting**

34. The licence holder shall ensure that any escape lighting in the house is inspected, tested and serviced generally in accordance with BS 5266-1:2011 (or any British Standard which subsequently replaces this).
35. Throughout the period of the licence, periodic and test certificates in the format recommended by BS 5266-1:2011 (or any British Standard which subsequently replaces this) shall be submitted to the Council within 14 days of the demand.
36. The above mentioned checks shall be carried out by a competent person. A competent person in this respect includes NICEIC enrolled contractors or ECA members who are familiar with all British Standards relating to emergency escape lighting systems, regularly inspect emergency lighting systems, are qualified to inspect emergency lighting systems and whose work is subject to regular assessment.

**Interpretation**

37. Where reports, certificates, declarations or other documents are required to be produced or supplied to the Council, this shall mean sending by post or delivering by hand, a copy of the relevant report/certificate/declaration to the Council's Offices.