

B&NES Additional HMO Licensing Conditions

*The Bath and North East Somerset HMO Licensing Standards referred to in this document are available separately

Schedule 1

Mandatory conditions

1. If gas is supplied to the house, the licence holder is to produce to the Authority annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.
2. The licence holder is required to keep electrical appliances and furniture made available in the house in a safe condition and is required to supply the Authority, on demand, with a declaration as to the safety of the appliances and furniture.
3. The licence holder is to ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation (includes a bathroom or lavatory), and to keep such alarms in proper working order – the alarms must be checked on the day the tenancy begins if it is a new tenancy. The licence holder must supply the Authority, on demand, with a declaration as to the condition and positioning of the smoke alarms.
4. The licence holder is to ensure that a carbon monoxide alarm is installed in any room (includes a hall or landing) in the house which is used wholly or partly as living accommodation (includes a bathroom or lavatory) and contains a solid fuel burning combustion appliance; to keep any such alarm in proper working order – the alarm must be checked on the day the tenancy begins if it is a new tenancy; and to supply the Authority, on demand, with a declaration by him as to the condition and positioning of any such alarms.
5. The licence holder to supply to the occupiers of the house a written statement of the terms on which they occupy it.

Schedule 2

Conditions as imposed by Bath and North East Somerset Council

6. When the current Domestic Electrical Installation Report on the electrical installation expires, provide a new report indicating no defects under code 1 or 2. Any report should be less than 5 years old at the date of submission.
7. A satisfactory certificate of inspection and testing of fire alarm systems carried out at 6 month intervals for Grade A systems and 1 year intervals for Grade D systems and as required under the latest addition of BS 5839-6 fire alarm system is to be provided on demand. Also indicate in writing which rooms and communal areas contain a smoke detector or heat detector.
8. There is to be no obligate sharing of bedrooms.
9. Occupants are to have 24hr direct access to all toilet, personal washing and cooking facilities and equipment.

10. Where bedrooms are not internal or there is not internal access to the main house, the bedroom must have en-suite bathroom facilities including WC, wash hand basin and shower or bath. There must be 24 hours access to all kitchen, dining and communal facilities.
11. Sufficient containers, as described in the current Council Guidance, must be provided for household recycling and rubbish within the unit of accommodation and outside in an appropriate area. Additional containers can be provided by contacting Council Connect on 01225 39 40 41 or councilconnect@bathnes.gov.uk
12. All reasonable steps must be taken to ensure any gardens and yards belonging to the licensed property are maintained in a reasonable condition and free from litter. Where the occupants are responsible for maintaining the outside space they must be provided with suitable and sufficient tools to do this. Where tools are provided they must be allocated appropriate storage.
13. The Licence Holder and any Manager are required to monitor garden maintenance and take the necessary steps to resolve any non-compliance.
14. The licensed property must achieve a minimum energy efficiency rating of “E” as determined by an Energy Performance Certificate (EPC). This condition will also be met if a valid exemption is registered with the appropriate authority. A copy of the latest EPC for the licensed HMO is to be provided on demand.
15. The HMO licensing standards* should be complied with at all times by the owner and any manager. This document may be updated during the term of the licence and it is the responsibility of the owner and any manager to ensure that they are aware of and are complying with the latest version. The latest version of the licensing standards can be found at www.bathnes.gov.uk/hmos
16. The following time-scales apply for works required to comply with the HMO licensing standards and conditions for works to meet them:

Condition	Point number on schedule 3	Maximum time scale
Fire precautionary facilities and equipment	1-5	6 months
Space heating	6	6 months
Personal washing and toilets facilities	7	6 months
Kitchen facilities	8	6 months
Ventilation	9	6 months
Space standards	10	1 year

Above time scales start from the issue date of the licence.

17. Where a fire risk assessment is required under the Regulatory Reform (Fire Safety Order) 2005, the risk assessment and resulting precautions must be reviewed annually. They must also be reviewed whenever there are alterations to the property or its contents and at changes of tenancy to ensure the fire precautions are appropriate to the risk.
18. Provide written details of fire exit routes to occupants. Ensure that all occupants are aware of fire and fault indications of the fire alarm system, are adequately familiar with controls (e.g. resetting) and aware of measures to avoid false alarms. Occupants should be aware of what to do in the case of a fire.

19. Each bedroom must have sufficient means for ventilation that can be maintained securely while the occupants are absent to minimise occurrence of damp and mould.
20. The licence holder and/or manager must notify the local authority of any changes to contact details or management arrangements including the out of hours contact. Current and correct contact details must be displayed in a prominent position in the licensed HMO at all times.
21. At the start of all new tenancies, all occupants must be made aware of the 'Bath and North East Somerset undertaking of good practice'. A copy must be given to each occupant and the recycling and rubbish collection notice must be displayed in the property.
22. The licensed HMO must be managed in accordance with The Good Management Code of Practice. A copy of the Code is to be provided to all occupants.
23. The licence holder must provide a list of all occupants within 14 days if requested to do so by the local authority.
24. The licence holder and manager must be certain that any person becoming involved in the management of the property after the licence date would be considered fit and proper. Consequently, the licence holder or manager should be satisfied that all persons would be able to sign the declaration themselves and provide a current Disclosure Scotland basic disclosure check.
25. Where food is provided, food handlers must have adequate food safety training.
26. The layout of the property, including any numbering of rooms must not be altered without first gaining written permission from the council. Requests to alter the layout should be made in writing and include a full description of the proposed changes and the reason for doing so.
27. The property is to be occupied in accordance with and by no more than the number of persons and households stated on the licence. If the present occupation of the property is in excess of this maximum permitted number, the occupation of the property must be reduced within 12 months from the date of licensing.
28. Any room containing any combustion appliance including gas appliances and used as living accommodation is to have a carbon monoxide alarm installed that is in proper working order. The alarm must be checked at the start of a tenancy if it is a new tenancy and at suitable regular intervals thereafter.

**Management details for
XXXXXXXXXXXXXXXXXXXX**

This property is licensed under Part 2 of the Housing Act 2004.

Licence Holder:	
Licence reference:	
Property Manager:	
Out of Hours contact:	
Alternative contact details	

Displaying management information is also a requirement under The Management of Houses in Multiple Occupation (England) Regulations 2006.

More information concerning this property is available on the public register of licensed HMOs www.bathnes.gov.uk/hmopublic.

Housing Services can be contacted by emailing hmo_licensing@bathnes.gov.uk

To be displayed in a prominent position in the property at all times.

Undertaking of good practice

Bath and North East Somerset – HMO Licensing

IT IS A CONDITION OF THE HMO LICENCE THAT THIS DOCUMENT IS PROVIDED TO ALL OCCUPANTS

This document is intended to ensure that occupants are aware of their responsibilities relating to waste management, fire safety and anti-social behaviour.

Waste and recycling

Occupants have a responsibility to:

- co-operate with the provisions in place for the storage and collection of recycling and rubbish and, to make sure that it is separated correctly;
- to put out recycling and rubbish for collection using the correct containers by **7am** on their collection day, or as late as possible **after 8pm** the previous evening at the front edge of the property;
- to bring containers back in as soon as possible after emptying.

Occupants can be fined for leaving their recycling and rubbish out on the highway at the wrong time or place.

Landlords have a duty to inform occupants when and how recycling and rubbish collections are made. The attached information notice must be displayed in the licensed property.

Fire safety

The fire precautions are there for the protection of the occupants of the property and should never be interfered with in any way.

- Never prop open doors or disconnect any door closing mechanism. This is especially important when you go to bed at night.
- Every week - check your smoke alarms are working as they should.
- Never interfere with the fire alarm. If you deliberately prevent the fire alarm from working correctly it may result in eviction by your landlord and/or prosecution by the Council.
- If you think that the fire alarm is sounding falsely or not working correctly, contact your landlord about it. Alternatively, contact Housing Services on 01225 396444.
- Always keep the hall, stairs and landings (the escape route) free from obstructions such as bicycles, unwanted furniture etc.
- Make sure you are familiar with using the fire blanket and any fire extinguishers in your home. Report any problems to your landlord.

Remember, if a fire has spread because of your interference with the fire precautions in place, you may also face civil proceedings by the landlord to recover costs for any additional damage caused.

Neighbours and anti-social behaviour

Examples of anti-social behaviour include excessive noise (shouting, loud music etc.), drunk or disorderly conduct, rubbish dumping, harassment and vandalism.

Occupants should ensure that nothing that they or their visitors do will interfere with other occupants within the house or the neighbourhood. The result of anti-social behaviour on the part of an occupant and/or any of their visitors could include eviction and/or retention of deposits for repairs etc. Occupants can be prosecuted if they continue to cause a nuisance. In addition, cases can be referred to Avon and Somerset Police Anti-Social Behaviour Team which could result in an Criminal Behaviour Order (CBO).

OCCUPANTS DECLARATION

Property address.....

Licence holder/Manager.....

Iname of occupant.....
am an occupier of the licenced premises specified above.

My occupation of this property commenced onDATE.....

I have been informed of my responsibilities in relation to waste management, fire safety and anti-social behaviour at this property.

I confirm that I will co-operate with the landlord in all of the above and understand the consequences if I do not.

Signed

Date

Iname of licence holder/manager.....
am the licence holder/manager in respect of the licenced premises specified above.

I confirm that I have explained to the above occupier their responsibilities in relation to anti-social behaviour, waste management and fire precautions at this property.

Signed

Date

West of England - Code of Good Management Practice (Updated March 20018)

It is a requirement of your licence conditions to comply with this code. Failure to comply without reasonable excuse could lead to a formal investigation and result in prosecution or a financial penalty of up to £30,000.

1. Conduct

The licence holder agrees to: conduct business with regard to the property and the tenancy in a reasonable and equitable manner and; to answer reasonable queries and issues raised by the tenants in a timely manner (in any event to respond within 5 working days of the query or issue being raised, emergencies should be replied to within 24 hours).

2. Inventories

Licence holders to ensure that an inventory is signed by both parties at the beginning of the tenancy (or as soon as practicable afterwards) and to give the tenant the opportunity both to carry out a joint inventory inspection at the outset and to discuss the inventory at the end of the tenancy.

3. Deposits

The Licence holder must comply with all statutory obligations regarding tenancy deposit protection if a deposit is taken.

4. Repairs and maintenance

The Licence holder must carry out repairs within a time period appropriate to the severity of the problem, keeping as far as is reasonably practicable to the following timescales:

- *Emergency repairs: 24 hours* (Affecting health or safety e.g. dangerous electrical fault, blocked WC, no hot water, etc.)
- *Urgent repairs: 5 working days* (Affecting material comfort e.g. no heating or fridge failure, serious roof leak, etc.)
- *Other non-urgent repairs: 20 working days.*

5. Landlord and tenant matters

The licence holder must comply with all statutory obligations under housing and landlord & tenant legislation, in particular the landlord shall not harass or threaten a tenant. Any eviction process must be carried out in accordance with legal requirements.

Access to the property (for inspection, repairs, monitoring or other reasons) should only be by prior arrangement with the tenant and on having given 24 hours notice (except in emergencies).

6. Property Management

The licence holder must ensure that they comply with current statutory requirements relating to the safe management of the property including duties relating any asbestos containing materials, *Legionella* risks and to carry out a Fire Risk Assessment on the common parts of the property. Further information on minimum requirements are contained in the West of England Rental Standard www.westofenglandrentalstandard.co.uk/standard.

7. Pest Control

Where there is an infestation of pests in a licensed house in multiple occupation the licence holder must employ a competent pest control contractor to carry out appropriate treatments to eradicate any recognised pest species infesting the property.

8. Neighbours

The Licence holder must take reasonable steps to minimise any nuisance, alarm, harassment or distress that may be caused to neighbours by the way the property is used. The licence holder will provide occupiers of the immediately neighbouring properties a contact telephone number, address or e-mail address to report any problems and will ensure that “To Let” or “Let” boards are not left up as long-term advertising features (over 28 days); and to keep the external appearance of the property in a condition taking into account its age of the property, character and locality.