

HMO Licence Application Guidance Notes

If you make any mistakes, or do not complete all the relevant sections, it may delay the processing of the application form and incur additional charges. If additional information is supplied on a separate sheet(s), please ensure that they are securely attached to the application form. Please read the guidance notes carefully to assist you in:

- completing the form correctly, and;
- enclosing all the relevant documents.

Note 1

Types of Licensable HMOs

House in multiple occupation

This means an entire house/building or part of a building occupied by three or more people that form two or more households (for the definition of a household see Guidance Note 7). It can include a house which has been converted to a shared house, bed sits or other non-self-contained accommodation where the occupiers share one or more amenities.

Converted building / house in multiple occupation

This means a converted building that contains one or more units of accommodation that do not consist of a self-contained flat or flats (whether or not there also self-contained flats in the building). E.g. a house/building physically converted to flats at least one of which is not self-contained (i.e. The flat does not contain within it a kitchen, bathroom and toilet and the occupiers therefore need to leave the unit to gain access to any one of these amenities.)

Flat in multiple occupation

This means a flat occupied by three or more people that form two or more households (for the definition of a household see Guidance Note 7) which forms part of a building and either the whole or a material part of it lies above or below some other part of the building.

Note 2

Table 1 – Application Fee Licence Fees For Mandatory & Additional

Description	Comments	Fees
Standard	<ul style="list-style-type: none"> For non-accredited landlords Application fee up to 9 bedrooms 	1st Payment £890 2nd Payment £440 Total £1330
Less Compliant	<ul style="list-style-type: none"> For non-accredited landlords Application fee up to 9 bedrooms 	1st Payment £890 2nd Payment £830 Total £1720
Accredited	<ul style="list-style-type: none"> The proposed licence holder is accredited with the Nottingham Standard (Either Unipol or Dash) Application fee up to 9 bedrooms 	1st Payment £615 2nd Payment £375 Total £990

Table 2 – Extra Fees

Extra fees will become payable during licence application process if any of the criteria detailed in the table below is met. These extra fees will be collected in addition to the 1st & 2nd part payment. The application will not be considered duly made until all extra fees have been paid with the 1st part payment or shall be payable on request.

Please note the fees in Table 2 are non-refundable **Extra Fee`s Payable.**

Description	Comments	Fees
Extra Bedrooms Fee	When an HMO has 10 bedrooms or more, an extra fee is applicable per bedroom. Applicable in addition to the 1st part payment in Table 1 and shall be payable on request.	£25
Finder's Fee	The finder's fee is applied where the Council has to do extra administrative and/or investigation work to identify an unlicensed HMO and bring it into the licensing regime. The application will not be processed until all fees have been paid in full. In accordance with the Council's Enforcement Policy, it is likely that enforcement action will be considered at this stage if there is evidence to prove operators have failed to licence a property operating as a HMO.	£150

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	Applicable in addition to the 1st part payment in Table 1 and shall be payable on request.	
Fee for moving between mandatory / additional licencing (Part 2 of the Act) to selective licencing (Part 3 of the Act) or vice versa	<p>This fee is to recovery costs associated with the processing of a licence which will be issued under a different Part of the Housing Act 2004. Any new licence that is issued will run to same expiry date of the earlier licence.</p> <p>Please note – no fee will be payable for changes between mandatory / additional licencing, as these are under the same part of the Act (Part 2).</p> Applicable in addition to the 1st part payment in Table 1 and shall be payable on request.	25% of the appropriate application fee

Note 3

Proof of ID

List A

- A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
- A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

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- A birth or adoption certificate issued in the Channel Islands, the Isle of Man, or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

List B

- A current passport endorsed to show that the holder is allowed to stay in the UK.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK.
- A current Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland, together with a Positive Verification Notice from the Home Office Employer Checking Service.
- An Application Registration Card issued by the Home Office, together with a Positive Verification Notice from the Home Office Employer Checking Service.
- A Positive Verification Notice issued by the Home Office Employer Checking Service, which indicates that the named person may stay in the UK.

Note 4

Person Having Control Of The Property

A 'person having control' of a premises is someone who receives the rack-rent of the premises, whether on his own account OR as agent or trustee of another person. There can therefore be more than one 'person having control' for any premises. For example, if the rent is collected by a managing agent and then passed on to the owner, both the agent and the owner may be the 'person having control'.

In circumstances where the owner/freeholder has leased the property to another person or company, the leaseholder will become the person having control of the property.

Note 5

Fit and Proper Person

In deciding whether a licence should be granted, the Council must have regard to any evidence, which shows that the proposed licence holder and/or manager and any other person associated or formerly associated with them on a personal work or other basis is a fit and proper person.

To ensure that the Council can adequately assess whether a licence holder is a fit and proper person a series of questions have been asked. You must answer 'yes' or 'no' to **all** of the questions in this section. If you answer 'yes' to any of the questions, it will be necessary for the Council to undertake a further assessment. In these circumstances you **must** contact the Council to request the additional fit and proper person check. In accordance with the Rehabilitation of Offenders Act 1974, you are not required to provide details about previous convictions that are 'spent'. A conviction becomes 'spent' after a certain length of time, which changes depending on the sentence and your age at the time of the conviction. The periods are halved if the conviction took place when you were aged 17 or below.

If a person is sentenced to more than two and a half years in prison, his/her conviction can never become 'spent'. All unspent convictions must be declared.

The table below indicates the period required for the conviction to become spent. Please sign the declarations as requested. This ensures that in certain cases, other authorities such as the Police can be consulted during the licensing process. If the declaration is not signed, the application cannot be processed. Any information given will be treated as confidential and used only in connection with this application.

If you have any doubts about whether you have to declare a previous conviction, you should contact your local Probation Office, the Citizens' Advice Bureau, or a Solicitor.

Please see the next page for details of spent sentences.



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Spent Sentences Table

Sentence	Period of good conduct needed for conviction to be spent
6 months to 2½ years Imprisonment	10 years
Less than 6 months' imprisonment	7 years
Borstal Training	7 years
A fine or Community Services Order	5 years
Probation Order, Conditional Discharge, or Bind Over	1 year
An Absolute Discharge	6 months

Note 6

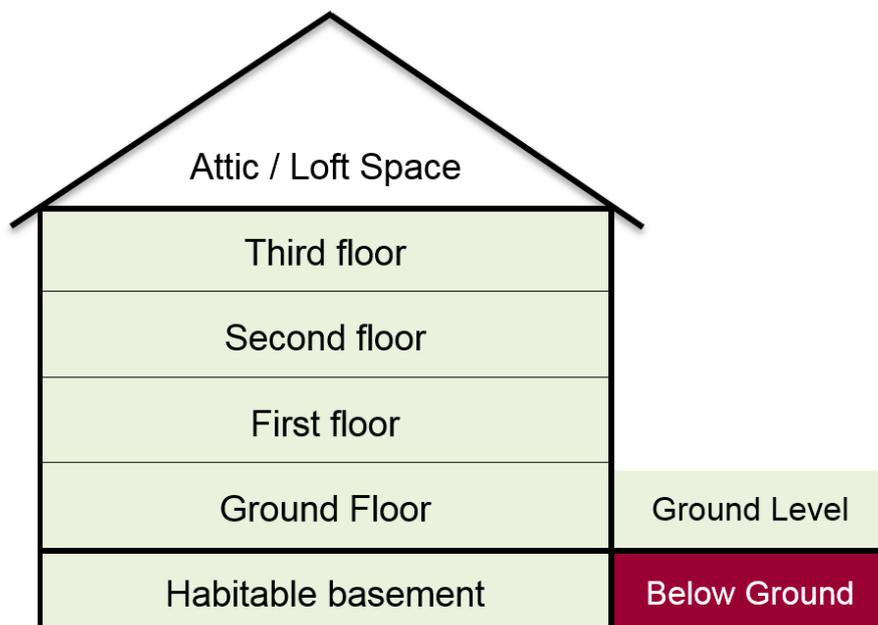
NUMBER OF STOREYS IN THE PROPERTY

The following are examples show properties with different storeys:

- a property with a ground floor and first floor – **2 Storeys**
- a property with 2 floors above the ground and an attic conversion – **3 Storeys**
- a property with 2 floors above the ground and a habitable basement – **3 Storeys**
- a property with 3 floors above the ground and an uninhabitable cellar – **3 Storeys**
- a property with 2 floors of living accommodation above a shop or other commercial premises on the ground floor – **2 Storeys**
- a property on a sloping site with 2 floors at the front and 3 at the back – **3 Storeys**

LEVELS ON WHICH THE STOREYS ARE SITUATED

The storeys on which the living accommodation exists do not need to be on the first three floors. Commercial units can be counted, as can habitable basements. The diagram below illustrates how you should describe each storey on the application form.



Note 7

HOUSEHOLDS

A **single household** refers to persons who are all members of the same family. Co-habiting couples of the opposite and same sex are considered to members of the same family. A 'relationship' means parent, grandparent, child, grandchild, brother, sister, uncle, nephew, niece, cousin, relationship of the half-blood and stepchild. Additionally, a person living with his/her employer's family or in accommodation supplied by his/her employer is classed as living in the same household, e.g. au pair, carer, gardener or personal assistant.

A **single household** can also mean one person, living alone in a **unit** of accommodation within the HMO. E.g. a student.

Note 8

FACILITIES AVAILABLE FOR EACH INDIVIDUAL LETTING

The table below illustrates how you should complete the table in part 2 of the application form. (The table represents 5 students, sharing the bathroom, living room, kitchen and appliances, but with one having their own exclusive bathroom.)

How many separate letting units are there?	Number: 5					
Please complete one column for each unit (E.g. bedsit, flat or bedroom etc).						
For each of the categories below, please state for each unit the number of:						
Unit = Self-contained flats OR bed-sits OR bedroom	Unit 1	Unit 2	Unit 3	Unit 4	Unit 5	Unit 6
People who could live in the unit	1	1	1	1	1	
Bedrooms	1	1	1	1	1	
Wash hand basins	1	0	0	0	0	
WCs	1	0	0	0	0	
Bath/showers	1	0	0	0	0	
Living/dining room	0	0	0	0	0	
Kitchen	0	0	0	0	0	
4 hob cooker, oven & grill	0	0	0	0	0	
Microwave oven	0	0	0	0	0	
Sink with draining board	0	0	0	0	0	
Cupboards for the storage of food or kitchen/cooking utensils	0	0	0	0	0	
Fridge	0	0	0	0	0	
Freezer	0	0	0	0	0	
Worktop for food preparation	0 m	0 m	0 m	0 m	0 m	m
Individual electrical sockets*	0	0	0	0	0	
*Double sockets count as two sockets. Only sockets above the worktop should be counted, discounting any sockets used for fixed appliances. E.g. fridge, freezer, cooker etc.						

Note 9

DECLARATION OF APPLICANT AND PROPOSED LICENCE HOLDER

Please complete all the necessary declarations at the end of each section. The final declaration indicating that all the information contained within the application form is true and correct requires signatures by all persons who have completed Part 1.

It is a criminal offence to **knowingly** supply information that is false or misleading for the purposes of obtaining a licence. Under Section 238 of the Housing Act 2004, a person who commits an offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale (unlimited fine).