

This newsletter is from B&NES Housing Services and is designed to provide you with current information relevant to your Licensed HMO

Mandatory HMO licensing changes

The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 was laid before Parliament on 23 February 2018 and comes into force on the 1st of October 2018. The licensing scheme was previously limited to properties with three or more storeys. From October this year all HMOs with 5 or more people sharing facilities will need to be licensed, irrespective of the number of floors. The only exemption will be on multi-occupied purpose built flats in blocks comprising three or more self-contained flats will not need to be licensed.

Landlords will need to apply for a licence before 1st of October 2018. We will accept applications from the 1st of August. A new online application system will be in place. Please check our website for further details, click [here](#)

There will be around 300 HMOs in Bath migrating from the additional licensing scheme to the mandatory licensing scheme. These properties will need to be licensed from the 1st of January 2019, after their current licences expire. Applications for licensing these properties will be accepted from the 1st of November 2018.

Enforcement – 2017/18

- Two landlords were ordered to pay a combined amount of **£18,880** for failing to licence two HMOs under the additional licensing scheme
- An agent was fined a total of **£4,110** for failing to licence an HMO under the additional licensing scheme
- A landlord has been found guilty of failure to apply for a licence under the additional licensing scheme, failure to apply for a licence under the mandatory licensing scheme and 7 breaches of management regulations and was ordered to pay in total **£6320**
- **16** Simple Cautions were issued for breaching of Housing legislation

New Additional Licensing Scheme Consultations

Bath and North East Somerset Council is consulting on a proposal to introduce an Additional (HMO) licensing scheme in the Bath City area, this would cover all wards that fall under Bath City. The consultation runs until 25th May 2018.

For more information and to complete the online questionnaire, click [here](#).

Council extends scheme to tackle gulls

There are free roof treatments to remove gull nests and eggs in areas where there are large or increasing numbers of breeding pairs. The scheme has been extended and now includes: Abbey, Kingsmead, Newbridge, Twerton, Westmoreland and Widcombe, the wards of Bathwick, Combe Down, Lyncombe, Oldfield, Odd Down and Southdown. For more information click [here](#)

Statistics 2017/18

Over **250** HMO inspections
213 works requested under the Management Regulations 2006
38 Formal notices served
199 HMO licences issued

Gardens are growing

Please keep an eye on your HMO gardens to ensure they are being kept tidy and under control.

Guidance is available from: www.bathnes.gov.uk/hmos under 'Latest News'

West of England Rental Standard

Endorsed partner organisations

- [Bristol SU Lettings](#)
- [Bristol Association of Letting and Management Agents \(BALMA\)](#)
- [National Approved Letting Scheme \(NALSA\)](#)
- [Royal Institute of Chartered Surveyors \(RICS\)](#)
- [South West Landlords Association \(SWLA\)](#)



Students moving out time

With the spring issue of the newsletter, we are sending you a letter from the Waste Campaign Team. It offers you advice and information regarding moving out time for students, which is one of the most challenging times of the year that can have a big impact on the communities.

Please note that any waste queries should be sent to:

WasteCampaigns@bathnes.gov.uk

Legislation update

- **Civil Penalty Notices:** The Council is consulting on a proposal to introduce the civil penalties as an alternative to prosecution. Financial penalties for some housing offences can be up to £30,000. The decision should be made in July this year. If you want to have your say, follow the [link](#). For more information about penalties, click [here](#)
- **Rent Repayment Orders:** Tenants and Councils are now able to apply to recover rent (up to 12 months) where there is a clear offence under the Housing Act 2004 – click [here](#)
- **Banning orders:** The councils can apply to the First-tier Tribunal for a banning order for the most serious offenders who contravene their legal obligations and rent out accommodation which are substandard. These landlords will be put on the new database, so councils can share information between them and keep a closer eye on those with a poor track record. Banning orders will last for at least 12 months and breaching a banning order could result in a custodial sentence or unlimited fine – click [here](#) for more information
- **Rogue landlords database:** A national database of persistent offenders of housing law, who have been convicted of offences or received more than one financial penalty within 12 months came into force this April – click [here](#) for more details
- **Minimum room sizes in licensed HMOs:** From the 1st of October this year, there will be a minimum bedroom size requirement: 6.51m² for a single occupancy and 10.22m² for a double occupancy in licensable HMOs with the minimum ceiling height of 1.5m. Bedrooms below these sizes will be disregarded. All licensed properties with bedrooms less than 6.51m² will need to be either extended or not used as bedrooms. This will apply to new licences and licence renewals with a condition to complete works to comply with the new standards. Click [here](#) for more information.

Planning – changing the property use from a single family to HMO

The Council has recently revised its Houses in Multiple Occupation SPD and the threshold has been reduced from 25% to 10%. Also a sandwich policy has been introduced. For more information, click [here](#)

Before applying for an HMO licence, owners of single family properties need to require planning permission from the Council to change the property use from C3 to C4.

Please note: planning permission is also required when a 6 bedroom HMO changes to a 7 bedroom HMO.



This year the **Landlord Expo** will again take place in the Exhibition & Conference Centre at University of the West of England in Bristol on **Wednesday 13th June** between 11am and 6pm.

There are expected to be 90 exhibitors, over 500 visitors and 18 seminars running throughout the day.

For more information, click [here](#)

Click on the link, if you wish to report **an unlicensed HMO:**
www.bathnes.gov.uk/reportunlicensedhmo