

# Renewal application of HMO licence – Guidance notes

## Misrepresentation

An application for a House in Multiple Occupation (HMO) licence is a serious matter and should be regarded in the same manner as applications for other licences such those required for the sale of alcohol, provision of entertainment or to operate a hackney carriage.

Please note that it is a criminal offence to knowingly supply information which is false or misleading for the purpose of obtaining an HMO Licence. Evidence to support any statements or information made in the HMO Licence application may be required at a later date. If the Council subsequently discovers something which is relevant and which you should have disclosed or which is incorrectly or imprecisely stated or described, the licence may be cancelled or other action taken. This may affect other HMO licences with which you have any connection.

## Contents

1.	Current licence reference number .....	2
2.	Type of Application.....	2
3.	Registered address v Trading address .....	2
4.	Applicant’s details .....	2
5.	Proposed Licence Holder details.....	2
6.	Changes to the ownership, freeholder, lease holder and mortgage from your previous application.....	3
7.	Details of the Property Manager.....	3
8.	Fit and Proper Person test .....	4
	<b>Businesses and organisations .....</b>	<b>4</b>
	<b>Managing agents .....</b>	<b>5</b>
9.	Legal interest.....	5
10.	Further details of the property .....	5
11.	Supporting files .....	5
12.	Supporting documents .....	5
13.	Notification Requirements .....	6
14.	Payment of HMO licence fee.....	7
15.	Confirmation of submission. ....	7
	Appendix 1 – floor plans .....	8

## 1. Current licence reference number

This can be found at the bottom of your most recent licence or alternatively go to the HMO licensing public register at [www.bathnes.gov.uk/hmos](http://www.bathnes.gov.uk/hmos) and following the instructions provide. The postcode of the licensed HMO will be required.

## 2. Type of Application

**Mandatory** – National scheme –all HMOs occupied by 5 or more occupants sharing facilities will require a licence to operate.

**Additional** – Local scheme, Bath City - HMOs occupied by 3 or 4 tenants sharing facilities may require an Additional licence.

## 3. Registered address v Trading address

The registered address is the official contact address for a company as listed with Companies House, it serves as the official contact address for delivering official documents.

The trading address may be different and is the address of the premises the company/business operates from.

## 4. Applicant's details

As the person completing the application, please select which statement applies to you.

The applicant in most cases will be the proposed licence holder. However, other persons including the managing agent may be the applicant; they will have to sign the application form and declare that all the information is correct.

We would however advise that the proposed licence holder(s) apply, due to the requirement of DBS checks and Fit and Proper declarations being submitted for the proposed licence holder(s) with **every** application, regardless of whether another application has been submitted. As well as information on all property owners, including any mortgages including roll numbers, any freeholders, any leaseholders and any charges on the property

If a third party is completing the application, we will contact the proposed licence holder to confirm that all information provided is correct and the application will remain invalid until confirmation is received in writing from them.

## 5. Proposed Licence Holder details.

Select one of the options listed that best describes the proposed licence holder, complete the subsequent questions relating to the proposed licence holder(s) details.

## Details of the person(s) to be named on the licence (Proposed Licence Holder)

*\* Indicates a mandatory field*

Type of Licence Holder *\**

- An Individual / Joint Individual
- Unincorporated Business Owner (Operating under a trade name)
- A Limited Company
- A Partnership (Operating under a trade name)
- A Trust
- A Charity
- A Managing Agent
- Other

This section does not appear if the applicant has previously selected that the statement 'I am the Proposed Licence Holder – The Sole Applicant....'

### 6. Changes to the ownership, freeholder, lease holder and mortgage from your previous application

- Where a property is no longer jointly owned or is now co-owned since the previous application, please provide details of all persons with a legal interest.
- If you have re-mortgaged since your previous licence application, please provide details including mortgage account number.

### 7. Details of the Property Manager

(this section does not appear, if the applicant has previously selected that the statement 'I am the Proposed Licence Holder – The Sole Applicant....')

## Details of the Property Manager

*\* Indicates a mandatory field*

Who will manage the property? *\**

- The Proposed Licence Holder will manage the property
- The person filling out the form will manage the property
- Another Individual has been employed to manage the property e.g. An employee of the person with control of the property
- Another Non Individual / company has been employed to manage the property

Enter the details of the manager including their registered address.

If a separate manager is employed, are they a member of a regulatory body and if yes, which regulatory body?

## 8. Fit and Proper Person test

Before granting a licence the local authority must be satisfied that the licence holder, manager and any other person involved in managing the HMO is fit and proper.

We require a separate signed **fit and proper person (F&PP) declaration** and a **basic Disclosure and Barring Service (DBS) certificate** from all proposed licence holders and managers (including managing agents) to assist us in making this judgement. The DBS check must be dated within 3 years of being received by Housing Services. To obtain a basic DBS check, go to: <https://www.gov.uk/request-copy-criminal-record>

Fit and proper person declarations can be downloaded from here - click on the link: [Individual](#) or [companies](#).

Proposed licence holders will need to complete the fit and proper person declaration. When signing, you are doing so on behalf of all individuals involved in the management of the HMO.

If you apply for other licences, we will ask you to sign a declaration to confirm that you have not committed any offences in the meantime

If at a future date, you or an associate involved in the management of the HMO have committed any offences, you will need to declare this. In this circumstance, please contact us as we will need to reconsider your 'fit and proper person' status.

If we decide you are no longer a 'fit and proper person' we will remove this status, and we will tell you how you can challenge this decision.

If a proposed licence holder lives abroad, they should have a local manager who would be responsible to day-to-day management of the HMO. The proposed licence holder would need to submit this manager's DBS check. The manager's details would also need to be updated each time when a new manager is appointed and a new DBS check would be required.

The proposed licence holder will need to check the DBS equivalent for their country of residence here - <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

### **Businesses and organisations**

Where a business or organisation is to be the licence holder, we will require a DBS check from the director(s) of the company, or where directors have specific roles, the director with management control of the HMO.

We also require a fit and proper person declaration, which should be signed by the director or other responsible person on behalf of the company, charity or trust.

Any employee who is involved with the management of the HMO can be regarded as an 'associate'. In signing the declaration, the responsible people should be satisfied that these employees would be able to sign the declaration themselves, for example by requesting a DBS check.

The rules about offences outlined above also apply to businesses.

## Managing agents

If your application includes details of a managing agent, they will also have to meet the 'fit and proper person' test.

If you are a managing agent, a person of suitable authority such as the Director, Company Secretary or owner will need to sign the fit and proper person declaration on behalf of all employees that are involved in the licensable HMO.

## 9. Legal interest

Have there been any changes to the ownership, freeholders, leaseholders and mortgage companies since your previous application?

If yes, then complete as requested.

## 10. Further details of the property

Are you applying for the same number of occupants and households as the previous licence?

If No, answer the questions as provided. You will be required to submit a floor plan of the property.

Is the layout, room use and structure the same as indicated in schedule 2 of the most recent licence?

If 'No', answer the next set of questions and submit a floor plan of the property with your application. Floor plans should show the whole property, not just the changes, please see the last page of these notes.

## 11. Supporting files


This is your opportunity to upload supporting documents such as fit and proper declarations, DBS checks, floor plans, gas and electrical safety certs etc. and anything else that you think appropriate.


### Supporting files

Any files which may be relevant to your submission

### Attached files

Used: 182 / 7200 KB

3\_or\_more\_licence\_holders.docx(32,006 KB) 

2018\_Floor\_plan\_example.pdf(48,329 KB) 

F\_PP\_declaration\_-\_Individuals.docx(57,829 KB) 

F\_PP\_declaration\_-\_Registered\_Companies.docx(48,274 KB) 

## 12. Supporting documents

This is a list of documents we require to process your application. Please confirm how we will receive them.

- Fit and proper declarations for all proposed licence holders must be completed and submitted with each application, regardless of whether it has been previously provided.

The **N/A tick box** only applies where the applicant has previously selected the statement 'I am the Proposed Licence Holder – The Sole Applicant....', as the F&PP is incorporated into their application.

- A DBS check dated within 3 years of application must be provided for all licence holders. Unlike the fit and proper declaration, proposed licence holders do not need to submit another DBS check as long as the one previously submitted to Housing Services is still dated within 3 years. Please ensure this is the case, as it may affect any discount, if Housing Services have to request a new one.
- At the time of application, please ensure that any manager you employ has submitted to Housing Services a fit and proper declaration within the last 6 months and a DBS check dated within 3 years, as this will invalidate your application, if not held and in date.
- **Floor plans: please check what should be included (fire detectors, fire blanket etc.)**  
See Appendix 1.

Housing Services are unable to provide any floor plans that have been previously submitted by another applicant.

- **Safety certificates**

Gas Safety Certificate

Domestic Electrical Certificate of testing and inspection, this should be satisfactory and dated within 5 years. **Please ensure the certificate shows that the fixed wiring has been tested and inspected and not that for example a consumer unit has been installed. Evidence must be provided that any defects shown have been resolved.**

Energy Performance Certificate - EPC

### 13. Notification Requirements

It is important that a copy of the licence application, including any floorplans, is served on proposed licence holders, where they are not the applicant.

- The applicant should also notify any owners of the property (if that is not you) i.e. the freeholder and any head lessor who are known to you;
- the proposed manager/managing agent (if that is not you);
- mortgage companies;
- any person who is a tenant or long leaseholder;
- any person who has agreed that he will be bound by any conditions in a licence if it is granted;
- Any person who is a key holder (including trades person and additional family members)

You must tell each of these people (or organisations):

- Your name, address, telephone number and email address or fax number (if any)
- The name, address, telephone number and email address or fax number (if any) of the proposed licence holder (if it will not be you)
- That this is an application for an HMO licence under Part 2 of the Housing Act 2004

- The address of the property to which the application relates
- The name and address of the local housing authority to which the application will be made
- The date the application will be submitted

**Note:**

Date declaration made – this is the date you make the declaration i.e. today.

#### 14. **Payment of HMO licence fee**

You will be asked to pay the licence fee when you submit your application online. You can either pay the balance in full or in two parts.

If you choose to pay in two parts, you will be requested to pay the balance prior to your HMO licence being issued.

Follow the online instructions when making your payments.

Payment can be made using most credit and debit cards. Unfortunately, we are not able to accept American Express.

If you are having difficulty making payment online, please contact your card provider.

#### 15. **Confirmation of submission**

The applicant will receive an email from 'noreply@idoxds.com' confirming submission; it will also have a copy of the application attached. Please check your junk email if not received. Save the PDF copy of your application. This is your evidence of submission and you should keep it in a safe place; and we will contact you in due course. You do not need to contact B&NES HMO Licensing to check that we have received it.

**If you have not received this confirmation email, then you have not submitted an application and you should check your IDOX account and draft submissions.**

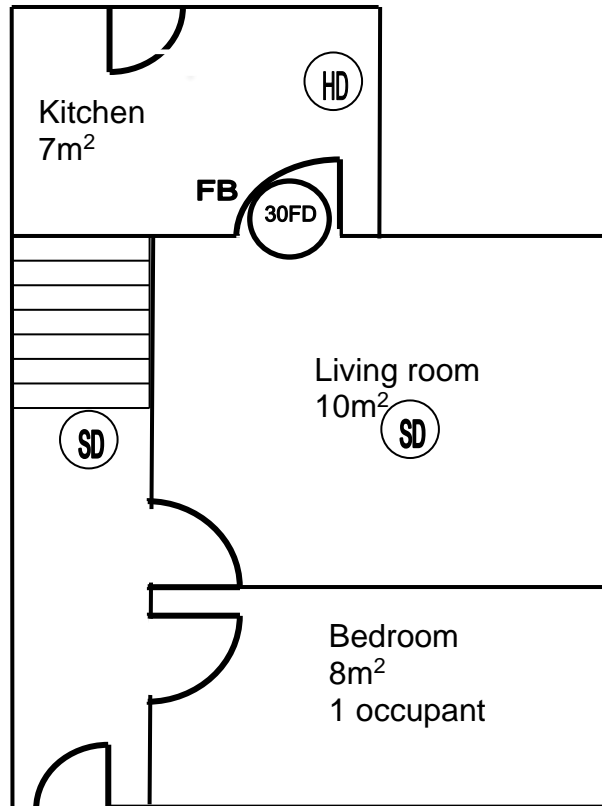
Submissions and draft applications will be deleted from your IDOX account after 30 days. You will receive an email from Idox prior to deletion.

## Appendix 1 – floor plans

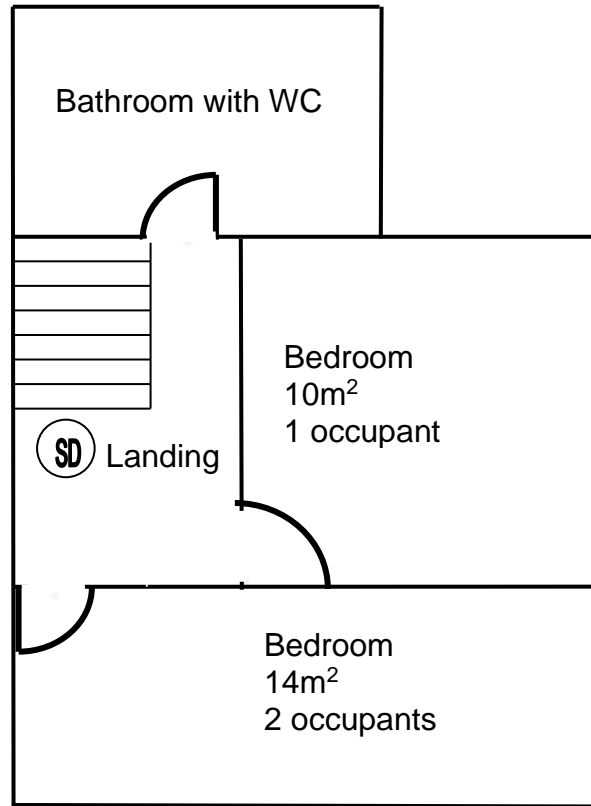
This is an example plan that will be acceptable as part of your HMO licence applications. It is to show the existing layout and how the rooms are used, it can be drawn by hand and does not have to be drawn to scale, it does need to be clear, legible and roughly in proportion.

Items that **MUST** be included on your floorplan (your application will be invalid without the following information):

- Address of property;
- Floor level i.e ground, first, second;
- All rooms along with their use i.e kitchen, bedroom, WC;
- Location of stairs;
- All fire precautions currently within the property i.e fire blanket, heat and smoke detectors, fire doors. If you feel you would like to add anything else to your plan, particular in terms of fire precautions/safety, please do.
- Size of rooms (m<sup>2</sup>) , not including hallways, WCs and bathrooms;
- Number of occupants per bedroom.



Ground floor



First floor

8

