

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.

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1. Security Update to payment systems software

Payment card industry security standards have recently been updated nationally, which means that, if you're not using the latest version of your chosen internet browser, you may experience an error message, when making online payments. This is because older internet browsers are deemed to be a security risk by the Payment Card industry and have therefore been disabled from connecting to online payment systems.

To resolve this you will need to update your internet browser.

What is a browser?

A browser is the software that gives you access to the internet (i.e. Google Chrome, Firefox, Internet Explorer, Safari etc.)

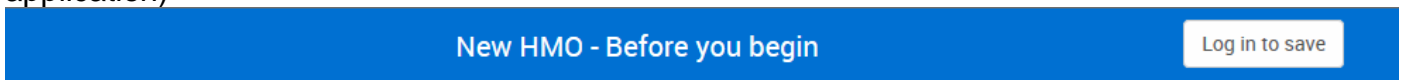
Why should I get the latest browser version?

For your security and safety, it is strongly recommended that you use the latest version of your preferred browser.

2. Before you begin

We recommend you register for your Idox ID BEFORE applying for a licence. This will allow you to save as you go and return to your unfinished application anytime you wish.

Once you clicked on [Online application](#), to register, click **log in to save** (right top corner on the application)



Before you begin

Register for an account to allow the form to be saved as you progress. Creating an account is free and enables you to return to the form at a later time to complete the submission.

You do not need to create an account to submit the application but you will not be able to save your progress and return to the form at a later time.



and then go to **Register for an Idox ID**

Log in

Once logged in your progress will be saved automatically allowing you to return at any time to complete your form.

OR

Register for an Idox ID

An Idox ID is a secure user account registered with Idox that allows you to save your progress and to view your previous submissions to the authority.

Once you have registered, you will receive a confirmation email. Please ensure you follow the instructions on this email before logging back in to start your online application.

You can exit the application at any time by closing your browser. When you log in, please note it will say 'Saved as Draft' in the top left hand corner of your application; if it does not say that, you have not logged in after registering.

To return to your saved application, close all open pages on your browser and then click on ['Return to saved applications'](#).

If you have any problems with the application form, please contact Idox Helpdesk on: servicedesk@idoxgroup.com or by tel: 03330 111 663

3. 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/hmopublic and following the instructions provide. The postcode of the licensed HMO will be required.

4. Type of Application

Mandatory – National scheme – from the 1 October 2018, all HMOs occupied by 5 or more occupants sharing facilities will require a licence to operate.

Please note that some properties that have 5 or more occupants and were previously licensed under Additional licensing scheme should be renewed as Mandatory.

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

5. 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.

6. Applicant's details

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

Please note that if you select 'I am the Proposed Licence Holder – The Sole Applicant, who collects the rent and has sole responsibility for managing the property', you are confirming that there are no other persons involved in the management of the property and that you do not employ a separate manager.

Applicant Details

** Indicates a mandatory field*

As the applicant please select the appropriate statement? *

- I am completing the form on behalf of the Proposed Licence Holder(s)
- This is a Joint Application, I am one of the applicants
- I am the Proposed Licence Holder – There are other people involved in the management of the property
- I am the Proposed Licence Holder – The Sole Applicant, who collects the rent and has sole responsibility for managing the property

7. Proposed Licence Holder details.

(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 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

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

8. 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.

9. 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?

10. 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>

If you already have an enhanced DBS check and do not wish to apply for a basic one, you need to be registered to use the Update Service, send us the last certificate you have received and your certificate number.

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>

By signing the F&PP declaration that person must be confident that any person appointed to assist in the management of the property, including key holders, would be able to sign the declaration themselves.

Where a business or organisation is to be the licence holder then a DBS check will be required from the director(s) of the company or where directors have specific roles, the director with management control of the HMO. A F&PP declaration is also required and 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'. Consequently, 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.

Where the managing agent operates out of more than one office, then a F&PP declaration and DBS check must be completed by the manager of the local office in control of/managing the licensable HMO and a F&PP declaration must also be completed by head office and signed by a person in authority such as a director or company secretary.

The local authority must have regard to any evidence that a person or organisation has committed any of the matters listed in the declaration that is contained in the application pack.

Those signing the declaration should note that any offences etc. committed by an associate or family member involved in the management of the property are also relevant.

An unspent conviction will not necessarily prevent a fit and proper judgement by the local authority. The local authority will consider each offence and any mitigating circumstances on their relative merits.

A local authority can revoke a licence, if it no longer considers a licence holder to be fit and proper.

Similarly, the fit and proper person status can be removed from managers and anyone else involved in the management of the property or key holders. It would then be a breach of a licence condition, if that person continues in that capacity.

Where a manager is employed, it is the responsibility of the applicant to either obtain a signed F&PP declaration and DBS check from them to submit with the application OR check with said manager that a F&PP has previously been submitted within the last 6 months to Housing Services and that Housing Services have also seen their relevant DBS certificate.

Applicants should also read point 9 below, Fit and Proper Person declarations.

FPP Declaration	DBS check
All proposed licence holders – must submit a F&PP declaration with each application, except where the applicant has previously selected the statement ‘I am the Proposed	All proposed licence holders

<i>Licence Holder – The Sole Applicant....</i> , as the declaration is incorporated within the application.	
All Local Managers – a F&PP declaration must be held by Housing Services dated within 6 months of the application being submitted. Applicants must confirm this with their manager; if unsure the manager should complete and submit a new declaration. Therefore a F&PP is not required with every application.	All Local Managers – Applicants should ensure their manager has previously submitted a DBS check and that it is still dated within 3 years
A Head Office director, responsible for the management – see: all local managers	

11. Fit and Proper Person declarations

A fit and proper person declaration **must** be submitted with every application for all proposed licence holders, except where the applicant has previously selected the statement ‘I am the Proposed Licence Holder – The Sole Applicant....’, as the declaration is incorporated within the application and the following page does not appear.

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

The details of all proposed licence holders and any other persons/organisations involved in the management of the HMO must be entered.

Full Name *

Capacity *

- Proposed licence holder
- Joint proposed licence holder
- Person receiving the rent
- Property Manager
- Proposed Manager (manages multiple licensed HMOs)
- Other

With regard to proposed licence holder(s) the first declaration must be selected.

Please select the relevant declaration. *

If you selected Proposed/Joint Proposed Licence Holder above, you should select the first declaration. If you selected one of the options for Manager you may be eligible to select the second declaration.

- I declare that the Fit and Proper Persons Questionnaire and Fit and Proper Person Declaration have been completed and signed by the person above and will be submitted with this application.

Whereas for managers the second declaration can be selected, but only if the applicant has been informed by the manager that a declaration has previously be submitted within the last 6 months, otherwise a declaration must also be submitted for the manager.

I can confirm that the named person/business has previously submitted a Fit and Proper Persons Declaration to Bath and North East Somerset Council within the last 6 months . (If you copy and select the option above as this may result in your application being delayed).

12. 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.

13. 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.

14. 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.doc(32,006 KB) 

2018_Floor_plan_example.pdf(48,329 KB) 

F_PP_declaration_-_Individuals.doc(57,829 KB) 

F_PP_declaration_-_Registered_Companies.doc(48,274 KB) 

15. Supporting documents

This is a list of documents we require to process your application. Please confirm how we will receive them. A £50 discount will apply, if all below documents are submitted with your application. Otherwise you can send them by post or e-mail but the discount would not be applicable.

- 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 it shows that the fixed wiring

has been tested and inspected and not that for example a consumer unit has been installed.

- Energy Performance Certificate (EPC)
- Floor plans (required, if changes have been made to occupancy and layout)
- 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.

16. 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

[A letter of notification](#) can be found on our website.

Note:

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

17. Payment of HMO licence fee

Please refer to the HMO licence fee document, which can be found at www.bathnes.gov.uk/hmoapp

The fee is payable in 2 parts, £500 at the time of application and the balance will be requested on issue on the proposed licence. The full fee must be received before the actual licence is issued. Alternatively, applicants will be given the option to pay the full fee upfront at time of application.

A discount of £50.00 will be applied under the following circumstances:

- The fully completed application is submitted online via B&NES electronic application form and all the correct valid supporting documents are uploaded with the application;
AND
- The proposed licence holder and any managers agree to receive licences and any other relevant documents via email.

Follow the online instructions when making your payments.

We accept the following cards: Visa, Visa Delta, Electron, MasterCard Debit, MasterCard Credit and Maestro.

18. Confirmation of submission

It is strongly recommended that you take a screen grab of the following page and save in a safe place.

Your request has been submitted successfully.

Your unique reference
DSFX1542107907564
HMO Renewal Application PDF
View
Your supporting files
3_or_more_licence_holders.docx
F_PP_declaration_-_Individuals.docx
2018_Floor_plan_example.pdf
Fee
Fee amount: £450.00
Payment reference: ZZEL00000028

[Finish](#)

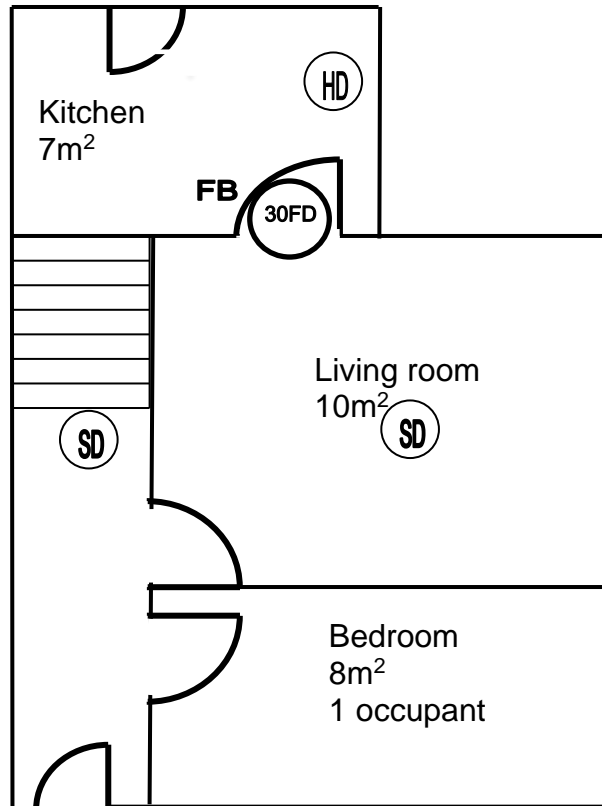
The applicant will receive an email from 'noreply@idoxds.com' confirming submission; it will also have a copy of the application attached. Please check your junk email if not received. Save the PDF copy of your application.

Appendix 1 – floor plans

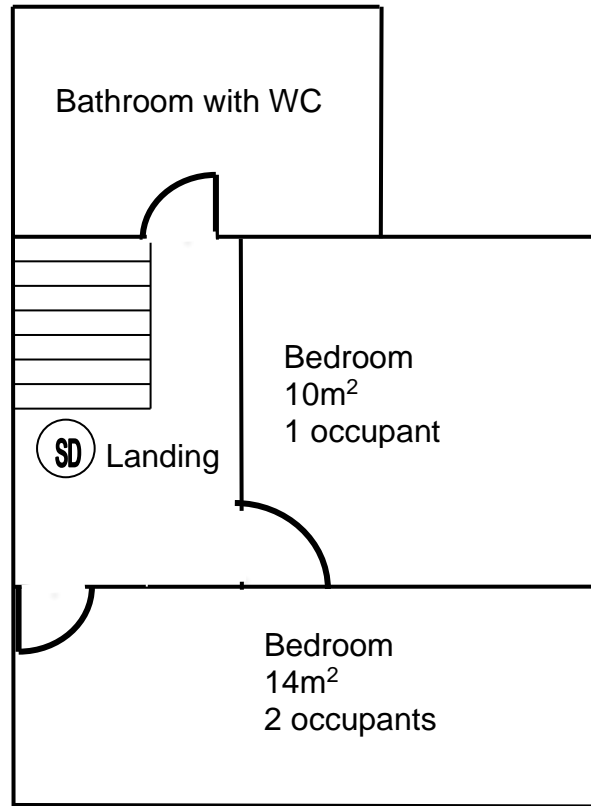
This is an example plan that will be acceptable as part of your HMO licence applications. It is to show the existing layout and how the rooms are used, it can be drawn by hand and does not have to be drawn to scale, it does need to be clear, legible and roughly in proportion.

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 (m²) , not including hallways, WCs and bathrooms;
- Number of occupants per bedroom.



Ground floor



First floor

12

