

## Guidance Notes

### HMO licensing fee procedure

There will be two stages to the mandatory HMO Licensing Process and fees for new applications from 1 October 2018 are as follows:

<b>HMO Licensing Fees</b>	<b>Fee</b>	<b>Extra Room Fee</b>
Stage 1 Fee relates to processing the initial application	£470.00	£24.00
Stage 2 Fee relates to ongoing administration of the licensing scheme	£370.00	£49.00
<b>Total First Application Fee (stage 1 plus stage 2)</b>	<b>£840.00</b>	<b>£73.00</b>

Note: Accredited Landlords will be given a 15% reduction on fees (see table below). There are significant benefits to being an accredited landlord. Further information on Landlord Accreditation is available on the website of North Lincolnshire Council or by contacting the council's Environmental Health and Housing Team.

<b>Accredited Landlord - HMO Licensing Fees (15% reduction)</b>	<b>Fee</b>	<b>Extra Room Fee</b>
Stage 1 Fee relates to processing the initial application	£400.00	£20.00
Stage 2 Fee relates to ongoing administration of the licensing scheme	£314.00	£42.00
<b>Total First Application Fee (stage 1 plus stage 2)</b>	<b>£714.00</b>	<b>£62.00</b>

### Payment of stage 1 HMO licensing fee

You must pay the Stage 1 HMO licensing fee by cheque and it must be made payable to North Lincolnshire Council before any further work will be undertaken on your application. If you fail to include the cheque with your completed application it will be cancelled and returned to you. A visit to the property will take place and if it is found to be operating as a licensable HMO without a licence, prosecution proceedings will commence.

If you engage the council in costly administrative fee recovery work you will be penalised by receiving a reduced term licence at full cost. In such circumstances, landlords who have been accredited through North Lincolnshire Council's Accreditation Scheme will not be entitled to their discounted HMO licence fee.

If a licence application is submitted to the council after the council has determined that the property is being operated as a licensable HMO, (for example as a result of a proactive visit), then the applicant

will receive a reduced term licence and will be charged at full cost. Formal action may also be considered. In such circumstances Accredited Landlords will not be entitled to their membership discount on the HMO licence fee.

The council reserves the right to issue a shorter duration HMO licence if there is reason to believe that an applicant has previously evaded HMO licensing. In such cases the applicant will be given the opportunity to provide evidence to the contrary.

Discounts will not be available to Accredited Landlords where it appears that a timely application has not been made to the council.

After we have received your application and the stage 1 fee, we will seek to validate your application within 28 working days. We will reject any incomplete applications and ask you to re-submit your application including any relevant documentation. Customers may experience longer processing times where incomplete applications are submitted, queries exist over applications or where an applicant delays fee payment.

We will be using a valid application to determine when a property will be visited during the licence period which normally lasts 5 years. The information provided will be risk assessed having regard to:

- 1) The size of the sleeping rooms and whether they meet the new minimum legal standards
- 2) Safety issues – in particular relating to fire safety, gas safety and electrical safety
- 3) Level of amenities
- 4) History of compliance with the landlord and any person managing the property

Where it is determined that the property does not meet the requirements relating to safety and/or room sizes, then the property will be visited before a licence is issued to ensure that these safety matters are resolved and the appropriate action is taken having regards to our enforcement policy. Should the room size not meet the minimum requirements then you will be given **up to 18** months to ensure that the room either meets the standard through building work or ceases to be used.

In all other circumstances, we will be issuing the draft licence outlining the conditions and appropriate timescales to comply with those conditions. For example, where the property is safe and meets the minimum room size standards but lacks the level of amenities (bathroom and kitchen), the licence holder will be normally be given **up to 18** months to comply with these provisions. This is called the Notice of Intention to issue the licence stage. This will be served on the licence holder and any other relevant person, allowing you up to 14 days for you to make representations regarding the licence and the conditions. If you dispute the conditions then it is at this stage you should make an appeal to the council.

Following the 14 days period we will then serve on the licence holder and any relevant person a notice setting out:

- The reasons for deciding to grant or refuse to issue the licence and the date on which the decision was made
- The right of appeal against the decision
- The period within which an appeal may be made

These will be served within 7 days of making the decision.

If you dispute our decision, you may appeal this decision to

- Property Chamber of the First Tier Tribunal (PC) Service, Northern Residential Property Tribunal, First-tier Tribunal, 1st Floor, Piccadilly Exchange, 2 Piccadilly Plaza, Manchester, M1 4AH - Tel: 0161 237 9491- [rpnorthern@hmcts.gsi.gov.uk](mailto:rpnorthern@hmcts.gsi.gov.uk)

More information can be found at <https://www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber> where it is also possible to download the appropriate forms.

### **Payment of stage 2 HMO licensing fee**

Once the appeal period has expired and if there is no appeal you will be informed and we shall request that you pay the Stage 2 HMO licensing fee by cheque and again it must be made payable to North Lincolnshire Council.

Once we have received the cheque and it has been processed the HMO Licence with conditions will be issued.

## **General Information about HMO Licensing**

### **Meaning of "HMO"**

A House in Multiple Occupation (HMO) is defined in the Housing Act 2004 and includes houses occupied by 3 unrelated people who form 2 or more households. It is legal term and certain types of multi-occupied buildings as defined by the Act.

The following property descriptions would be HMOs:

- A house or flat which is occupied by 3 or more people who form 2 or more households share a kitchen, bathroom or toilet.
- A house which has been converted entirely into bedsits or other non-self-contained accommodation and which is occupied by 3 or more people who form two or more households and who share kitchen, bathroom or toilet facilities.
- A converted house which contains one or more flats which are not wholly self-contained (i.e. the flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by 3 or more people who form two or more households.
- A building, which is converted entirely into self-contained flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies.
- A building that is subject to a 'HMO Declaration' under section 255, Housing Act 2004

A unit of accommodation is a "self-contained flat" if it has all amenities, i.e. a kitchen (or cooking area), bathroom and toilet for the exclusive use of the occupants behind its own entrance door. If the occupiers need to leave the unit to gain access to any one of these amenities, that unit is not a self-contained flat.

A purpose built block of flats is not an HMO. However, individual private rented flat or flats within it could be subject to Mandatory HMO Licensing.

If a purpose built block contained no more than two self-contained flats and where at least one of those flats was occupied by 5 or more persons (comprising at least two or more households) then the flat (or flats) would be subject to Mandatory HMO Licensing . This would also apply to purpose built blocks containing up to two residential flats plus commercial usage (i.e. shops, offices, etc) all in the same block.

For purpose built blocks containing 3 or more flats, neither a multi-occupied flat nor the block would require a Mandatory HMO Licence.

If the block is a building (or part of a building) that has been converted entirely into self-contained flats, but the conversion did not comply with the standards of the 1991 Building Regulations and if more than one third of the flats are let out on short leases, then the building is a HMO under Section 257 of the Housing Act 2004. These converted blocks of flats are not subject to Mandatory HMO Licensing however any private rented flat or flats in the block, that are occupied by 5 or more persons (comprising two or more households) would each need a HMO Licence.

In order to be an HMO, the property must be used as the tenants' only or main residence. Properties let to students and migrant workers will be treated as their only or main residence and the same will apply to properties, which are used as domestic refuges or for other purposes prescribed by the Government.

A HMO **must** be licensed if it satisfies all of the following criteria:

- The premises are occupied by 5 or more persons.
- and**
- The occupiers comprise 2 or more separate 'households'
- and**
- Share amenities such as bathrooms, toilets and /or cooking facilities
- or**
- Where all units of accommodation, are not fully self-contained

This description will cover a wide range of property types that will include; shared houses, bedsits with shared amenities, converted buildings providing a mix of self-contained and non-self-contained accommodation, flats in multiple occupation, hostels and certain B&B accommodation

### **Meaning of "Household"**

For the purpose of the Housing Act 2004, a 'household' is members of the same family living together including:

- An individual tenant / student
- Couples married to each other or living together as husband and wife (or in an equivalent relationship in the case of persons of the same sex)
- Relatives living together, including parents, grandparents, children (and step-children), grandchildren, brothers, sisters, uncles, aunts, nephews, nieces or cousins

- Half-relatives are treated as full relatives. A foster child living with their foster parent is treated as living in the same household
- Any domestic staff would also be included in the 'household' if they are living rent free, in accommodation provided by the person for whom they are working therefore, three unrelated friends sharing together are considered to be three households.
- A couple sharing with a third unrelated person would constitute two households.

A family renting a property is a single household. If that family has an au pair to look after their children, that person would be included in their household.

### **If only part of a property is let to tenants**

If a property is partly 'lived in' by tenants as their main, or only, residence, but is also used for other purposes, the building may be classed as an HMO. In particular this would be the case if the council were satisfied that the more permanent tenants are making significant use of the building. Examples of this would include:

- a B&B providing accommodation for homeless people as well as a
- place to stay for short-term guests
- a house that is used in the summer for holiday lets but is let to tenants out of season

If the council classes your property as a HMO and it meets the criteria for licensing, you will have to apply for a licence. You have the right to appeal against the decision to classify the property as an HMO.

### **If a property becomes licensable due to changes in household that the landlord is unaware of**

A landlord commits an offence if he or she knowingly lets a property to more people than it is licensed to hold. In the interests of good management standards you should be aware of who is living in your property at all times. If you are aware that people other than the tenant are in occupation or if you are accepting rent from the additional occupants (whether or not you know they are tenants) this could be taken to mean that you know that they are living in the property.

If guests come to stay with the tenant then, provided that they are staying there for only a short period and are not paying rent and using the property as their main or only residence, they will not count towards the number of occupants.

### **Converting HMOs or reducing the number of occupants to below the mandatory licensing threshold**

You may not unlawfully evict your current tenants in order to avoid licensing or return the property to a single dwelling. If you attempt to do so, then you may no longer be considered a 'fit and proper person' and not entitled to hold a licence.

You may reduce numbers through natural decline provided that your HMO is not one which requires planning permission.

Landlords may not evict existing tenants to avoid licensing or to comply with the maximum number of occupants allowed in the property. It is considered reasonable that the tenants were in occupation at the time the licence was granted and landlords will not be penalised. However, when the tenancy comes

to an end, landlords or agents will be committing an offence if new tenants are allowed to move in bringing the total occupants above the maximum number permitted under the licence.

### **Granting a licence**

In order to grant a licence we must be satisfied that:

- The proposed licence holder and any manager are a 'fit and proper' person and the most appropriate person to hold the licence
- Proper management standards are satisfactory
- The HMO is reasonably suitable (or can be made suitable) for occupation by the number of tenants allowed under the licence meeting the minimum prescribed room sizes and standards of amenities and facilities. These include the number, type and adequacy of shared bathrooms, toilets and cooking facilities.

### **Licence holder test of fitness and compliance with management conditions**

The local authority must be satisfied that the person applying for an HMO licence is a "fit and proper person" to hold a licence. The same test applies to any person managing the premises and any director or partner in a company or organisation, which owns or manages the HMO.

The local authority may check with the police whether the applicant has any relevant convictions and may approach other authorities and agencies such as the Fire Service, Office of Fair Trading, Citizens Advice Bureau, Health and Safety Executive and any internal department of the Council.

Not all convictions would be relevant to a person's prospective role as an operator of an HMO, for example motoring offences would not be relevant but a conviction for fraud or theft could be since the licence holder/ manager would be in a position of trust.

If you do have any convictions you are required to declare, these should not be sent with the application for licence but should be sent under separate confidential cover. Unspent convictions may be convictions for which the rehabilitation period has not been completed or convictions which are excluded from the Act (i.e. never spent). If you are unsure about any matter, please contact us.

A notice under section 189 of the Housing Act 1985 is a repair notice for premises which are unfit for human habitation. A notice under section 190 of the 1985 Act is a repair notice for premises which, although fit for human habitation, require substantial repair. A section 189 or 190 notice specifying works to the common parts of a building may be served on a person who is an owner of that part of the building (or the building as a whole) who in the opinion of the Council serving the notice, ought to carry out the works. Part 1 of the Housing Act 2004 replaces the existing housing fitness standard contained in the Housing Act 1985 with the Housing Health and Safety Rating System.

Contravened any provision of any enactment relating to housing or of landlord and tenant law; including any civil proceedings in which judgement was made against the proposed licence holder or manager.

The proposed licence holder or manager owned or has owned a property which has been subject to a control order under section 379 of the Housing Act 1985(a) in the last 5 years, been subject to an interim management order or final management order or a special interim management order under the Housing Act 2004.

## **Information about the interest in the property**

A flat is a dwelling, which is a separate set of premises, whether or not on the same floor, divided horizontally from some other part of the building.

“Owner “or “person having control” is the person who receives (directly or as an agency or trustee) the market rents from the tenants for a given premises or is otherwise entitled to receive the rents if the premises were let. The owner is also entitled to dispose of the fee simple of the premises.

## **Information about the property**

Planning permission may or may not be required in relation to your HMO. If you are not sure whether permission or approval is required for the property for which you are seeking a licence, contact the Council’s Development Control Section. Where permission or approval has already been obtained, please enclose a copy with your application.

If the property was built or was provided by conversion after 1991 you may not require a licence if the works were carried out in accordance the relevant Building Regulations. If you are unsure about any matter, please contact us.

A person is a member of the same family as another person if, those persons are married to each other or live together as husband and wife (or in an equivalent relationship in the case of persons of the same sex); one of them is a relative of the other. “Relative” means parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece.

a) Bed-sits are defined as being houses occupied as individual rooms where there is some exclusive occupation (usually bedroom/living room) and some sharing of amenities (bathroom and/or toilet and/or kitchen). Each occupant lives otherwise independently of all others.

b) Shared houses are defined as houses occupied by members of a defined group e.g. students or a group of young single adults. The occupiers each enjoy exclusive use of a bedroom but would share other facilities including a communal living space.

c) Hostels (guesthouses and bed and breakfast hotels) are defined as houses that provide accommodation for people with no permanent address of residence as distinct from hotels, which provide accommodation for temporary visitors to an area. This category would include establishments used by local authorities to house homeless families pending permanent placement and similar establishments which provide accommodation for people who would otherwise be homeless. It would also include bona fide hotels used for such purposes, even on a casual basis, and hotels housing a mixture of homeless households and visitors.

d) “Corridor flats” are units of accommodation within a converted building where one or more of the amenities provided for the exclusive use of that accommodation are located outside its front door and access to such amenities e.g. bathroom, toilet or kitchen, is via a common landing or area.

## **Arrangement for Fire Safety**

Every HMO must have adequate fire precautions including provisions for

- a) Detection and giving warning in case of fire;
- b) Escape from the building;
- c) Fighting fire.

A risk assessment should be carried out by or on behalf of the applicant to establish both the risk of fire occurring and the risk to people in the event of fire. This would apply to everyone who may be in the HMO (residents, staff and visitors) and should take adequate account of any one with special needs. This assessment will show whether the existing fire precautions are adequate and what changes need to be made. **The Fire Risk Assessment form (Appendix 2) enclosed with the Application Pack should be completed and returned with your application and other documents.**

If your house has been fitted with a mains interlinked smoke alarm system, single point smoke detectors or battery operated smoke detectors, the system should be checked and serviced at least once every year by either a specialist contractor or a competent electrician as detailed in appendix 1.

Doors should be fully self-closing and all latches should connect without resistance.

The wall surrounding a protected escape route, a protected lobby or lift well must be constructed of materials of at least a half hour fire resistance. Materials enclosing meters, pipes etc, in the common exit route should be undamaged and have a half hour's fire resistance.

All upholstered furniture provided with rented accommodation must comply with the Furniture and furnishings (Fire Safety) (Amendment) Regulations 1993. This means that all materials must have passed cigarette and match ignition tests and the filling materials must have passed the flammability test. If your furniture complies it should have a label attached permanently with the lining giving details as appropriate.

### **Arrangements for gas and electrical safety**

Under the Gas Safety (Installation and Use) Regulations 1998 the Landlord must have an annual gas safety check on all gas appliances by a Gas Safe registered gas installer.

A regular and appropriate inspection of the electrical wiring installation is required at intervals of no more than 5 years to ensure to that the health and safety of your tenants is not compromised. The landlord is required to declare that the electrical system and any appliances provided by the landlord are safe. This should be done by a competent electrician qualified to undertake such inspection and testing. **See Appendix 1 for who is a competent electrician.**

### **Conditions that may be attached to the licence**

A Mandatory HMO Licence will specify the maximum number of people who may live in the HMO and there are certain mandatory conditions that will be applied:

- A valid current gas safety certificate, which is renewed annually, must be provided
- Ensure that all electrical appliances and furniture are kept in a safe condition
- Ensure that all smoke alarms are correctly positioned/installed and kept in proper working order  
Supply on demand a declaration as to the condition and positioning of any such alarm
- Ensure that a carbon monoxide alarm is installed in any room containing a solid fuel burning combustion appliance and is kept in proper working order  
Supply on demand a declaration as to the condition and positioning of any such alarm
- Each occupier must have a written statement of the terms on which they occupy the property, for example, a tenancy agreement

- Minimum room sizes and the number of occupants for each room
- Comply with any scheme which is provided by the council to the licence holder and which relates to the storage and disposal of household waste at the HMO pending collection

**In addition the Council may also apply other conditions and examples of these include the following:**

- Restrictions or prohibitions on the use of parts of the HMO by occupants
- A requirement that the condition of the property, its contents, such as furniture and all facilities and amenities, bathroom and toilets for example, are in good working order
- A requirement for specified works or repairs to be carried out within a particular time frame
- Carbon Monoxide detection should be fitted to each floor of a property where gas appliances are fitted

**Houses in Multiple Occupation (HMO) Amenity Standards**

In establishing licensing conditions for any given property, the Council's Environmental Health and Housing Team shall have regard to our Amenity standards guide for licensable HMOs (Appendix 4). These standards do not cover houses where the occupants are vulnerable, including the elderly, houses occupied by children and people with disabilities (including mobility, vision or hearing impairment). These houses will also require an individual assessment.

We may revise these standards from time to time to reflect changes in practice, guidance and the law.

**How long a HMO licence will last for?**

A Mandatory HMO Licence will ordinarily last for 5 years and must be renewed before expiry.

The council may however issue licences for a shorter period, if they have concerns regarding the management of the premises concerned.

**How the council uses licensing fees**

Licensing fees are in place to raise standards in this sector. In accordance with case law, local authorities can only charge for certain licensing functions. They will only be allowed to use licence fees to recover the costs of licensing and not to raise monies to fund other projects.

**Appeals**

You may appeal if the council decides to:

- refuse a licence
- grant a licence with conditions
- revoke a licence
- vary a licence
- refuse to vary a licence

You must appeal to the 'First Tier Tribunal' (formerly known as the Residential Property Tribunal), normally within 28 days.

Details of how to appeal would be included with any official notification of a decision referred to above by the council.

### **Temporary exemption from licensing**

If a landlord or person in control of a property intends to take it outside of licensing (For example, by converting the accommodation to all fully self-contained units) then he or she can apply for a Temporary Exemption Notice. This lasts for a maximum of three months and ensures that a property in the process of being converted from an HMO does not need to be licensed. The landlord would however need to provide clear evidence of their intention to convert (i.e. proof of Planning Applications, Building Regulations consent, etc). If the situation is not resolved, then in exceptional circumstances a second Temporary Exemption Notice can be considered, allowing a further three months. When the time period for this expires, the property must be licensed or have ceased to be an HMO.

### **Rent repayment orders**

A tenant living in a property that should have been licensed, but was not licensed, can apply to the Residential Property Tribunal to claim back any rent they have paid during the unlicensed period (up to a limit of 12 months). The Council can also reclaim any housing benefit or universal credit that has been paid during the time the property was without a licence.

### **Other penalties to landlords**

It is an offence if the landlord or person in control of the property:

- fails to apply for a licence for a licensable property, or
- allows a property to be occupied by more people than are permitted under the licence.

A fine of up to any amount may be imposed. In addition, breaking any of the licence conditions can result in fines of up to any amount.

An unlicensed landlord cannot use a section 21 notice to gain possession of his property at the end of the tenancy.

### **Selling your HMO property**

Licences are not transferable to another person or property and fees are not refundable. If you wish to sell your property on as an HMO, the new landlord would need to apply for a new licence. You will also need to notify the council and request that your existing licence be 'revoked'.

### **Landlords' responsibility for tenants' anti-social behaviour**

As a licensed landlord it will be your duty to take reasonable steps to ensure that tenants are not causing problems within the boundaries of the property through anti-social behaviour. For example, if the landlord has a complaint from a neighbour about loud music late at night or rubbish left lying around the property, it would be the responsibility of the landlord to talk to the tenants and work with other agencies, such as the Council, to try to resolve any problems. If the council sets a condition on the licence about anti-social behaviour the licence holder should comply with this condition.

## **Applicable sections 1-4 of the Housing Act 2004: About the Licence holder and others who may have a legal interest in the property**

Details are required about the proposed licence holder. This will often be the landlord or it may be a manager to whom the rent is paid to and who has authority from the owner to effectively manage the property. Overall it is the person in control of the property, who:

- Can authorise, organise and pay for essential repairs
- Is available to deal with any problems that arise with respect to the property and any queries
- Can resolve them where reasonably practicable to standards required by the Acts

A proposed licence holder may need to appoint a managing agent to be in control of the property and hold the licence if they are not considered to be a fit and proper person. This licence holder should also have the authority to authorise and pay for works or repairs, as they will be liable for any breaches of the licence.

Where managing agents act for the landlord a responsible person would again need to be nominated as licence holder.

Companies that are landlords must nominate an appropriate person to be the licence holder. This person will be responsible for ensuring that there are no breaches of the licence and therefore should hold a responsible position in the company (e.g. company secretary). Since a licence cannot be transferred to another person within a company, it is advisable that the nominated person has a permanent position.

Alternatively, if a manager is employed, that person could be the licence holder.

### **Data Protection**

All of the information provided in your application for a HMO Licence will be handled in accordance with the provisions of the General Data Protection Regulation (GDPR).

To fulfil the Council's obligations under Part 2 of the Housing Act 2004, the Council requires you to provide the information asked for in the application form for the following purposes:

- To identify the persons involved in the management of the HMO and to facilitate legal proceedings in the event of any offence connected with the licensing of the HMO.
- To obtain information needed to assess the fitness and competence of persons involved in the management of the HMO.
- To link properties and persons involved in the management, control and ownership of the HMO and any other relevant HMOs.
- To obtain information concerning the suitability of the property involved to be licensed as an HMO.

The information you provide may be shared to the extent that it may need to be verified with other agencies such as the Police, other local authorities and other departments within the Council.

Some of the information you provide will be entered into a public register but only to the extent required by law.

The Council may be required to disclose to government agencies certain information you provide. The information may also be used for research, analysis and statistical purposes.

### **Completed Mandatory HMO Licensing Application Forms**

You should send your application to the address given on the application form. It is your responsibility to ensure that the application reaches us.

The council aims to acknowledge receipt of your application within 5 working days you are strongly recommended to obtain proof of postage as well as ensuring that you keep a copy of your completed application and any supporting documents. If you have not received an acknowledgement after 10 working days of sending in your application then you should contact us.

Remember it is your responsibility to ensure that we get your application form otherwise you will be committing an offence by operating an unlicensed HMO.

## Appendix 1

## When is an Electrician Competent?

This is for the purposes of checking whether the Domestic Electrical Installation Periodic Inspection Reports, submitted for the purposes of Licensing, have been completed by a competent electrician.

The electrician will be classed as a competent person if:

1. They are a member of a recognised electrical institution, such as:

**NICEIC** - The electrician will be called an *Approved Contractor*.

**ECA** - The electrician will be called a *Registered Member*.

**NAPIT** - The electrician will be called an *Approved Electrical Inspector*.

2. Under Approved Document P of the Building Regulations 2000, they are a member of a competent person's self-certification scheme, covering electrical installation work in dwellings such as:

### **BRE Certification Limited**

This scheme, operated with the support of the Electrical Contractors Association and the Institution of Electrical Engineers, is primarily designed for those whose main business is electrical contracting and those who wish to be able to self-certify all types of electrical work in dwellings. For more information on this scheme see [www.partp.co.uk](http://www.partp.co.uk)

### **British Standards Institution**

This scheme, which will be known as the Kitemark Scheme for electrical installation work, is primarily designed for those whose main business is electrical contracting and those who wish to be able to self-certify all types of electrical work in dwellings. For more information on this scheme see [www.kitemarktoday.com](http://www.kitemarktoday.com)

### **ELECSA Limited**

This scheme, operated with the support of the British Board of Agreement, is primarily designed for those whose main business is electrical contracting and those who wish to be able to self-certify all types of electrical work in dwellings. For more information on this scheme see [www.elecsa.org.uk](http://www.elecsa.org.uk)

### **NAPIT Certification Limited**

This scheme is designed primarily for those whose main business is electrical contracting and will allow its members to self-certify all types of electrical installation work in dwellings. For more information on this scheme see [www.napit.org.uk](http://www.napit.org.uk)

### **NICEIC Certification Services Limited**

This scheme, which is known as the Domestic Installer Scheme, is designed for those who wish to be able to self-certify all types of electrical work in dwellings either as an electrical contractor or as part of an ancillary trade activity. For more information on this scheme see [www.niceic.org.uk](http://www.niceic.org.uk)

3. They can produce a copy of their original qualifications and evidence of their experience, such as:

- (a) City & Guilds 2360 Part 1 and 2 plus an NVQ level 3.
- (b) City & Guilds 2360 Part 1 and 2 and have been working in industry for the last 5 years.
- (c) City & Guilds 2381 (This was set up as a “refresher” course to inform electricians who completed 2360 Part 1 and 2 some time ago, of the changes to BS 7671. Possession of this alone does not imply competence.)
- (d) City & Guilds 2351 combined with NVQ level 3 will imply competence. (This qualification is no longer on the teaching syllabus.)
- (a) City & Guilds 2330. This is level 2 and 3 qualification. When combined with an NVQ level 3 will imply competence. (This qualification will replace City & Guilds 2360 and 2351 and the first candidates will not graduate until 2008).
- (b) City & Guilds 2391 combined with 5 years practical experience will imply competence, with the inspection and testing process.

**It should be noted that Regulation 16 of the electricity at Work Regulations 1989 requires that a competent person should possess both technical knowledge and experience. It is the person who is at work who is responsible in law and as such any possession of certificates only point towards possible/probable competence. Should anything go wrong in an electrical system it will not be the inspecting body that will be prosecuted (NICEIC/NAPIT etc) but rather the person and /or company working on the electrical system that will have to justify the decisions that they have made.**

**FIRE RISK ASSESSMENT FOR:** .....

To ensure the adequacy of existing fire precautions within a house in multiple occupation, a risk assessment should be carried out by or on behalf of the licensee/prospective licensee to establish both the risk of fire occurring and the risk to people in the event of fire. This checklist, or similar, is required to be submitted to the Council as part of the application before a licence can be issued. The landlord should retain a copy and the building checked on a regular basis using the checklist.

The answer to all questions should be **YES** or **NO** or **NOT APPLICABLE (N/A)**. If the answer to any question is **NO**, steps should immediately be taken to rectify the deficiencies or review the fire risk assessment.

General		YES	NO	N/A	COMMENTS
1	Have flammable and combustible materials been identified and minimised where possible?				
2	Is the system of controlling the amount of flammable substances and combustible materials operating effectively?				
3	Are all flammable substances and combustible materials stored safely?				
4	Are heating appliances fixed in position at a safe distance from any combustible materials and suitably safeguarded?				
5	Are all items of electrical equipment fitted with fuses of the correct rating?				
6	Have fire prevention measures been brought to the attention of residents?				
7	Are lengths of flexible cable and multi-point adapters kept to a minimum?				
8	Are cables run only where damage is unlikely and not under floor coverings or through doorways?				
9	Is the furniture upholstery made of fire resistant material?				
10	Are the premises free of accumulation of rubbish, waste paper or other materials that could catch fire or be set alight?				
11	Are there suitable facilities for the disposal of smoking materials?				

12	Have measures been taken to reduce the risk of arson?				
13	Are there suitable management procedures in place to ensure fire safety standards are maintained in the event of outside contractors working on the premises?				
14	Is there vehicular access to the premises for fire service appliances?				
<b>Means of Escape</b>		<b>YES</b>	<b>NO</b>	<b>N/A</b>	<b>COMMENTS</b>
15	Are there sufficient exits for the number of people present?				
16	Do exits lead to a place of safety?				
17	Are all gangways and escape routes free from obstruction?				
18	Are all internal fire doors clearly labelled?				
19	Can all fire safety signs and fire exit notices be clearly seen?				
20	Are self-closing devices on fire doors in working order?				
21	Are exits clearly indicated where necessary and are all escape routes adequately lit?				
22	Where appropriate, do doors used for means of escape open in the direction of travel?				
23	Are there suitable procedures in place for the evacuation of disabled persons?				
24	Are all doors used for means of escape purposes available for use and can doors be easily and immediately opened without the use of a key?				
25	Are the floor surfaces on escape routes free from tripping and slipping hazards?				
26	Are all vents and service ducts etc suitably protected, where appropriate, to prevent the spread of fire, heat or smoke?				

<b>Lighting</b>		<b>YES</b>	<b>NO</b>	<b>N/A</b>	<b>COMMENTS</b>
27	Has the need for emergency escape lighting been considered?				
28	Are the premises occupied within normal daylight hours?				
29	Do members of the public regularly visit or have access to the premises?				
30	Is the emergency escape lighting, in working order?				
<b>Fire Fighting</b>					
31	Is there sufficient fire fighting equipment of the correct type?				
32	Are the portable fire extinguishers, fire blankets etc suitable located and available for use?				
33	Have the portable fire extinguishers been serviced within the last year?				
34	Is the fixed fire fighting installation in working order?				
<b>Fire Alarm</b>		<b>YES</b>	<b>NO</b>	<b>N/A</b>	<b>COMMENTS</b>
35	Is the fire alarm system in working order?				
36	Is the fire alarm tested weekly?				
37	Can the alarm be raised without anyone being placed at risk from fire?				
38	Are the fire alarm call pints unobstructed and clearly visible or suitably indicated?				
39	Is the automatic fire detection system in working order?				

<b>Fire Instruction</b>		<b>YES</b>	<b>NO</b>	<b>N/A</b>	<b>COMMENTS</b>
40	Are fire instructions clearly displayed through the premises?				
41	Have you recorded the findings of the fire risk assessment?				
42	Have steps been taken to plan what actions everyone should take if a fire starts?				

Signature: .....

Print full name:.....

Licence Holder / Manager (delete at applicable)

Date:.....,

### Appendix 3

### Property Plans

If you are making an application for your HMO to be licensed, you must include a set of floor plans with your application, showing the layout and the location of baths, showers, wash hand basins, WCs, kitchen sinks, cookers and work surfaces. You must also include details of the fire doors, fire alarms, fire resistant construction, emergency lighting (if installed), fire-fighting equipment and fire blankets.

You may submit plans you already hold, employ a surveyor or architect or submit a sketch plan (the sketch plan need not be to scale, but you do need to indicate the room sizes). If you would prefer to use a computer to produce your plan, there are various software packages available, including ones specific for floor plan and building design. If you draw your own plan make sure all the details below are included, if relevant.

