

FREEDOM OF INFORMATION OFFICER

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28 January 2016

Dear Sir

FREEDOM OF INFORMATION ACT 2000 – REQUEST 7736

I am writing in respect of your recent application for the release of information held by this authority, the response is detailed below.

- Provide me with the full list of HMO's that are required to be licensed
 - See attached.
- Provide a list of those that need a licence but do not have one.
 - Please note that the Council does not have a comprehensive list of those properties which require a licence, we are therefore unable to answer this specific question. I can advise that we do have a list of properties used for the purposes of prioritising inspections, it is only on inspection when we can confirm whether the property is an HMO or not.
 - Therefore this part of your request is refused under Section 40(2) where disclosure would breach any of the data protection principles contained within the Data Protection Act 1998 (DPA).
 - Section 22 – information intended for future publication. The Council when listing a property as a HMO will publish the information. Please note that the Council is working to make the HMO list public available, it will be found on this part of our website: www.teignbridge.gov.uk/Landlords
 - Section 30(2)(a) ascertaining whether any person has failed to comply with the law' and 30(2)(c) ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise.

Having considered the public interest test, in favour of disclosure is the public interest to ensure the Council effectively and efficiently undertaking its responsibilities concerning HMOs under the Housing Act 2004. In favour of withholding the information, is that the Council has a duty of care and protecting the personal data of those living in potential HMOs. I believe the public interest in withholding the information outweighs that of disclosing a working list.

The Council would be grateful to know if you are aware of any properties which are in multiple occupation in Teignbridge, to let us know so that we can arrange for an HMO risk assessment of the property to be carried out and a full inspection where necessary.

If you disagree with our decision or are otherwise unhappy with how we have dealt with your request, you may use the Council's Complaints Procedure by writing to the Council for a review of the decision. The review will be undertaken by the appropriate Business Manager, who will provide you with a written explanation of the outcome. If you are not



satisfied with the outcome provided by the Business Manager you may ask for the matter to be referred to our Chief Executive.

If you are not content with the outcome of your complaint once the Council's complaints procedure has been followed, you have a right to appeal to the Information Commissioner (ICO). Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Council. The Information Commissioner can be contacted for a copy of their complaint form at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, www.ico.gov.uk or by telephone 0303 123 1113.

Yours faithfully

K Mason

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Freedom of Information Officer



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INVESTOR IN PEOPLE