

## FENLAND DISTRICT COUNCIL

### HMO LICENCE CONDITIONS

#### Mandatory Conditions in accordance with Housing Act Requirements

- 1.0 If gas is supplied to the house the Gas Safety (Installation and Use) Regulations 1998 shall be complied with in all respects. In particular an annual safety check shall be carried out by a Gas Safe registered engineer on each gas appliance/flue.

A current Gas Safety Certificate (obtained within the last twelve months) in respect of the house shall be supplied with the application to the Council and annually thereafter.

- 2.0 Electrical appliances made available in the house by the licence holder shall be kept in a safe condition.

- 2.1 A declaration, on demand, shall be supplied to the Council as to the safety of such appliances.

- 3.0 The furniture made available by the licence holder shall be kept in a safe condition and must comply with current fire safety standards.

- 3.1 A declaration, on demand, shall be supplied to the Council as to the safety of such furniture.

- 4.0 The licence holder shall ensure that at all times a fire detection system/smoke alarms in proper working order is/are installed in the house.

- 4.1 A fire detection and alarm system designed to meet the requirements of BS5839 – 6:2004 shall be installed in the house.

- 4.2 The fire alarm system in the property shall be inspected, tested and serviced (where relevant) in accordance with BS 5839 – part 1:2002, sections 6 and 7. In particular the following shall be carried out:-

- every six months checks on the system shall be carried out in accordance with clause 45.3
- every twelve months checks on the system shall be carried out in accordance with clause 45.4
- Where provided independent smoke alarms shall be cleaned periodically in accordance with the supplier's instructions.

- 4.3 Throughout the period of the licence, inspection and servicing certificates in the format recommended by BS 5839 – part 1:2002 should be submitted to the Council upon demand by an authorised officer of the Council.

The above mentioned checks shall be carried out by a competent person. (NICEIC, ECA or BFBSA contractors who are familiar with all British Standards relating to automatic fire detection systems are normally acceptable in this respect. Other contractors will be asked to demonstrate their competence to the Council before acceptance of such certificates).

- 4.4 A declaration, on demand, shall be supplied to the Council as to the condition and position of any smoke alarms in the property.

- 5.0 The licence holder shall supply to the occupiers of the house a written statement of the terms on which they occupy it.

### **Additional Licence Conditions Considered necessary by Fenland District Council**

This is not an exhaustive list and the Council may attach other licence conditions where reasonably necessary in order to ensure effective management, maintenance and operation of a House in Multiple Occupation.

- 1.0 The licence holder shall comply with The Management of Houses in Multiple (England) Regulations 2006 (as from time to time may be amended) and any Approved Code of Practice issued under Section 233 of the Housing Act 2004.
- 2.0 The electrical installation shall be kept safe and in proper working order.
- 2.1 A periodic check of the electrical installation shall be undertaken in accordance with BS 7671(as amended) at intervals of no more than five years. A periodic inspection report in the format recommended in Appendix 6 of BS 7671 (as amended) shall, at any time during the period of the licence, be submitted to the Council, upon demand by an authorised officer. The report shall be issued by a competent person. (A competent person in this respect includes NICEIC enrolled contractors of ECA members who regularly inspect, and are qualified to inspect domestic electrical installation systems and whose work is subject to regular assessment).
- 3.0 The licence holder shall ensure at all times, gardens, yards and other areas within the curtilage of the house are kept in a safe, reasonably clean and tidy condition and free from rodent infestation.
- 4.0 The licence holder shall notify all occupants at the beginning of their occupancy of the arrangements in place to deal with emergency and other repairs.
- 5.0 The licence holder shall at all times comply with relevant landlord and tenant legislation.
- 6.0 The licence holder shall maintain the exterior of the property in reasonable decorative order and reasonable repair.
- 7.0 The licence holder shall make suitable and adequate provision for refuse storage and collection at the house.
- 8.0 The escape lighting in the property shall be inspected, tested and serviced generally in accordance with clause 12 of BS 5266 – 1:1999 (as amended) In particular the following shall be carried out:-
- every six months checks on the system shall be carried out in accordance with clause 12.4.4
  - every twelve months checks on the system shall be carried out in accordance with clause 12.4.5
  - for self contained luminaries with sealed batteries, after the first three yearly test, the three yearly test shall be carried out annually in accordance with clause 12.4.6

Throughout the period of the licence, periodic and test certificates in the format recommended by BS 5266 – part 1:1999 shall be submitted to the Council upon demand by an authorised officer of the Council. The checks shall be carried out by a competent person. (NICEIC, ECA or BFPSA contractors who are familiar with all

British Standards relating to emergency escape lighting systems are normally acceptable in this respect. Other contractors will be asked to demonstrate their competence to the Council before acceptance of the certificates.)

- 9.0 The licence holder shall comply with the (following)(attached) schedule of (restrictions)(and/or)(prohibitions) on the use or occupation of the house (and/or) (particular parts of the house) by persons occupying it.
10. The licence holder shall supply occupiers with a written statement of the terms of the tenancy which incorporates details of how deposits will be held and terms of return, an inventory of contents and condition at the commencement of the tenancy; details of rent and dates due, rent payment methods, and how and when rent may be increased and provide for a means of contact for repairs, reporting etc.
11. The licence holder shall take reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house:
  - The licence holder shall ensure that each occupier is made aware of any conditions imposed by the Council relating to the behaviour of occupants, and that compliance with any such conditions is made a condition of occupancy. Those conditions are that the occupants shall:
    - not cause nuisance and annoyance to other occupants or to neighbouring residents
    - comply with arrangements made by the manager for the storage and disposal of refuse
    - not cause damage to fixtures, fittings, fire precautions, or premises
    - not use abusive or threatening behaviour
    - allow access to the agent/landlord to maintain communal areas and, with reasonable notice, to carry out works within the occupants own accommodation

Please note that where references are made within this document to current safety standards and professional certification and qualification, it is intended that the responsible person must take into account any amendments and/or updates to this legislation.