

## **SCHEDULE 1**

### **THE LONDON BOROUGH OF HAMMERSMITH AND FULHAM**

#### **LICENCE TERMS AND CONDITIONS**

##### **Licence Terms**

1. The licence relates to the property described in the licence approval.
2. The licence may be granted before the time it is required, but the licence will not come into force until that time.
3. The licence is valid for a period of **[X years]** from the date of its issue, unless the following apply:
  - a) The licence will cease if the licence holder dies whilst the licence is in force.
  - b) The licence is revoked under section 70 of the Housing Act 2004.
4. The licence period continues for a period of **[X years]** even if the premise is no longer a HMO, unless a valid application is made for the licence to be revoked under section 70 of the Housing Act 2004.
5. The licence may not be transferred to another person.
6. If the Licence Holder dies during the licence period, during the period of 3 months beginning with the date of the Licence Holder's death, the premises is to be treated for that period as if a temporary exemption notice had been served, exempting the premises from the requirement to be licensed. Sections 62 and 68 of the Housing Act 2004 will apply.
7. If on the expiry of the initial period stated in 6 above, representatives of the deceased licence holder must apply for a further exemption from the date the initial period ends. The premise is to be treated for that period as if a temporary exemption notice had been served, exempting the premises from the requirement to be licensed. Sections 62 and 68 of the Housing Act 2004 will apply.
8. A copy of the licence must be displayed in a prominent and accessible position within the licensed property at all times.
9. At the start of each tenancy, each tenant must be given a written statement of the terms of their occupancy and a signed inventory covering all parts of the house occupied exclusively by them.
10. A receipt must be given for all cash payments for deposit or rent.
11. The licence holder shall submit to the Council details of the tenancy deposit scheme used for safeguarding the deposits of tenants of those parts of the house under their control.

##### **Material changes to the licensed property or licence holder**

12. If, at any time during the licence period:

- a) There has been a change of circumstances to the premises since the licence was granted.
- b) The number of households or persons appropriate as the maximum number authorised to occupy the HMO has changed since the date the licence was granted.
- c) Standards in relation to the occupation of the house by a particular number of households or persons have changed since the date the licence was granted.

An application must be made to the Council to change or 'vary' the licence details for the premises. A failure to notify the Council of such a change would constitute an offence.

13. If the Licence Holder needs to apply to vary the licence for the premises, they must put their request in writing to the Housing Team in Environmental Health. The Licence Holder does not have to pay any fee to the Council in respect of any request to vary an existing licence.

### **Licence Conditions**

#### **Numbers of persons permitted to occupy**

The number permitted is in relation to the numbers of amenities provided and/or size of rooms available. The number of persons residing in the premises shall not exceed either,

- a) the maximum number of occupiers in each room and;
- b) the total maximum number of persons, as stated in condition 10 below.

The number of persons occupying the rooms/units listed below shall not exceed:

#### **Bedsits (Non Self-Contained)**

<b>Room/Unit Name</b>	<b>Location</b>	<b>Maximum No. of Persons</b>	<b>Maximum No. of Households</b>
	<b>Total Persons/ Total Households</b>		

15. The use and occupancy levels of each room shall not be changed without the approval of the Council.

16. The licence holder must, if required by written notice provide the Council with the following particulars as are requested regarding the occupancy of the house:

- a. The names and numbers of individuals/households accommodated specifying the rooms they occupy within the property
- b. Number of individuals in each household.

The particulars shall be provided to the Council within 28 days on demand.

#### **Standard of Accommodation**

12. All licensed HMOs must be reasonably suitable for occupation or can be made suitable by complying with the Councils HMO Standards. These standards relate to the number of households specified in the application and cover the following issues:

- Bathroom and WC facilities
- Kitchen facilities

- Other facilities and equipment such as those provided to ensure fire safety and adequate heating.

Where properties fail to meet the Councils HMO standards conditions may be applied to the licence.

At the time of granting this licence the following HMO standard was applied:

Bedsits and Studios	
Flats in Multiple Occupation and Shared Houses	
Hostels, Vocational, Student and Staff Accommodation	

The Licence Holder must inform the Housing Team in Environmental Health if the business model for the property changes during the licence period. For example from hostel accommodation to a bedsit property. This change will result in a separate HMO standard being applied, which will be considered a material change.

### **Management Arrangements**

17. The Licence Holder shall ensure that the property is maintained in a reasonable condition in accordance with the requirements of The Management of Houses in Multiple Occupation (England) 2006. (Full details of these requirements can be made available on request).
18. The Licence Holder shall take reasonable steps to prevent smoking in the common parts of the property.
19. The Licence Holder shall ensure that sufficient and suitable bins are provided for the adequate storage of refuse. Where this is not possible the Licence Holder shall ensure adequate arrangements are made for refuse storage and refuse collection.

### **Gas Safety and Supply**

20. The Licence Holder shall be responsible for ensuring that all gas installations comply with the Gas Safety (Installation and Use) Regulations 1998.
21. The Licence Holder shall ensure arrangements are made for gas installations, appliances and flues to be inspected once in every 12 months by a Gas Safe Registered engineer/installer and that any remedial works will be carried out in a reasonable time frame.
22. The Licence Holder will ensure copies of the Gas Safe certificate shall be sent to the HMO licensing team every 12 Months.
23. The Licence Holder must not unreasonably cause the gas supply that is used by any occupier within the property to be interrupted.

### **Electrical Safety and Supply**

24. The Licence Holder shall be responsible for ensuring that all electrical installations are in accordance with the current IEE Wiring Regulations.
25. The Licence Holder will ensure that a person qualified to undertake such inspection and testing is competent to do so. The competent person shall carry out inspections of electrical installations and appliances at appropriate intervals and that any remedial works will be carried out in a reasonable time frame.

26. The Licence Holder will ensure that a valid Electrical Installation Condition Report that is not more than 5 years old is produced to the Council within **7** days of receiving a request in writing.
27. The Licence Holder will ensure that a copy of the electrical safety certificate shall be sent to the HMO licensing team at the appropriate periodic intervals.
28. The Licence Holder must not unreasonably cause the electricity supply that is used by any occupier within the property to be interrupted.

### **Supplies**

29. The Licence Holder shall ensure that the supply of water, gas or electricity to any residential premises is not unreasonably interrupted. For this purpose, the licence holder shall ensure:
  - a) That the apparatus for the supply and use of these services is maintained in good condition; and
  - b) Where the landlord pays for supplies, these supplies are not disconnected, or threatened with disconnection through non-payment of monies owed to the relevant statutory undertaker.
  - c) Where space heating and hot water are provided centrally and controlled by the landlord, these services should be made available to an extent, which meets the reasonable needs of tenants in the premises.

### **Condition of Furniture and Electrical Appliances**

30. The Licence Holder will ensure that all electrical appliances and furniture, made available by the Licence Holder are kept in a safe condition and regularly inspected, as part of a maintenance programme.
31. The Licence Holder will make a declaration as to the safety of electrical appliances and furniture made available by him, on demand from the Council.
32. The Licence Holder shall ensure any covers and fillings of cushions and pillows of upholstered furniture supplied by the licence holder, whether of new, replacement or second hand furniture and soft furnishings provided in the accommodation comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended).

### **Fire Safety**

33. The Licence Holder shall ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation. 'Room' includes hall or landing. Bathroom and lavatory is to be treated as a room used as living accommodation. The minimum requirement is that each smoke alarm is a lithium battery smoke alarm with a minimum life of 10 years. Each alarm should meet the relevant European and British Standards.
34. The Licence holder shall ensure that each alarm is kept in proper working order.
35. The Licence holder shall ensure that, on demand from the Council, a declaration is supplied as to the condition and positioning of such alarms.

NOTE: The standard in paragraph 1 is a minimum requirement and may not comply with the higher standard required for the hazard "Fire" under Part 1 of the Housing Act 2004.

The most appropriate type of automatic fire detection system for the premises is that recommended in the LACORS guidance, "*Housing-Fire Safety; Guidance on fire safety provisions for certain types of existing housing*". The LACORS standard may be enforced by the Council if fire detection in the house is inadequate.

36. The Licence Holder shall provide copies of inspection and test certificates for automatic fire alarm systems and emergency lighting to the Council annually.

**Carbon Monoxide**

- 36 The Licence Holder shall ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. Each alarm should meet the relevant European and British Standards.
37. The Licence Holder shall ensure that any such carbon monoxide alarm installed is kept in proper working order.
13. The Licence holder shall ensure that, on demand from the Council, a declaration is supplied as to the condition and positioning of any carbon monoxide alarm.

**Managing Anti Social Behaviour**

38. The Licence Holder will ensure that any anti-social behaviour committed by residents or their visitors, to anyone residing in or visiting the property is dealt with appropriately and effectively, in particular by investigating complaints made by occupiers.

Where the Licence Holder determines these complaints to be justified they shall take all reasonable steps to resolve the issue including if necessary by contacting the police or relevant authority.

**Conditions Specific to this Premises**

	<b>Timescale for Compliance</b>
39.	
40.	
41.	
42.	

**END OF CONDITIONS**