

**THESE NOTES ACCOMPANY THE APPLICATION FORM FOR A HOUSE IN
MULTIPLE OCCUPATION.**

SECTION 1 – PREMISES DETAILS:

1.4 Details of Storeys in Property

Storeys include basements used for residential purposes and rooms within attics. Basements and attics are included where they are used wholly or partly as living accommodation, and in the case of basements where they are the only or principle entry into the HMO from the street. Attics are included where they form an integral part of the HMO, for example if they are used as a bedroom, or study or any other living space.

Where premises consist of both residential and commercial uses, eg. A ground floor and two residential floors above, this represents a three storey building.

1.5 Details of Property

A household is defined as member of the same family i.e.

- Married or living together (whether as single sex relationship or otherwise)
- Related – parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin or
- Related to one member of a couple and includes foster children or domestic employees (nannies, maids etc).

Please give details of the type of commercial use, eg. Retail, storage etc.

1.6 Details of the Property

ONE COPY OF A FLOOR PLAN MUST ACCOMPANY THE APPLICATION.

We would prefer professionally drawn plans but this is not essential. All plans must be clear and produced to a good standard. They must be easy to interpret, with ruled lines and preferably be to scale. The plan must clearly describe and indicate the location of each room.

The description should include which floor the room/flat is on, and for larger properties it is useful to state their position. This should be described as if you were standing on the street facing the property: for example the room may be on the left or right of the property, and either at the front, middle or rear.
E.g. First floor front right room: bedroom.

Room sizes must be given in centimetres and metres.

Fire precautions must be marked on the plan. Please use the notation on the application form, so for a smoke detector mark SD and for a fire extinguisher FE. If your plan uses different notations, please include a detailed key.

A fixed heating appliance is one fixed to the wall which is either gas or electric.

If your property has previously been registered, we may already hold copies of plans. Please contact Private Housing Services to check.

SECTION 2 – MANAGEMENT DETAILS.

Fire Detection System, emergency lighting system and main escape route:

The standard of fire protection will vary with each property, so not all items mentioned on the form will be installed, and some may not need to be. Please answer as accurately as possible. Where systems are in existence, a copy of a certificate issued within 12 months of the application date must be supplied

Gas installations and appliances.

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 copy of a certificate issued within 12 months of the application date must be supplied.

Electrical Installations and Fittings:

A regular and appropriate inspection of the electrical wiring installation is required to ensure that the health and safety of your tenants is not compromised. The landlord is required to provide certification for both the electrical installation and portable electrical appliances. A copy of a certificate issued within 12 months of the application date must be supplied.

Furniture and Furnishings.

Upholstered furniture supplied with rented accommodation must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended). This means that all cover materials must have passed cigarette and match ignition tests and the filling materials must have passed flammability tests. You should check to see that your furniture has a label permanently attached to the lining or underside giving the appropriate details.

SECTION 3 – OWNERSHIP AND MANAGEMENT.

3.1 Licence.

Generally, the most appropriate person to apply for a licence will be the person having control of the premises. This is the person who receives the rent for the premises. This could be the freeholder or any other owner or lessor who receives rent (whether directly or through an agent or trustee) from tenants or lodgers in the premises. The Council will be particularly looking for the licence holder to be the person who has the authority to ensure compliance with the licence conditions.

- You are required to give details of all those persons involved with the property, including freeholders, leaseholders, managers, rent collectors etc.

If you are an offshore registered company and you cannot provide a business address within the UK jurisdiction at which legal documents can be served, you must appoint a managing agent as the proposed licence holder.

SECTION 4 – FIT AND PROPER PERSON ASSESSMENT.

Both the licence holder and manager must complete this section.

Lancaster City Council **must** satisfy itself that the licence applicant and the manager (if they are different people) are **fit and proper persons** to hold a licence or to manage a House in Multiple Occupation. To do this we must have regard to matters laid down in legislation (Housing Act 2004, section 66). These questions are asked in order to enable us to satisfy this legal requirement.

Questions are also asked about associates or former associates whether on a work or personal basis, of the proposed licence holder or manager. The Council will not refuse a licence on these grounds unless the association is relevant to whether the proposed licence holder or manager is a fit and proper person.

In making a decision on whether or not to grant a licence on the basis of information given in this section, each case will be considered on its merits. That is, minor infringements that happened a long time ago will not necessarily mean that a licence will be refused. Conversely, recent serious infringements relating directly to the business of running and managing an HMO may well imply to the Council that an applicant or manager is not a fit and proper person. There are of course appeal provisions if you are aggrieved by the Council's determination.

In addition please note:

- The questions should be answered in the name of the individual or company who has applied to be the licence holder
- In the case of a limited company or partnership, offences attributed to both the company and directors or partners must be included.
- In answering questions concerning previous convictions etc. details should be given in respect of all properties owned or managed by the applicant, whether in Lancaster or in other Local Authority areas.

The Council will treat all responses received in the strictest confidence.

- Include all offences that fall within these categories, no matter how minor or serious. Include information in relation to any business run by you or your manager, not just that relating to the letting of property.
- Include refusal or revocation from any Council, not only Lancaster City Council.
- Management Orders are as described in Part 4 of the Housing Act 2004 and refer to a Council's ability to take over the management of a property on either a short or long term basis, where the health, safety and welfare of occupiers or management of the property is of concern.

SECTION 5 – DETAILS OF PERSONS SERVED WITH NOTICE OF THIS APPLICATION.

IMPORTANT INFORMATION ABOUT YOUR OBLIGATIONS TO LET OTHERS KNOW YOU HAVE MADE THIS APPLICATION.

You must let certain persons know in writing that you have made this application, or give them a copy of it.

This is a legal requirement and failure to do this would lead to the application being considered as incomplete.

The applicant must also sign the declaration providing all details. Where the applicant proposes that another person should be the licence holder, the proposed licence holder must also sign the declaration.

The persons who need to know about it are:

Any mortgagee of the property.

Any owner of the property to which the application relates (if that is not you). The freeholder and any head lessees who are known to you.

Any other person who is a tenant or a long leaseholder of the property or any part of it (including any flat who is known to you other than a statutory tenant or other tenant whose lease or tenancy is for less than three years (including a periodic tenancy).

The proposed licence holder (if that is not you)

The proposed managing agent (if any) (if that is not you)

Any person who has agreed that he will be bound by any condition or conditions in a licence if it is granted.

You must tell each of these persons:

- Your name, address, telephone number and e mail address
- The name, address, telephone number and e-mail address of the proposed licence holder (if it will not be you)
- Whether this is an application under Part 2 or Part 3 of the Housing Act 2004
- The address of the property to which it relates
- The name and address of the local housing authority to which the application will be made
- The date the application will be submitted.

SECTION 8 – ENCLOSURES

ALL APPLICATIONS WILL REQUIRE THE FOLLOWING DOCUMENTS:

Lack of any documents required in the application may result in your application being returned to you. This may affect your eligibility for the discounted rate.

Floor plans will be required for the whole of the property showing floor levels and use of rooms. Plans must be to a high standard with ruled lines. (Plans will not be required for licence RENEWALS where plans and room sizes have not changed. The Council may already have plans for registered properties, so please check).

Building Regulations Completion Certificates: will be REQUIRED where the premises has been fully converted to self contained flats.

If applicable, any copies of other Building Regulations approvals should be enclosed.

Gas Safety – inspections and tests must be completed by a Gas Safe registered gas installer/engineer. Certificates obtained in the last 12 months only are valid and Certificates are required in relation to ALL gas appliances and the gas installation.
NOTE: certificates of this type will be required annually by Strategic Housing Services, commencing 12 months from the date of licence approval.

Electrical Installation Safety – Inspections and test must be completed by a NICEIC/ECA registered contractor/installer. Copies of certificates obtained in the last 12 months must be provided as part of the application. Certificates are in relation to all parts of the electrical installation.
NOTE: certificates of this type will be required annually by Strategic Housing Services, commencing 12 months from the date of licence approval.

Fire Safety – inspections and tests must be completed by an approved contractor. Where installations are in place, the following certificates are required as part of the application and on an annual basis.

1. **Inspection and Test Certificates for automatic fire detection**, tested in accordance with BS 5839.
2. **Inspection and Test Certificates for emergency lighting** in accordance with BS 5266.

NOTE: certificates of this type will be required annually by Strategic Housing Services, commencing 12 months from the date of licence approval.

All entries made in the inspection and testing log book for automatic fire detection/emergency lighting will be inspected during the licensing inspection by an officer from Strategic Housing Services.

Tenancy Arrangements – if available, a sample written tenancy agreement will be required as part of the application.