

HMO Licensing

From 6th April 2006 certain houses in multiple occupation (HMO) need to be licensed. Islington Council is offering grants to encourage landlords of licensed HMOs to improve their HMOs where they do not already meet the legal standard.

Does my House in Multiple Occupation (HMO) need a licence?

The Housing Act 2004 set up a national scheme, which requires licensing of all HMOs with three or more storeys (including basements, attics, shops) and five or more occupiers. Exceptions to this are where the HMO is a house which only consists of self contained flats (with 1 household in each), or is owned or managed by a housing association, local authority or police or health services (For a detailed definition of licensable HMO see below).

What is the new definition of HMO?

A house occupied by more than one household, who share (or lack) kitchen, bathroom or toilet facilities. A household is a family, i.e. people who are blood relatives, or are living together as husband and wife (including same sex couples).

Why does the government want HMOs to be licensed?

To improve health and safety standards and ensure satisfactory management in this high risk area of the private rented housing market.

How much will a licence cost?

The fee will be £120 per letting or per bedroom in a shared house. Landlords must be accredited within two years of the HMO licence. To become accredited you or your landlord should see website at www.londonlandlords.org.uk/accreditation or phone 020 7974 5893 or e-mail LLAS@camden.gov.uk.

How long will a licence be valid?

The licence will last for five years.

What standards will apply?

To get a license an HMO will need to have adequate facilities and space for the number of people it is to be licensed for. However in some cases additional facilities will be required as a condition on the licence to bring the HMO to the minimum standard. The house will also need to meet the standards for management of HMOs including those for safety of gas and electrical appliances and furniture and proper working of fire alarm systems.

Once an HMO has been licensed a council officer will assess the HMO to identify any serious hazards under the new housing health and safety rating system. If any serious hazards are found the council will serve a legal notice explaining what the landlord needs to do to remedy them.



Can landlords get a grant to help meet these standards?

Grants of up to £20,000 are now available towards the cost of meeting the standards for fire safety, provision of kitchen and bathroom facilities in HMOs that will need a licence. In addition grants towards the cost of improving heating, insulation and security in all rented homes are available. They will pay up to 67% of costs and an interest free loan is available for the landlord's contribution. (For more information on grants see below)

What happens if a landlord rents an HMO without a licence?

From 3rd July 2006 it was illegal to operate an HMO without a licence (unless it is an HMO that does not need a licence). The courts will be able to impose a fine on landlords of unlicensed HMOs of up to £20,000, in addition the tenants will be able to reclaim up to 12 months rent.

Can a landlord serve a notice to quit if an HMO is not licensed?

From 6th April 2006 if an HMO should have been licensed, but is not, the landlord **cannot** serve notice to quit on a tenant until the HMO is licensed. If you suspect this has happened, please tell the council.

Can a tenant reclaim rent if an HMO is not licensed?

If the council successfully prosecutes a landlord for letting HMO accommodation without a licence, the tenant can get up to 12 months rent repaid. The council will advise tenants how to do this, if this happens.

If you think your HMO is licensable apply. Or ask your landlord to apply as soon as possible.

Further information

More detailed information and links to government websites are available on the council's website at: www.islington.gov.uk/housing/private_housing including leaflets on:

- Does my HMO need a Licence?
- Schedule of Fees
- Licence Application Form
- HMO Standards
- Grants for Landlords

Copies are also available from:

**Residential Environmental Health
Islington Council
222 Upper Street
London N1 1XR**

Email: residential.envh@islington.gov.uk