

Does my HMO need a licence?

Guidance for landlords

Certain Houses in Multiple Occupation (HMOs) are required to be licensed.

There are currently two HMO licensing schemes in Islington – **mandatory** and **additional**.

This guidance is intended to show which properties need to be licensed (example diagrams are set out overleaf) and under which licensing scheme. Landlords should refer to Housing Act 2004 Sections 254, 257, 259 and Schedule 14 for the full definition; government guidance is also available at <http://www.propertylicence.gov.uk>.

Please use the test below to find out whether you need to apply for a **mandatory licence**:

1. Are there five or more occupiers in the flat or house, some of who share or lack kitchen or bathroom facilities? YES NO
2. Is the building 3 or more storeys (including occupied basements, attics, and shops and any other storeys whether or not they are part of the HMO)? YES NO

If you have answered YES to both of the above questions your HMO will need a licence, unless questions 3-6 below indicate otherwise.

3. Is your property rented to one household (family and/or relatives only)? YES NO

If YES your property is not an HMO.

4. Do you and your family live there as owner occupiers with one or two lodgers? YES NO

If YES your property is not an HMO (if you have 3 lodgers the property is an HMO and it may require additional licence – please see next page. If you answered yes to question 2 and have 4 or more lodgers your property requires mandatory licence.

5. Does the building only contain self contained flats, with 1 household in each? YES NO

If YES your property does not need a mandatory licence, but if located on Caledonian Road and Holloway Road may require additional licence.

6. Is the HMO owned or managed by a housing association, local authority or by police or health services? YES NO

If YES your property is not an HMO.

In Islington we have evidence that there are a large number of poorly managed properties on **Holloway and Caledonian Roads**. **Additional licensing** has been put in place to ensure that these properties are managed to a good standard.

There are two types of licences that you may be required to apply for under the **additional licensing scheme**. Please use the tests below to find out whether you need to apply for a licence for the house/flat share and/or the building.

House/flat share HMO (also known as s254 HMO):

1. Is your property located on Caledonia or Holloway Road? YES NO

If NO then your property is not licensable under the additional licensing scheme.

2. Are there three or more occupiers in the flat or house, some of who share or lack kitchen or bathroom facilities? YES NO

If YES to the above two questions your HMO will need a licence, unless questions 3-5 below indicate otherwise.

3. Is your property rented to one household (family and/or relatives only)? YES NO

If YES your property is not an HMO.


4. Do you and your family live there as owner occupiers with one or two lodgers only? YES NO

If YES your property is not an HMO.

5. Is the HMO owned or managed by a housing association, local authority or by police or health services? YES NO

If YES your property is not an HMO.

The below test refers to the **additional** licensing requirement for certain buildings comprising entirely of self-contained flats. Please use the test below to find out whether your building requires an **additional licence**.



Converted building HMO (also known as s257 HMO)

1. Is your property located on Caledonian or Holloway Road? YES NO

If NO then your property is not licensable under this scheme.

2. Has your property been converted? YES NO

If NO e.g. your property is a purpose built block of flats then your property is not an HMO.

3. Was your property converted prior to 1991 and no further works were undertaken to ensure the conversion complies with Building Regulations 1991 or later? YES NO

or

Was your property converted after 1991, into lower standards than required by the Building Regulations 1991?

If you answered YES to all of the above and less than two-thirds of the flats are owner occupied by freeholders or long leaseholders then your property requires a licence.

Please Note: If your property was converted in accordance with Building Regulations 1991 or later you should have certification, which may be required as evidence.

If your HMO needs a licence you can download an application form from the council's website at <https://beta.islington.gov.uk/housing/landlords/houses-in-multiple-occupation-hmos/license-your-hmo> or contact:

**Residential Environmental Health
Public Protection Division**

222 Upper Street

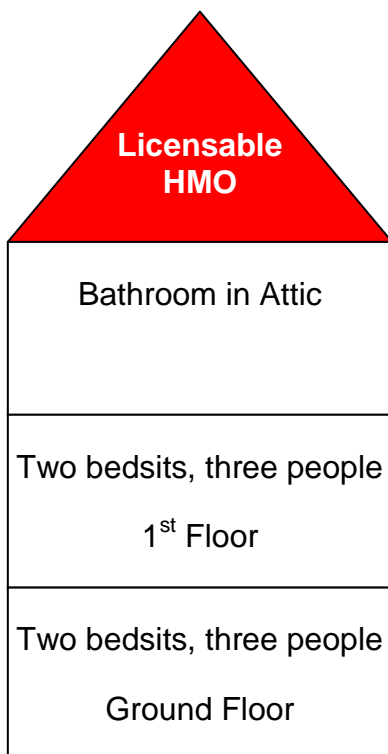
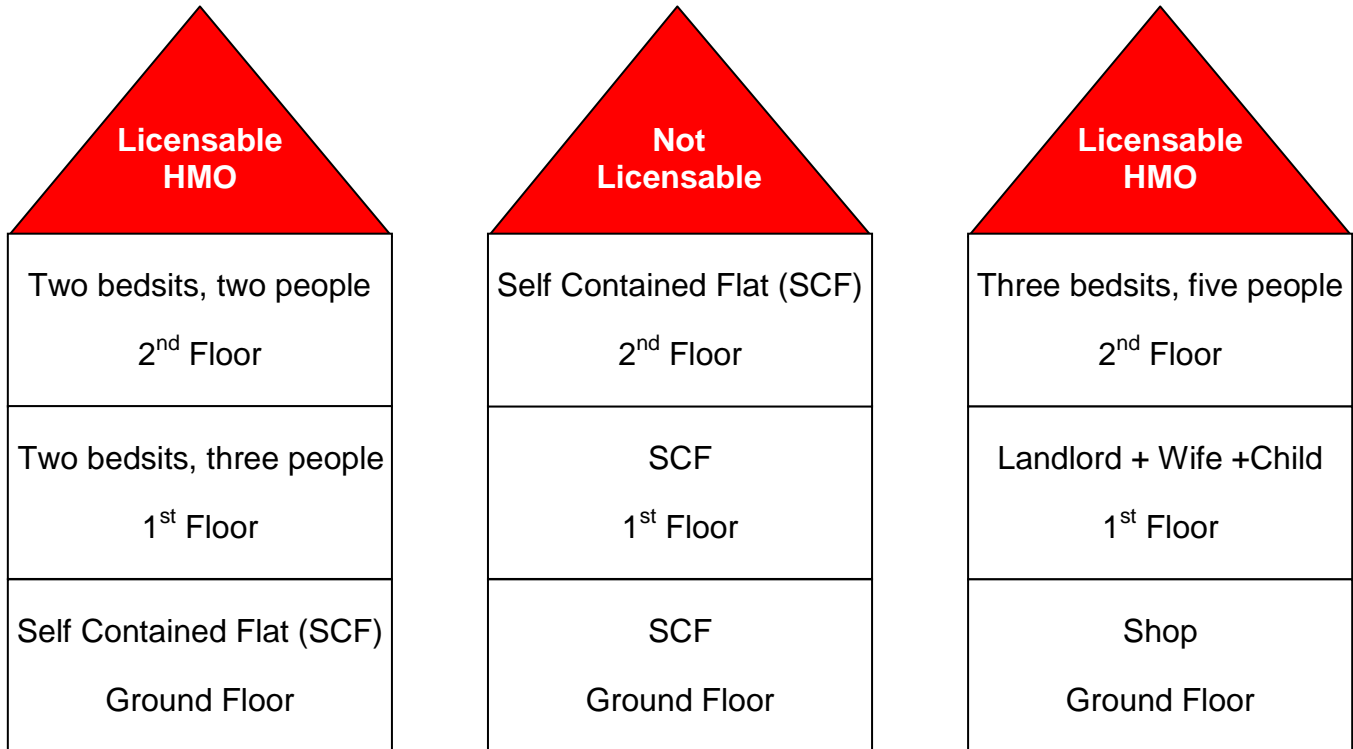
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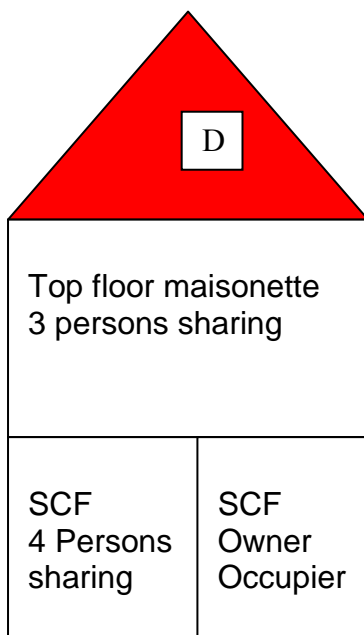
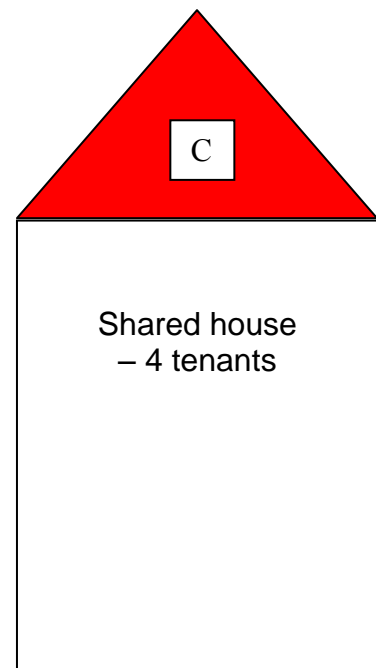
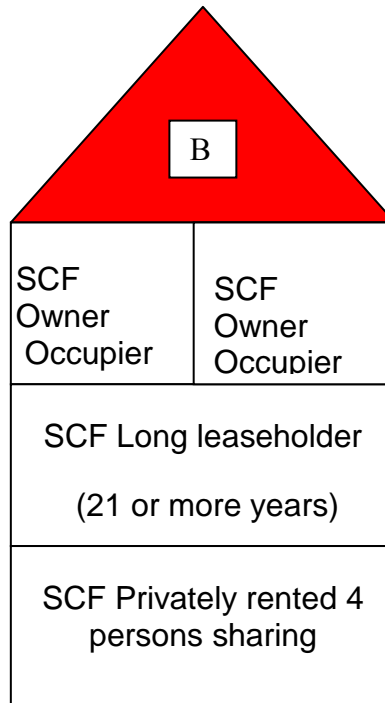
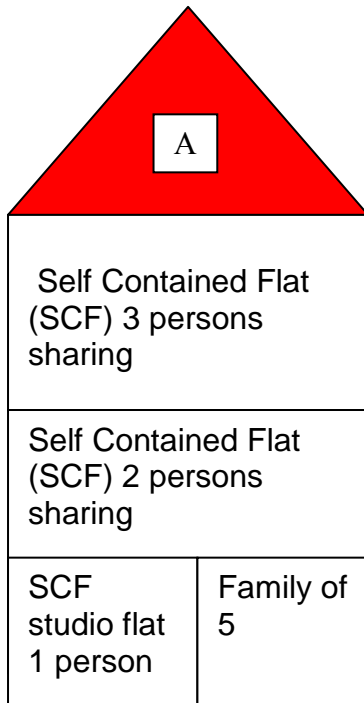
Mandatory scheme HMOs:

Mandatory HMO:

Mandatory HMOs are licensable if there are five or more occupiers and three or more storeys, unless the house consists entirely of self-contained flats.

If your property does not fall within this definition but is on Caledonian or Holloway Road it may be still licensable under the additional licensing scheme. Please see overleaf for more diagrams.

Additional scheme HMOs:

Please note this scheme applies to buildings on **Caledonian Road** and **Holloway Road** only.



Additional HMO:

House A – requires one HMO licence for the second floor flat. The building may also require a separate licence to cover the ‘common parts’ of the building if the conversion does not meet relevant Building Standards.

House B – requires one HMO licence for the ground floor flat. As more than two thirds of the flats are owner occupiers/long leaseholders the licence for common parts is not required.

House C – requires one HMO licence for the whole house.

House D - requires two licences – one for the ground floor flat and one for the top floor maisonette. The building may also require a separate licence to cover the ‘common parts’ of the building if the conversion does not meet relevant Building Standards.