Bolton Council - House in Multiple Occupation Licence Conditions

The licence holder must adhere to the following licence conditions. These conditions will be monitored by Bolton Council, and inspections will be carried out to ensure these are being complied with during the period of the licence.

Failure to adhere to one or more of these licence conditions could result in formal proceedings against you, with an unlimited fine, a civil penalty and/or the loss of your licence.

Prescribed Conditions relating to occupancy

The maximum occupancy limit per room based on the amenities provided shall be as follows and must not be exceeded:

Floor	Room	Maximum Occupancy

Mandatory Conditions relating to management

1. The licence holder must ensure that the property is compliant with Bolton Council's HMO Amenity standards within 3 years of the date of this licence being granted.

2. The licence holder must ensure that the property has planning permission and building regulation completion certificate (where applicable), failure to provide evidence may result in the licence being refused or issued for one year in length.

3. A copy of the licence including the attached conditions should be displayed within the common parts of the premises, and visible to all occupiers.

4. The Licence Holder must provide the occupiers of the property and the occupiers of any adjoining properties, with details of the following:

   Name of the licence holder or managing agent
   - A contact address, daytime telephone number
   - An emergency contact telephone number.

   This information must be supplied within 28 days of receipt of the licence document and should be clearly displayed in a prominent position within the property.

5. The Licence Holder and his managing agent must inform Housing Standards within 14 days of any changes in their circumstances as follows:

   a. Details of any unspent* convictions not previously disclosed to the Local Authority, that may be relevant to the licence holder and/or the property manager and their fit and proper person status and in particular any such conviction in respect of any offence involving fraud or dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.

   *The Rehabilitation of Offenders Act 1974 enables some criminal convictions to become 'spent', or ignored, after a 'rehabilitation period'. A rehabilitation period is a set length of time from the date of conviction. After this period, with certain exceptions, an ex-offender is not normally obliged to mention the conviction when applying for a job or obtaining insurance, or when involved in criminal or civil proceedings.

   b. Details of any finding by a court or tribunal against the licence holder and /or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business.

   c. Details of any contravention on the part of the licence holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her.

   d. Information about any property the licence holder or manager owns or manages or has owned or managed which has been the subject of:
   - A control order under section 379 of the Housing Act 1985 in the five years preceding the date of the application; or
   - Any appropriate enforcement action described in section 5(2) of the Act

   e. Information about any property the proposed licence holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the licence holder breaching the conditions of his/her licence

f. Information about any property the proposed licence holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004.

g. Change of name and address to Licence Holder or Managing Agent.

h. The undertaking of any substantial works to the property including conversions and modernisations.

6. The licence holder must ensure that any persons who assist in the management of the property not detailed within the original application form must be fit and proper persons and must notify Housing Standards of these changes. Where necessary Housing Standards will require a declaration to be signed by the person assisting in the management of the property that they meet the fit and proper criteria.

7. If any new leasing agreements are put in place, for example rent to rent, Housing Standards must be notified with completion of the relevant section of the application form. The licence holder will remain responsible for complying with the licence conditions and must ensure that they hold details for the tenants (under the lease agreement) and that all relevant checks have been completed.

8. The licence holder and/or his nominated managing agent shall undertake an approved training course as required by Housing Standards within 2 years of this licence being granted.

9. The licence holder must inform Housing Standards of any steps being taken to sell the property including the details of any successful purchaser(s).

10. When gas and electricity are supplied through pre-payment meters, tokens and cards must be readily available from a local source at the price set by the utility provider.

11. When the tenant “checks in” a detailed inventory must be completed by the licence holder. The inventory will be initialled on all pages by both parties, signed and dated by them on the last page. A copy should be provided to the tenant, and the licence holder should retain a copy for his own records. The above procedure must be repeated for “check out” inventory at the end of tenancy.

    Note: Inventory covers items included within the tenancy and the condition of the property.

Mandatory Conditions relating to property

12. The licence holder shall ensure that occupants of the house receive written confirmation detailing arrangements in place to deal with repair issues and emergencies should they arise.

13. The Licence Holder and/or manager must ensure that the bedrooms of the property are inspected at regular intervals, of at least once every 6 months, to ensure that the conditions of the tenancy agreement are being adhered to. Should the Licence Holder receive a complaint about the property or tenancy, the Licence Holder and/or his manager must ensure that the property is inspected to investigate such complaint.

14. The licence holder shall ensure that the interior and exterior of the property is maintained in a reasonable decorative order and in a good state of repair.

15. Where major works are required during the period of the tenancy, the licence holder will provide suitable alternative accommodation for the period during which works are carried out.

16. The licence holder shall ensure that all refuse containers are returned within the curtilage of the property on the same day that they are emptied by the Council. At the start of the tenancy the tenants must be made aware of their responsibilities in relation to the storage and presentation of

the household waste whilst waiting for collection, to include the understanding of recycling and bin collection cycles.

17. The licence holder/manager must notify Housing Standards Council of any fires that have occurred at the premises within 24 hours (or the next working day i.e. Monday if fire occurred on a Friday evening or Saturday).

18. The licence holder must:

    a) Produce to Housing Standards within 14 days of demand, a Fire Detection & Alarm System Certificate (in accordance with BS 5839) obtained in respect of the house within the last 12 months, and every 6 months if a Grade A system has been installed.
    b) Produce to Housing Standards within 14 days of demand, an Emergency Lighting test certificate obtained within the last 12 months.
    c) Ensure said certificates are retained for a period of 5 years.
    d) Provide a current Fire Risk Assessment to Housing Standards and adhere to all requirements within the assessment.
    e) The fire detection system must be connected to the landlord supply of electric which does not have a pre-payment meter.

19. If accommodation within the house is provided on a furnished basis and includes electrical appliances, the Licence Holder must produce to Housing Standards, for their inspection a portable appliance test (PAT) certificate within the first twelve months of the licence period, and yearly after.

20. The Licence Holder will ensure that any furniture/furnishings/floor covering provided is in safe and good condition and maintained or replaced as far as it is the Licence Holder's responsibility throughout the tenancy.

Mandatory Conditions relating to security

21. Where window locks are fitted, the Licence Holder will ensure that keys are provided to the relevant occupant.

22. Where previous tenants have not surrendered keys, the licence holder will arrange for a lock change to be undertaken, prior to new tenants moving in.

23. The licence holder must obtain references and right to rent checks for persons who wish to occupy the house and supply evidence of these to Bolton Council on demand.

24. Where there are alley-gates installed to the rear of the licensed property, the Licence Holder must take responsibility for holding a key for any alley-gates which are in place, or which are installed. Ensure that all new tenants are advised of the need to keep the alley gates locked.

Mandatory Conditions relating to complaints, requests and anti-social behaviour

25. The licence holder must respond as required to any written requests made by Bolton Council, Greater Manchester Police, Greater Manchester Fire and Rescue Service or other relevant partner (this includes requests for information including requests for personal information made under the Data Protection Act 2018) and attendance at meetings relating to the management of their property.

26. The licence holder must ensure that all new tenancy agreements include a clause covering anti-social behaviour.

27. The Licence Holder must take all reasonability and all practicable steps for preventing and dealing effectively with anti-social behaviour. The Licence Holder and/or his manager are required to

undertake an incremental process of investigation of any complaints, which have been made either directly to them, or via the Local Authority, regarding their occupiers.

28. For the purposes of these conditions, anti-social behaviour is taken to comprise behaviour by the occupants of the house and/or their visitors, which causes a nuisance or annoyance to other occupants of the house, to lawful visitors to the house or to persons residing in or lawfully visiting the locality of the house.

29. On request, the licence holder must demonstrate to the satisfaction of the Council that they have properly managed the property and have taken all reasonable and practicable steps when dealing with complaints of anti-social behaviour and/or harassment made against the occupants. Examples of action which should be taken by the licence holder include the issuing warnings, both verbal and in writing.

30. The licence holder where directed by Bolton Council or Greater Manchester Police, and with their support, must take prompt action that is within their power to terminate a tenancy to prevent anti-social behaviour and nuisance.

Additional licence conditions (if required)

Prescribed Conditions

There is a legislative requirement under The Housing Act 2004 schedule 4 to include Prescribed Conditions as specified in the schedule. The Prescribed Conditions are also embedded within the aforementioned mandatory conditions. However Prescribed condition 6 has been amended by Bolton Council and details are provided with the HMO Amenity Standards, which must be complied with.

1. If gas is supplied to the house, produce to the local housing authority annually for their inspection, a gas safety certificate obtained in respect of the house within the last 12 months.

2. The licence holder must:
   a. keep electrical appliances and furniture made available by him in the house in a safe condition.
   b. to supply the authority, on demand, with a declaration by him as to the safety of such appliances and furniture
   c. to ensure that every electrical installation in the house is in proper working order and safe for continued use; and to supply the authority, on demand, with a declaration by him as to the safety of such installations.

3. The licence holder must:
   a. 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; and
   b. Keep each such alarm in proper working order; and
   c. Supply the authority, on demand, with a declaration by him as to the condition and positioning of such alarms

4. The licence holder must:
   a. 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 fixed combustion appliance;
   b. Keep each such alarm in proper working order; and
   c. Supply the authority, on demand, with a declaration by him as to the condition and positioning of such alarms.

5. Supply the occupiers of the house a written statement of the terms under which they occupy it

6. The licence holder must:
   a) ensure that the floor area of any room in the HMO used as sleeping accommodation by one person
   b) aged over 10 years is not less than 6.51 square metres
   c) ensure that the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres
   d) ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres
   e) ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.

7. The licence holder must ensure that:
   a) Where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence.
   b) Where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence.
   c) Where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum

number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified.

8. The licence holder must comply with the household waste collection and disposal system operated by Bolton Council. This includes ensuring an appropriate number of bins are provided for the size of the household, including for recycling. A suitable storage area must be provided for the bins, and any excess waste must not be allowed to accumulate at the property pending collection.