

Application to Renew a Licence for a House in Multiple Occupation (HMO)

Guidance notes

Please read the following guidance notes before submitting an application to renew a licence for a House in Multiple Occupation (HMO). Further information about the licensing scheme can be found on the Council's website, www.rushmoor.gov.uk/housing and [benefits/landlords/houses in multiple occupation](#)

If you require any further advice or assistance please contact the Private Sector Housing Team on 01252 398980 or email privatehousing@rushmoor.gov.uk

Note A

Rushmoor Borough Council operates mandatory licensing schemes for houses in multiple occupation (HMOs). This means that **ALL** HMOs occupied by five or more people in properties of three or more storeys have to be licensed. Children and babies are counted as people for licensing purposes.

Note 1 – Applicant details

These are the details of the person who is dealing with the application, and to whom correspondence and the invoice for the licence fee will be sent.

Note 2 – Proposed licence holder details

These are the details of the person in whose name the licence will be held if granted.

Note 3 – Manager details

These are the details of the person or company who has responsibility for the day to day management of the property such as letting vacant units, organising cleaning or repairs.

Note 4 – Ownership details

- 4.1 The details of the freeholder(s).
- 4.2 The details of the mortgagee, including reference or roll number, if applicable.
- 4.3 Details of the leaseholder(s), if applicable.

Note 4 – Ownership details (continued)

- 4.4 Details of the person who collects the rent.
- 4.5 Details of the person who receives the rent.
- 4.6 Any other interested person who may be bound by conditions on the licence.

Note 5 – Occupier information

- 5.1** All occupants must be counted, including people living at the property but not necessarily included on a tenancy agreement, and children of any age.
- 5.2** A household may be any of the following:
- A family, including foster children and current domestic employees. The definition includes parents, grandparents, children, grandchildren, siblings, uncles, aunts, nephews and nieces
 - A single person
 - A co-habiting couple (whether single or opposite sex)
- 5.3** A 'letting' may be any of the following:
- A room (bedsit)
 - More than one room let to the same tenant(s) (who may share amenities with other tenants or have the use of their own amenities but which are not self-contained)
 - A self-contained unit
- 5.4** Number of people that the property is to be licenced for must include all adults, children and babies
- 5.5** Generally, a habitable room is any room, apart from a kitchen or bathroom, which is being lived in or is capable of being lived in.

Note 6 – Relevant information

The Council must be satisfied that the person applying for a HMO licence is a 'fit and proper' person to hold such a licence. The same test applies to any person managing the HMO and any director or partner in a company which owns or manages the HMO.

'Housing' and/or 'landlord and tenant' law includes, but is not limited to, the following:

- Owning or managing a HMO which was subject to a Control Order under Housing Act 1985
- Owning or managing a HMO which is or was subject to an Emergency Prohibition Order, a Prohibition Order or Emergency Remedial Action under the Housing Act 2004
- Being subject to legal action in the Magistrates' or Crown Court for breaches of any part of Housing or Landlord/Tenant legislation
- Owning or managing a property where a Council have carried out works in default when a notice under the Housing Act 1985 or 2004 has not been complied with
- Owning or managing a property subject to a Management Order under the Housing Act 2004
- Being subject to action, legal or otherwise, taken by a Council in respect of harassment or illegal eviction of tenants
- Contravention of any Approved Code of Practice (ACoP)
- Being subject to any other proceedings brought by a Council or other Regulatory Body (e.g. breaches of the Environmental Protection Act 1990, planning control, fire safety requirements)

Note 7 – Additional information

Information on training courses attended and membership of professional organisations. You may be asked to provide proof.

The name, address and contact number of the Manager must be clearly displayed within the property

Note 8 – Further information

Any other information which you feel may be relevant to your application.

Note 9 – Declaration

It is a criminal offence to knowingly supply information which is false or misleading for the purpose of obtaining a licence. Evidence of statements made in support of this application may be required at a later date.

We may require applicants to carry out a Criminal Records Bureau (CRB) check and provide us with the details of the results. The applicant will be responsible for paying for the cost of the CRB check.

We may approach other Council services (departments) and other authorities, such as the police authority, Fire and Rescue Service, Office of Fair Trading, Local Authorities Coordinators of Regulatory Services (LACoRS), and tenants for additional information and verification. Signing the application will be taken as your agreement to any such action.

If we subsequently discover something which is relevant and which you should have disclosed, or which has been incorrectly stated, your licence may be cancelled or further action, including legal action, taken against you.