

# LICENSING CONDITIONS

This Annex contains all the conditions of the licence and has three parts.

## Annex 1: Standard Conditions

Sets out the minimum standards and obligations.

## Annex 2: Specific Conditions:

Sets out the category of HMO, any additional persons who have agreed to be bound by the conditions along with any additional conditions, where it is not clear from the information provided or following a licensing inspection, where it has been determined that the house does not meet the minimum standards for licensing and further facilities/works are required to address the deficiency.

## Annex 3: Guidance Notes

### ANNEX 1 STANDARD CONDITIONS

No:	Condition:
1.	If gas is supplied to the house, to produce to the Council (“the Council”) annually for inspection a copy of the gas safety certificate obtained in respect of the house within the last 12 months.
2.	The licence holder must keep the electrical appliances and furniture made available by him in the house in a safe condition; and supply to the Enforcement Team on demand, with a declaration by him as to the safety of such appliances and furniture.
3.	The licence holder must keep the electrical installation in the house in proper working order and safe for continued use; and supply to the Enforcement Team, on demand, a declaration by him as to the safety of such installations.
4.	The Licence Holder must 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, to keep each such alarm in proper working order and to supply the Enforcement Team, on demand, with a declaration by him as to the condition and positioning of such alarms.
5.	The licence holder is required to 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 other than a gas cooker, to keep any such alarm in proper working order and to supply the Licensing Authority, on demand, with a declaration by him as to the condition and positioning of any such alarm.
6.	The licence holder must supply to the occupiers of the house a written statement of the terms upon which the house is occupied. <i>Guidance: Compliance with the condition may be achieved by providing written tenancy agreements and to hold copies of any such written documentation for inspection by the Enforcement Team on request.</i>

### ROOMS USED AS SLEEPING ACCOMMODATION

7.	Ensure that the floor area of any room in the HMO used as sleeping accommodation: <ul style="list-style-type: none"> <li>by one person aged over 10 years is not less than 6.51 square metres;</li> <li>by two persons aged over 10 years is not less than 10.22 square metres;</li> <li>by one person aged under 10 years is not less than 4.64 square metres;</li> </ul> Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken into account in determining the floor area of that room.
8.	Ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation. The licence holder must notify the local housing authority of any room in the HMO with a floor area of less than 4.64 square metres.
9.	Ensure any room in the HMO used as sleeping accommodation: <ul style="list-style-type: none"> <li>by persons aged over 10 years only, is not used as such by more than the maximum number of persons aged over 10 years specified in the licence;</li> <li>by persons aged under 10 years only, is not used as such by more than the</li> </ul>

	<p>maximum number of persons aged under 10 years specified in the licence;</p> <ul style="list-style-type: none"> <li>• by persons aged over 10 years and persons aged under 10 years, 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.</li> </ul>
10.	The licence holder must rectify any breaches of the requirements imposed in condition 7, 8 or 9, which the licence holder has not knowingly permitted, on notification by the local housing authority. The notification will detail the timescale within which breaches must be rectified.
<b>HOUSEHOLD WASTE</b>	
11.	<p>You must proactively comply with the waste collection scheme provided by Doncaster Council, which relates to the storage and disposal of household waste at the property pending collection.</p> <p>Without prejudice to the generality of the preceding paragraph, the matters to which this duty extends include in particular—</p> <ul style="list-style-type: none"> <li>• To plan for waste storage at the property;</li> <li>• To ensure bins and boxes for waste and recycling, compatible with the requirements of the waste collection service, are provided in sufficient numbers and type for the needs of the house;</li> <li>• To make suitable arrangements for the proper storage of bins and boxes within the boundary of the property;</li> <li>• To ensure all bins and boxes are stored in a neat and tidy manner; and</li> <li>• To provide all tenants with suitable and sufficient documented waste collection information to include what each bin is for, when the collection days are and where to present the bins for collection.</li> </ul> <p>All refuse containers shall be located away from habitable rooms, so that they do not obscure the passage of natural light to any windows located at or below bin height, on hard-standings with suitable access for cleansing the area and removing of containers, and, where reasonably practicable, at the rear of the house.</p> <p><b>Note:</b> Details of the Council's waste and recycling scheme including the arrangements for the storage and collection of household waste including collection days, what you can recycle, how to order a new bin or box, reporting a missed collect and ordering a bulky collect can be found on the Council's website <a href="http://www.doncaster.gov.uk/recycling">www.doncaster.gov.uk/recycling</a> If you require an additional 240 litre black bin or additional recycling facilities, as the holder of an HMO licence, you may be able to obtain these free of charge by contacting the waste and recycling service on 01302 736000.</p>
<b>LICENCE HOLDER'S OBLIGATIONS</b>	
12.	To notify the Enforcement Team within 1 month of any changes in circumstances relating to the property that may affect the validity and/or terms of the licence (for example, these include changes to the ownership or management of the property and events that may affect the fit and proper status of the licence holder or manager).
13.	To notify the Enforcement Team before making any material changes to the layout including the provision of facilities, fire precautions or mode of occupation of the house (other than identified as specific works in these conditions or so as to comply with the general conditions of this licence).
14.	To ensure that all facilities and equipment provided to meet the prescribed national minimum amenity standards relating to heating, washing, bathing, toilet, kitchen and fire precaution facilities are available and kept in repair and proper working order.
<b>ANTI-SOCIAL BEHAVIOUR</b>	
15.	<p>For the purpose of this licence, anti-social behaviour (ASB) is defined as conduct on behalf of occupiers of, or visitors to the property-</p> <ol style="list-style-type: none"> <li>a) which causes or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or</li> <li>b) which involves or is likely to involve the use of such premises for illegal</li> </ol>

purposes.

The licence holder must take all reasonable and all practicable steps for preventing and dealing effectively with anti-social behaviour by persons occupying or visiting the house and the use of premises for illegal purposes.

**The licence holder must:**

- i) Obtain valid pre-let references in relation to persons who wish to occupy the house, in order to make an informed decision regarding their occupancy of the property. References should include details of previous housing history and tenancy conduct, including behaviour of that of the proposed occupier and household and credit references in isolation are not adequate. Evidence of these references and checks must be made available to the Enforcement Team upon request.
- ii) Provide upon request to the Enforcement Team information regarding the full names and dates of birth of each occupant.
- iii) Respond to reference requests from other landlords within a reasonable timescale and provide an honest and accurate reference relating to existing or past tenants.
- iv) Ensure that any future written statement of the terms and conditions on which the house is occupied contains a clause holding the occupants responsible for any anti-social behaviour by themselves and/or their visitors. The licence holder must ensure that all occupants are aware of the existence of this clause by advising them upon taking up residence.
- v) Suitable arrangements are in place to deal with complaints about an occupier's behaviour promptly and effectively and report back to the person making the complaint what action has been taken, or intend to take. If after investigating the complaint the licence holder decides the complaint is unfounded he should also inform the complainant accordingly.
- vi) Undertake an incremental process of investigation and resolution of any complaints which have been made either directly to them, or via the Enforcement Team, regarding their occupiers. Where ASB has been established a reasonable step in less serious cases would be to ask the occupier to refrain from the conduct and warning them of the potential consequences of not doing so. If, following that approach, the problems persist the licence holder should give the occupier a written warning and, if necessary, call on other agencies for advice and assistance in arresting the problems. Following that course of action, if there are no improvements, or the problem is so serious that there would be little point in invoking the previous stages, the licence holder should take enforcement action against the occupier, including possession proceedings.
- vii) Engage with the Enforcement Team, the police or any other agency involved with investigation of anti-social behaviour relating to the property or tenants of the property. This may involve providing supporting information or evidence where an appropriate authority seeks a legal remedy to the antisocial behaviour.
- viii) Ensure that the occupants of the house are aware of the services available to them and how they can report nuisance and anti-social behaviour to the Enforcement Team