



Selective Licensing Conditions

January 2017

Appendix 2 – Selective Licence Standard Conditions

Standard Conditions for Selective Licensing

In these Conditions, “house” is meant to refer to the building or part of a building, which is licensed under Part 3 of the Housing Act 2004. “Authority” is meant to refer to the local housing authority, namely Ashfield District Council.

Housing Act 2004 Prescribed Conditions

1. If gas is supplied to the house, the Licence Holder must provide a valid gas safety certificate for the house obtained in the last 12 months.
The Licence Holder must have a valid gas safety certificate in place for the duration of the licence. This must be provided as part of the application process and on an annual basis thereafter.
2. The Licence Holder must:
 - a. keep electrical appliances and furniture made available by him in the house in a safe condition;
 - b. Supply the Authority, on demand, with a declaration by him as to the safety of all such electrical appliances and furniture.
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 solid fuel burning combustion appliance;
 - b. keep any such alarm in proper working order; and

5. Supply the Authority, on demand, with a declaration by him as to the condition and positioning of any such alarm. The Licence Holder must provide the occupiers of the house with a written statement of the terms and conditions on which they occupy the house (e.g. a tenancy or Licence agreement). The Licence Holder must provide a copy of the statement to the Authority on demand.
6. The Licence Holder must obtain references from all persons who wish to occupy the house. Where references cannot be obtained the Licence Holder must provide evidence of efforts made for reference checks. Copies of references or evidence of efforts made must be made available to the Authority upon request.

Conditions relating to the property

1. The Licence Holder must:
 - a. ensure that the premises are covered by a valid current (i.e. dated as within the previous 5 years) Domestic Electrical Installation Periodic Report for all of the electrical installations throughout the period of the licence;
 - b. Supply the Authority, on demand, with a copy of the periodic inspection report; and
 - c. Ensure that all stated recommendations for urgent attention and improvement (Codes 1 and 2) are carried out within 28 days of the inspection report.
2. The Licence Holder must ensure that all fire detection systems, means of escape and fire-fighting equipment installed in the property are at least annually inspected by a competent person, and are adequately maintained and tested in accordance with any manufacturer's instructions. The Licence Holder must make a declaration on application and thereafter within 28 days of a request by the Authority.
3. The Licence Holder must arrange to carry out a detailed inventory to be agreed with each occupant at the start of their occupation of the house. The Licence Holder must keep a copy of the inventory at their business address.
4. The Licence Holder must ensure that occupants of the house receive written confirmation about how they must deal with repairs and emergencies should they arise. The Licence Holder must ensure that inspections are carried at least every six months to identify problems relating to the condition and management of the property. A copy of the tenancy management arrangements and a log of the inspections carried out must be provided within 28 days of a request by the Authority.
5. The Licence Holder must protect any tenancy deposit taken under an assured shorthold tenancy by placing it in a statutory tenancy deposit scheme, and must advise the tenants where it has been placed.

6. The Licence Holder must cooperate with the Authority by allowing an authorised person with identification to access the house for the purpose of carrying out licence compliance checks. Officers would normally give at least 24 hours' notice to the Licence Holder or property manager, but unannounced visits may be made by authorised officers where deemed reasonable and appropriate.
7. The licence Holder must state in any written agreement with the tenant that no refuse (or rubbish) must be kept in the front or rear gardens (other than in the storage facilities provided).
8. The Licence Holder must obtain a valid Energy Performance Certificate (EPC) for new tenancies. A copy must be made available to all new tenants and produced to the Authority within 28 days of a request by the Authority.

Management of the licensed property

1. If the property is a House in Multiple Occupation (HMO) which is not required to be licensed under Part II of the Housing Act 2004, the Licence Holder must ensure that the house is compliant with Ashfield District Council's approved standards for Houses in Multiple Occupation, according to the type of accommodation offered.
2. The Licence Holder must provide the occupiers of the house with details of the following management information:
3. Name of the Licence Holder and property manager (if any);
4. A contact address and daytime telephone number;
5. A 24-hour emergency contact telephone number including out-of-hours response arrangements.
6. If the property is a House in Multiple Occupation, the management information should also be clearly displayed in a prominent position within the house or added to the Licence/Tenancy Agreement as an Appendix. An emergency contact telephone number for the Licence Holder and any property manager must also be available and notified to the Authority.
7. A new resident must not be permitted to occupy the house or any part of the house if that occupation:

8. Exceeds the maximum permitted number of persons for the house as detailed in the schedule of permitted occupation below;
9. Exceeds the maximum permitted number of households for the house;
10. Exceeds the maximum permitted number of persons for any letting as detailed in the schedule of permitted occupation.
11. A new resident means a person who was not an occupier of the house and/or the room at the date of the issue of the licence specific
12. The Licence Holder and any property manager shall undertake Council approved training (e.g. UKLAP/LLAS/NLA/EMPO/ARLA/DASH property management training) where required to do so by the Authority.
13. The Licence Holder must ensure that any person involved in the management of the house not detailed in the original licence application is a “fit and proper person” for the purposes of the Act and must notify the Authority of these changes.
14. The Licence Holder must inform the Authority within 10 working days of any changes in their circumstances which may affect their suitability to continue to remain as licensee (see Appendix 4).
15. The Licence Holder must display a copy of the licence to which the conditions apply in the common parts of the property. Alternatively the Licence Holder must provide each occupier of the house with a copy of the Licence Conditions which are currently in force.
16. The Licence Holder or his property manager must make regular inspections (at least every 6 months) of the property to ensure that the property is in a decent state of repair and that the occupiers are not in breach of tenancy terms and conditions.

Crime, Security and Dealing with anti-social behaviour

1. If the residential occupier misses a rent payment, the Licence Holder must visit the property no later than one month from the date the payment was due. This is to ensure that the property is secure and has not been abandoned.
2. Where window locks are fitted, the Licence Holder will ensure that keys are provided to the relevant occupants.

3. All door locks must comply with the relevant British Standard applicable at the time of fitting and any subsequent replacement. Where previous occupants have not surrendered keys, the Licence Holder will arrange for a lock change to be undertaken, prior to new occupants moving in.
4. The Licence Holder must take all reasonable and all practicable steps for preventing and dealing effectively with anti-social behaviour by people occupying or visiting the premises and for the use of the premises for illegal purposes, including that the Licence Holder must ensure that:
 5. the written statement of the terms and conditions upon which the house is occupied contains a clause holding the occupants responsible for any anti-social behaviour by themselves and/or their visitors;
 6. all occupants are aware of the existence of this clause by advising them upon taking up residence;
 - a. The Licence Holder must respond to complaints of anti-social behaviour that concern occupiers of the premises or their visitors. Where anti-social behaviour is discovered, the Licence Holder must inform the tenant of the matter within 14 days and of the consequences of its continuation;
 - b. The Licence Holder must keep records of any correspondence and written notes relating to anti-social behaviour for the premises for a period of 5 years;
 - c. If requested by the Authority, the Licence Holder and /or their nominated agent must provide details of investigations undertaken in relation to their tenants and/or their visitors, providing the names of all involved persons. The Licence Holder must ensure legal compliance to bring a tenancy to an end.
7. The Licence Holder must ensure that all outhouses, garages and sheds are kept secured and used for their intended purpose. The Licence Holder must not allow them to be occupied as individual habitable rooms, kitchens or bathrooms.

Environmental & neighbourhood management

1. The Licence Holder must ensure that the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.
2. The Licence Holder must ensure that all outbuildings, yards, forecourts and gardens surrounding the house and alleyways within the property curtilage

are maintained in reasonable repair. They must also be kept in a clean, tidy and safe condition, and free from infestations.

3. The Licence Holder must ensure that any kind of refuse and rubbish which the Council will not collect (e.g. large items and hazardous waste) are disposed of responsibly and appropriately.

Notes:

- a. ***The Licence or licence conditions do not imply approval or compliance for other purposes including Building Control, Planning and or other requirements of the Housing Act (including the existence of Category 1 and Category 2 hazards as identified under the Health and Safety Rating System)***
- b. ***Failure to comply with any licence condition may result in legal proceedings and an unlimited fine on conviction.***

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