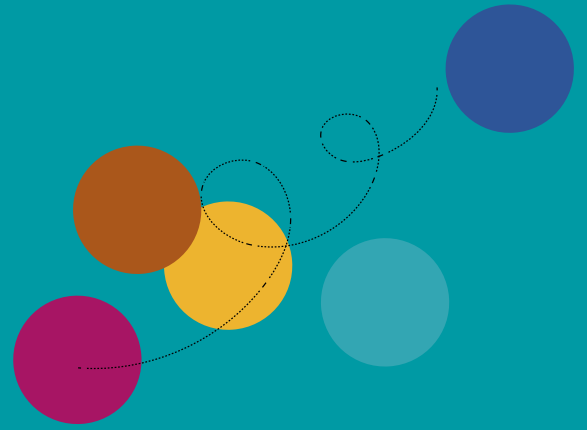




NORWICH
City Council



Houses in Multiple Occupation (HMO) Private Sector Housing



Policy

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08.10.2025		<p>Legal and technical amendments following consultation. Sections amended: Relevant legislation or regulation. Section 4 changed to article 4. 1.2 added line which are not subject to mandatory licensing but may still be HMOs. 4.4 added the line -The council operates a 2-stage fee process as a local policy, in line with local government guidance. 4.7 Added line Contact Information for the Residential Property Division - Courts and Tribunals Judiciary. Section 5 – Summary added -Electrical Safety Requirements for HMO Landlords. This is to ensure that 3.7 Not statutory compliant with Equality Act 2010 reasonable adjustments, Public Sector Equality Duty (s.149 of the Equality Act 2010) Data protection and formal notices - Certain statutory notices (e.g. enforcement decisions) must be served in accordance with Housing Act 2004 s.246 and the Local Government Act 1972 s.233 — both allow for postal service. Rewrite required to bring this back to compliance with legislation and statutory regulations.</p>	<p>NP Law John Jackson and Officer Emmanuel Sheehan. Reviewed and authorised by NP Law John Jackson</p>
10.10.2025		<p>Title page amended to all same text font and colour. Section 1. 1.2 amended from letters to clear bullet points to avoid confusion and add clarity. All sections have been given an Introduction and summary paragraph. These are Plain-English paragraphs explaining the purpose of the section and the content to support understanding with easy-to-understand sentences of the section. No new information has been added. Section 2. Relevant Legislation table has been reformatted to support the reader to access the information. No new information added or taken away. Introduction sections to the table have been added to support the reader to summarise what is in the tables. Sections 5.6 - 5.8 are not legally compliant. Rewritten to be statutory clear.</p>	<p>Officer Emmanuel Sheehan. Reviewed and authorised by NP Law John Jackson</p>

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Introduction

This section explains the legal basis for Houses in Multiple Occupation (HMOs) licensing within Norwich. It outlines the types of licensing schemes that apply under the Housing Act 2004 and sets out the national criteria that determine when a property must be licensed as an HMO. The aim is to help landlords, managing agents, and residents understand the legal framework that governs HMO licensing before the Council's local approach is described in later sections

1.1 Under Part 2 of the Housing Act 2004 there are two types of licensing schemes that relate to Houses in Multiple Occupation (HMOs), the national Mandatory HMO Licensing scheme and Additional Licensing of HMOs.

1.2 Under the national Mandatory HMO Licensing scheme all properties that meet the following criteria will require a mandatory HMO licence, which is defined in Article 4 Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018:

- Is occupied by five or more persons.
- Is occupied by persons living in two or more separate households; and meets the standard test under section 254(2) of the Act (Housing Act 2004)
 - a) It consists of one or more units of living accommodation not consisting of a self-contained flat or flats.
 - b) The living accommodation is occupied by those persons who do not form a single household (see section 258).
 - c) The living accommodation is occupied by those persons as their only or main residence, or they are to be treated as so occupying it (see section 259).
 - d) Their occupation of the living accommodation constitutes the only use of that accommodation.
 - e) Rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation; and
 - f) Two or more of the households who occupy the living accommodation share one or more basic amenities, or the living accommodation is lacking in one or more basic amenities.

Or

- The self-contained flat test under section 254(3) of the Act (Housing Act 2004) but is not a purpose-built flat situated in a block comprising three or more self-contained flats, which are not subject to mandatory licensing but may still be HMOs:
 - It consists of a self-contained flat; and
 - paragraphs (b) to (f) of subsection (2) apply (reading references to the living accommodation concerned as references to the flat).

Or

- The converted building test under section 254(4) of the Act (Housing Act 2004).
 - It is a converted building
 - It contains one or more units of living accommodation that do not consist of a self-contained flat or flats (whether it also contains any such flat or flats).
 - The living accommodation is occupied by persons who do not form a single household (see section 258).
 - The living accommodation is occupied by those persons as their only or main residence, or they are to be treated as so occupying it (see section 259).
 - Their occupation of the living accommodation constitutes the only use of that accommodation; and
 - Rents are payable, or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation.

1.3 Additional licensing of HMOs covers those HMOs that are not licensed under the mandatory scheme but where the council has used its power to designate areas of the city subject to additional licensing of HMOs.

1.4 This document sets out the structure of the scheme and the requirements that licence holders must meet, the fees, charges, and criteria the council will apply to all licences in relation to the Mandatory HMO Licensing schemes.

In summary, a property generally needs an HMO licence if it is shared by five or more people from more than one household and they share facilities such as kitchens or bathrooms. The law allows councils to introduce additional licensing schemes to capture smaller or higher-risk shared houses. The purpose of these legal provisions is to protect tenants by ensuring HMOs are properly managed, safe, and meet minimum housing standards across the city.

Relevant Legislation

This section summarises the key legislative provisions that define a House in Multiple Occupation (HMO) and determine which properties require licensing. The Housing Act 2004 sets out the main legal tests used to classify a property as an HMO and provides local authorities with powers to regulate standards and management. The tables below identify the principal sections of the Act and the circumstances under which properties are classed as HMOs or may be exempt from licensing. This helps landlords, agents, and tenants understand how the law applies to different property types and ensures consistency in how Norwich City Council implements its HMO licensing responsibilities

The Housing Act 2004 defines several types of properties that can be classed as Houses in Multiple Occupation (HMOs). These definitions are based on how the property is occupied, the relationships between the occupants, and the facilities that are shared.

The table below summarises the main HMO definitions as set out in the Housing Act, along with the relevant legislative references.

Is my property an HMO?	Housing Act 2004 section / schedule	Commonly known as
A shared house lived in by people who belong to more than one family and who share one or more facilities.	s254(2)	<i>Standard Test</i>
A house in bedsits lived in by people who belong to more than one family and who share one or more facilities.	s254(2)	<i>Standard Test</i>
A converted building containing units of living accommodation that are not self-contained flats.	s254(4)	<i>Converted Building Test</i>
An individual flat lived in by people who belong to more than one family and who share one or more facilities.	s254(3)	<i>Self-contained Flat Test</i>
A building converted into self-contained flats where the conversion did not comply (and still does not comply) with 1991 Building Regulation standards.	s257	<i>Section 257 HMO</i>

These legal definitions ensure that properties used by multiple households and sharing key facilities are regulated as HMOs, regardless of their size or layout.

The Housing Act 2004 introduced mandatory licensing for larger HMOs and allows councils to implement additional licensing schemes for smaller or higher-risk properties. The table below outlines when an HMO licence is required and identifies exemptions where a property is not treated as an HMO or is not subject to licensing requirements.

Licensing and Exemptions	Housing Act 2004 section / schedule	Additional notes
Mandatory Licensing – A house or flat meeting the HMO definition must have a licence if it: a) meets one of the definitions above, and b) is occupied by five or more people.	s55 Regulations	Applies nationally to high-occupancy HMOs.
Exemptions (Properties not treated as HMOs or not requiring a licence):		
If only two people occupy it.	Sch 14(7)	Low occupancy exemption.
If the owner occupies it with one or two lodgers.	Sch 14(7)	Owner-occupied exemption.
If a religious community occupies it.	Sch 14(6)(c)	Religious community exemption.
If the occupiers have their main residence elsewhere (e.g. holiday lets).	Sch 14(5)	Temporary accommodation exemption.
If no rent or other consideration is payable.	s259	Non-commercial exemption.
If the owner or manager is a public body.	s254(2)(e)	Institutional exemption.
If the owner or manager is an educational institution.	s254(2)(e)	Student hall exemption.
A building of self-contained flats where two-thirds or more are owner-occupied.	s257(2)(b)	Mixed-use exemption.
If the property is part of a guest house or hotel (unless an HMO declaration is made).	Sch 14(2)	Commercial premises exemption.

Licensing and Exemptions	Housing Act 2004 section / schedule	Additional notes
HMOs managed by the Local Housing Authority, a Registered Housing Provider, the Police, Fire and Rescue Authority, or NHS.	s258	Public sector exemption.
<i>Family</i> – includes spouse, civil partner, cohabitee, child, stepchild, foster child, grandchild, parent, grandparent, sibling, aunt, uncle, niece, nephew, cousin.	s258	Defines “family” relationships for HMO purposes.
<i>Facilities</i> – includes WC, wash hand basin, shower, bath, cooking facilities.	s254(8)	Defines shared amenities.
<i>Accommodation used by full-time students</i> – taken to be their main residence.	s259(2)(a)	Ensures student HMOs are covered.

Mandatory licensing applies to HMOs occupied by five or more people. Additional licensing may extend this requirement to smaller or higher-risk shared properties within designated areas. Exemptions ensure that properties used in limited or specific ways are not incorrectly classified as HMOs.

In summary, the Housing Act 2004 provides the legal framework for identifying and licensing Houses in Multiple Occupation. Properties that meet the statutory tests under Sections 254–259 are classified as HMOs, while certain low-risk or special-use buildings are exempt. Mandatory licensing applies to properties occupied by five or more people forming more than one household, and local authorities may introduce additional licensing to address smaller or higher-risk HMOs. These provisions ensure that all HMOs are managed safely, maintained to appropriate standards, and provide suitable living conditions for occupants.

HMO Licensing in Norwich

This section outlines Norwich City Council's responsibilities under the Housing Act 2004 for licensing Houses in Multiple Occupation (HMOs).

The council is legally required to regulate mandatory HMO licensing to ensure that higher-risk rented accommodation is properly managed and maintained. The licensing framework enables the council to identify responsible landlords, improve housing standards, and protect tenants from poor housing conditions or management practices.

While the council currently operates only mandatory licensing, it retains the power to introduce additional licensing in specific areas should evidence indicate that further regulation is needed.

3.1 The council has a responsibility under Section 55 of the Housing Act 2004 to secure the licensing of all mandatory HMOs and has been implementing its scheme in response to this duty since 2006.

3.2 The council does not currently undertake any additional licensing but reserves the right to consider implementation of a scheme of additional licensing at any point in the future. This would be subject to further consultation.

3.3 The HMO Licensing scheme in operation in Norwich therefore covers only mandatory licensable HMOs and all licence applications are to be accompanied with a fee determined by the council. Once a licence is issued it is not transferable to another person or property.

3.4 The council has exercised its powers to charge under Section 63(3) and (7) of the Housing Act 2004 and does so considering the Provision of Services Regulations 2009, which themselves implement the EU Services Directive.

3.5 Under Part 2 of the Housing Act 2004, an HMO is required to be licensed unless:

- a temporary exemption notice is in force in relation to it under section 62, or
- an interim or final management order is in force in relation to it under Chapter 1 of Part 4.

3.6 The council must take all reasonable steps to ensure that applications for licences are made to them in respect of HMOs in their area which are required to be licensed under this Part but are not.

3.7 Formal correspondence relating to HMO licensing, including statutory notices, will be served in accordance with the requirements of the Housing Act 2004 and other applicable legislation. Where the law permits and the recipient has expressly agreed to electronic service, the Council may issue documents by email. In all other cases, statutory notices will be served by post, by hand, or by another legally recognised method. General communications, enquiries, and application-related correspondence

will normally be handled electronically to ensure timely processing. Where applicants or licence holders are unable to engage digitally, the Council will make reasonable alternative arrangements in line with the Equality Act 2010 and its accessibility duties.

In summary, Norwich City Council's HMO licensing scheme ensures that larger shared properties are appropriately managed and meet national safety and quality standards. The council's licensing powers under the Housing Act 2004 provide an essential mechanism for improving private rented housing and addressing risks to tenants. Should the council identify a need for wider regulation, it may consult on and implement additional licensing schemes in the future to maintain safe and compliant housing across the city.

HMO Licence Requirements

Licence Fees

This section explains the requirements and processes involved in obtaining an HMO licence from Norwich City Council under Part 2 of the Housing Act 2004. It outlines how licence fees are determined, how they are structured to recover the council's costs in running the licensing scheme, and how applications are managed. The purpose of these provisions is to ensure that HMO licensing operates on a fair, transparent, and cost-recovery basis, in accordance with the law and relevant government guidance.

4.1 Section 63 of the Housing Act 2004 permits the council to require any application for a licence under Part 2 to be accompanied by a licence fee and that this fee may properly cover all costs incurred by the council in carrying out its functions.

4.2 Norwich City Councils fee structure follows the Provision of Services Regulations 2009 and is applied to property licensing fees and the processes involved in implementing and delivering such schemes.

4.3 By law, Norwich City Council is not allowed to make a surplus from the licensing of HMOs, but we are able to recoup the cost of running the scheme through a licence fee. These costs include:

- Time spent administering the scheme, including processing applications, serving formal notices, and taking payments.
- Inspecting licensed HMOs to ensure that they are free from hazards.
- Maintaining IT systems.
- Identifying HMOs that should be licensed but are not.
- Any additions in accordance with guidance set out at: <https://www.local.gov.uk/publications/lga-guidance-locally-set-licensing-fees>

4.4 Once the application form is completed and all checks are concluded by the Council, the Licence Issue Fee (payable within 14 days following receipt of the 'Notice of Intention to Grant a License') should be made— This element of the fee covers the costs of issuing the licence, as well as operating and enforcing the HMO licensing scheme. Failure to make this payment will leave the property unlicensed and likely to result in enforcement

action. The council operates a 2-stage fee process as a local policy, in line with local government guidance.

For the purposes of this policy, this payment will be classed as a Stage 1 payment.

4.5 You will have an opportunity to make any representations, which we will consider.

4.6 We will then grant your HMO licence (known as the decision notice). Again, copies will be sent to all interested parties. You must then pay the final fee.

For the purposes of this policy, this payment will be classed as a Stage 2 payment.

4.7 If you are still unhappy with any conditions, you will have an opportunity to appeal to the first-tier property tribunal.

HM Courts & Tribunals Service (Eastern Region)
First-tier Tribunal (Property Chamber) Residential Property,
Cambridge County Court,
197 East Road, Cambridge,
CB1 1BA

Telephone: 01223 841 524

Fax: 01264 785 129

Email address: RPEastern@justice.gov.uk

Any changes to the address details for the First-Tier tribunal can be found at the following website: Contact Information for the Residential Property Division - Courts and Tribunals Judiciary.

More information can be found at <http://www.justice.gov.uk/tribunals/residential-property> where it is also possible to download the appropriate forms.

4.8 Norwich City Council has adopted the two-stage approach. Fees and charges will be reviewed and set on an annual basis by the head of planning and regulatory services and will be published on the council's website.

4.9 Section 67 (5) of the Housing Act 2004 states that a licence may not include conditions imposing restrictions or obligations on a particular person (other than the licence holder) unless that person has consented to the imposition of the restrictions or obligation.

Refunds

4.10 In addition, the council will attach a condition to all HMO licences requiring this Stage 2 payment to be made.

4.11 Failure to make the Stage 2 payment will result in the council acting through, either the revocation or refusal of the licence or by enforcing the non-compliance of the licence condition associated with the making of the Stage 2 payment.

4.12 The licence fees include the average costs of administering applications and inspection of the HMO before a licence is issued and/or during the period of the licence, where applicable. If hazards, management failures or failures to comply with any licence

conditions are identified during the licensing inspection the cost of any follow-up work by the council will not be included in the licence fee. This is because there are other ways for us to recover our costs directly from the landlord of a non-compliant HMO, without passing that cost to all licence holders.

- 4.13 The fees charged at stage 1 and stage 2 are designed to reflect the council's costs in administering the licence application process, including property inspections. Under some circumstances a refund of monies amounting to the costs not yet incurred by the council may be appropriate. Further details will be included in the council's published fees and charges for HMO licensing.

In summary, HMO licensing fees are set to recover only the reasonable costs incurred by the council in administering and enforcing the licensing regime. The two-stage fee structure allows costs to be fairly distributed between the application and licence issue stages. Failure to complete payment or to comply with licence conditions may result in enforcement action or refusal of a licence. Norwich City Council regularly reviews its fees to ensure they remain lawful, proportionate, and consistent with the Provision of Services Regulations 2009 and Section 63 of the Housing Act 2004.

Information you must supply:

This section sets out the statutory duties and local licence conditions that every licence holder and manager of a House in Multiple Occupation (HMO) must meet to protect the safety and wellbeing of occupants. The requirements are based on national legislation, including the Housing Act 2004, the Gas Safety (Installation and Use) Regulations 1998, the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020, and the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022, together with the relevant British Standards and Norwich City Council's local policy.

These duties establish clear expectations for landlords to provide, maintain, and evidence safe housing conditions. They cover essential areas such as gas and electrical safety, fire detection, emergency lighting, carbon monoxide alarms, waste storage, and Legionella control. Compliance with these requirements forms part of the HMO licensing process and is a core element of ensuring safe and habitable accommodation across the city.

Gas Safety

5.1 If gas is supplied to the house, the licence holder must ensure that the Gas Safety (Installation and Use) Regulations 1998, or any Regulations which subsequently replace these, are complied with.

5.2 The licence holder must ensure that an annual safety check is carried out by a Gas Safe registered engineer on each gas appliance/flue in the house.

5.3 The licence holder must annually produce to the Council, for its inspection, a gas safety certificate obtained in respect of the house and produce on demand, said document within 14 days.

Safety of Electrical Appliances

5.4 The licence holder must ensure that the Electrical Equipment (Safety) Regulations 1994, or any Regulations which subsequently replace these, are complied with.

5.5 The licence holder must ensure that electrical appliances made available in the house by them are always kept in a safe condition and proper working order.

5.6 The licence holder must ensure that all electrical appliances provided by them within the house are maintained in a safe condition and visually checked for signs of damage, such as frayed wiring, loose plugs, or scorch marks. These checks should take place at the start of each new tenancy and at reasonable intervals thereafter. The frequency of these inspections is not set by statute but reflects Norwich City Council's local policy on ensuring tenant safety within licensed HMOs.

5.7 In addition to the requirements under Regulation 3 of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020, the licence holder must ensure that all earthed electrical equipment (Class 1) and associated leads and plugs supplied are inspected and tested at suitable intervals, taking into account manufacturer's instructions and the outcome of any risk assessment. Test certificates must be provided to the Council within 14 days of request. The recommended five-year interval aligns with local policy and best practice but is not prescribed by statute.

5.8 The licence holder must ensure that all portable earthed electrical equipment (Class 1) and any associated leads and plugs provided as part of the tenancy are maintained in a safe condition. Testing should be carried out at suitable intervals, taking into account manufacturer's guidance, usage, and any findings from risk assessments. Norwich City Council recommends testing at least every two years as part of its local policy to promote tenant safety. Records of such testing must be retained and produced to the Council within 14 days upon request.

5.9 This testing must be undertaken by a person who is competent in the use of the testing equipment and who has the appropriate electrical knowledge and training (i.e. a competent electrician or competent other person in possession of a City and Guilds Certificate 2377).

5.10 The licence holder must ensure that as soon as any electrical appliance is identified as being unsafe, it must be removed from the house immediately.

5.11 The licence holder must ensure that a record of inspections and tests is maintained.

5.12 The licence holder must submit to the Council the record of inspections and tests within 14 days of the Council's demand.

Summary: Electrical Safety Requirements for HMO Landlords

Requirement	Source and Status	Summary of Duty
Supply only safe electrical equipment	Electrical Equipment (Safety) Regulations 2016 Statutory duty	All electrical equipment supplied as part of a tenancy must be safe, meet applicable safety standards, and be accompanied by appropriate instructions and safety information.
Maintain electrical appliances in a safe condition	Housing Act 2004 (HMO Management Regulations 2006, Regulation 6) Statutory duty	The licence holder must ensure that electrical appliances provided are kept in a safe condition and that appropriate safety checks are carried out.
Visual inspection and testing of appliances	Not prescribed in statute; recognised best practice and required under Norwich City Council licence conditions	Regular visual inspections are recommended. Portable Appliance Testing (PAT) is not a statutory requirement, but licence holders must maintain evidence of regular testing in line with Norwich City Council's local policy
Electrical Installation Condition Report (EICR)	Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020	Fixed electrical installations must be inspected and tested at least every five years by a qualified person. A copy of the report must be provided to tenants and to the Council on request.
Provide safety information to tenants	Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 Statutory duty	A copy of the EICR must be supplied to new tenants before occupation, to existing tenants within 28 days of inspection, and to the Council within 7 days if requested.
Remedial works	Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 Statutory duty	Any remedial or investigative work identified in the EICR must be completed within 28 days (or sooner if specified). Written confirmation of completion must be provided to tenants and the Council.
Record keeping	HMO Management Regulations 2006 Statutory duty	Licence holders must retain records of electrical safety checks and make them available to the Council on request.

Smoke and Carbon Monoxide Alarms

5.13 The licence holder must always ensure that a suitable fire detection system designed in accordance with BS 5839-6:2019+A1:2020, or any British Standard which subsequently replaces this, is installed in the house, and is maintained in proper working order.

5.14 The licence holder must ensure that the fire alarm system in the house is inspected tested and serviced in accordance with BS 5839 – part 1:2002, sections 6 and 7, or any British Standard which subsequently replaces this. In particular – where relevant – the following must be carried out:

- every six months checks on the system must be carried out in accordance with clause 45.3 of the above-mentioned BS 5839
- every 12 months checks on the system must be carried out in accordance with clause 45.4 of the above-mentioned BS 5839
- where provided independent smoke alarms must be cleaned periodically in accordance with supplier's instructions.

5.15 Throughout the period of the licence, inspection, and servicing certificates in the format recommended by BS 5839 – part 1:2002 (Annex G 6) must be submitted to the Council within 14 days of its demand.

5.16 The above-mentioned checks must be carried out by a competent person who is familiar with all British Standards relating to automatic fire detection systems, who regularly inspects automatic fire detection systems, who is qualified to inspect automatic fire detection systems and whose work is subject to regular assessment. The NICEIC, the ECA and NAPIT claim to regularly assess the competency of their contractors.

5.17 The licence holder must supply and install a carbon monoxide alarm in any room (room includes hall or landing, bathrooms, and WC compartments) of the premises which is used wholly or partly as living accommodation and where there is a fixed combustion appliance, such as a boiler or log burner (but not a gas cooker if that is the only combustible appliance in that room). The requirement of living accommodation includes any room where people primarily live, spend significant time, and does include bathrooms and toilets.

5.18 The licence holder must keep any such carbon monoxide alarm(s) in proper working order.

5.19 The Licence holder must ensure that checks are made by them or on behalf of them to ensure that each smoke and carbon monoxide alarm is in proper working order on the day the tenancy begins if it is a new tenancy.

5.20 The licence holder must supply to the Council on demand within 14 days, a declaration as to the condition and position of any smoke alarms and/or carbon monoxide alarms in the property.

Summary: Smoke and Carbon Monoxide Alarm Requirements for HMO Landlords

Requirement	Source	Summary of Duty
Install smoke alarms	Smoke and Carbon Monoxide Alarm	Install at least one smoke alarm on every storey of the property where there is a room used wholly or

Requirement	Source	Summary of Duty
	(Amendment) Regulations 2022	partly as living accommodation.
Install carbon monoxide alarms	Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022	Install a carbon monoxide alarm in any room used as living accommodation which contains a fixed combustion appliance (excluding gas cookers).
Test alarms at start of new tenancy	Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022	Ensure all alarms are tested and in proper working order on the day a new tenancy begins.
Repair or replace faulty alarms	Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022	Repair or replace alarms as soon as reasonably practicable after being informed that an alarm is faulty.
Comply with HMO licence conditions	Housing Act 2004 & HMO Licensing	Comply with any additional requirements for alarm type, placement, and maintenance as set out in HMO licence conditions.
Maintain means of escape	HMO Management Regulations 2006	Ensure all means of escape from fire are kept free from obstruction and maintained in good order and repair.
Comply with Building Regulations	Building Regulations (Approved Document B)	New or materially altered HMOs must comply with current Building Regulations for fire detection and alarm systems (may require interlinked, mains-powered alarms).
Regular testing and maintenance	Best Practice & Licence Conditions	Regularly test and maintain all alarms; keep records and provide to the local authority if requested.

Requirement	Source	Summary of Duty
Provide tenant information	Best Practice	Provide tenants with information on the location and operation of alarms.
Respond to reports of faults	Best Practice	Respond promptly to reports of faulty alarms and ensure repairs or replacements are carried out without delay.

Emergency Escape Lighting

5.21 The licence holder must ensure that the escape lighting in the house is inspected, tested, and serviced generally in accordance with clause 12 BS 5266-1:2016, or any British Standard which subsequently replaces this. The following must be carried out:

- every six months checks on the system must be carried out in accordance with clause 12.4.4 of the above-mentioned BS 5266
- every three years checks on the system must be carried out in accordance with clause 12.4.5 of the above-mentioned BS 5266
- for self-contained luminaires with sealed batteries, after the first three yearly test, the three yearly tests must be carried out annually in accordance with clause 12.4.6 of the above-mentioned BS 5266.

5.22 Throughout the period of the licence, periodic and test certificates in the format recommended by BS 5266 – part 1: 2016 (Annex C) must be submitted to the Council within 14 days of the demand.

5.23 The above-mentioned checks must be carried out by a competent person who is familiar with all British Standards relating to emergency escape lighting systems, who regularly inspects emergency escape lighting systems, who is qualified to inspect emergency escape lighting systems and whose work is subject to regular assessment. The NICEIC, the ECA and NAPIT claim to regularly assess the competency of their contractors.

Safety of Electrical Installations

5.24 The licence holder must ensure that the electrical installation in the house is always kept safe and in proper working order.

5.25 The licence holder must ensure that an inspection of the electrical installation in the house is undertaken in accordance with BS 7671, or any British Standard which subsequently replaces this, at intervals of no more than five years or lesser period if indicated on the previous periodic inspection report.

5.26 The licence holder must supply to the Council the latest electrical installation condition report (EICR) in the format recommended in BS 7671. within 14 days of the Council's demand

5.27 The licence holder must ensure that this report is issued by a competent person who regularly inspects domestic electrical installation systems, who is qualified to inspect domestic electrical installation systems and whose work is subject to regular assessment. The NICEIC, the ECA and NAPIT claim to regularly assess the competency of their contractors.

Storage and Disposal of Refuse

5.28 The licence holder must comply with Norwich City Councils waste collection scheme(s) relating to the storage, collection and disposal of waste arising from the HMO.

5.29 The licence holder must comply with the council's waste collection scheme for domestic properties. A trade waste agreement is only required if the property is used for commercial purposes. However, this may be required for your HMO if the volume of waste exceeds the domestic threshold, particularly for HMOs occupied by five or more households. Please consult Norwich City Council's waste management guidance for further information.

Legionella

5.30 The licence holder is required to provide a current Legionella Risk Assessment (documenting that the risk is low, and control measures are in place) and supporting evidence on control measures.

Fire Evacuation Plan

5.31 The Regulatory Reform (Fire Safety) Order 2005 sets out the legal requirements required for fire safety in the communal areas of houses in multiple occupation, maisonettes, and blocks of flats.

5.32 For all qualifying properties, there must be a responsible person for ensuring compliance. This is normally the landlord or the managing agent.

5.33 The Fire Safety (England) Regulations 2022 state that the responsible person must:

- Carry out a fire risk assessment.
- Provide fire safety information to tenants.
- Display fire safety instructions on fire doors within the property.

5.34 Regulation 9 requires the licence holder to install prominent fire safety instructions wherever the regulations apply within the property including communal areas. The instructions must contain guidance on how to evacuate the property, how to report the fire to the Fire and Rescue Service and any other relevant instructions.

5.35 Regulation 10 covers fire doors. the licence holder must tell all tenants that:

- All fire doors must be closed when not being used.
- They are forbidden from tampering with self-closing devices attached to fire doors.
- They must report any damages or faults to a fire door to the responsible person.
- The licence holder needs to inform residents in the same way as with Regulation 9- A modified version of this regulation covers buildings over eleven metres in height.

Floor Plan

5.36 The licence holder must provide the Council a plan showing existing layout of the HMO and how the rooms are used by providing a floor plan.

5.37 Items to be included on your floorplan (your application will be invalid without the following information). This is required for the Council to assess compliance with national minimum room size standards and determine maximum licensed occupancy:

- Address of property
- Floor level i.e. ground, first, second.
- All rooms along with their use i.e. kitchen, bedroom, WC.
- Location of stairs.
- All fire precautions currently within the property- fire blanket, fire extinguishers, alarm points, heat and smoke detectors, carbon monoxide detectors, fire doors, egress windows.
- Size of rooms (m²), not including hallways, WCs, and bathrooms.
- Number of occupants per bedroom.

In summary, this section outlines the information and evidence that landlords and licence holders must provide to demonstrate that their properties meet the required safety standards. Licence holders are responsible for the installation, testing, and maintenance of key safety systems and for keeping accurate records that can be supplied to the Council on request.

These provisions bring together statutory obligations and local best practice to ensure that all licensed HMOs in Norwich are safe, well managed, and compliant. The Council will review compliance through inspections, document checks, and enforcement action where necessary. Meeting these duties demonstrates a landlord's commitment to providing safe and well-maintained homes for residents in Norwich.

Information it is helpful for you to supply

This section explains the documentation and records that landlords and managers must provide to demonstrate that an HMO is being operated in accordance with the law and the conditions of its licence.

These requirements enable Norwich City Council to verify compliance with housing, energy, and safety legislation, and to respond efficiently to tenant or public concerns.

The licence holder must retain up-to-date copies of the required documents and produce them to the Council on request within the specified time period.

Furniture and Furnishings (Fire Safety)

6.1 The licence holder must ensure that the Furniture and Furnishings (Fire Safety) Regulations 1988, or any Regulations which subsequently replace these, in respect of any upholstered furniture supplied by them, including chairs, sofas, children's furniture, beds, upholstered headboards, mattresses, scatter cushions, seat pads, pillows and upholstered garden furniture are complied with.

6.2 The licence holder must ensure that the furniture made available by them is always kept in a safe condition.

6.3 The licence holder must supply to the Council a declaration as to the safety of such furniture within 14 days of the Council's demand

Energy Performance Certificates

6.4 The licence holder must provide a copy of a valid Energy Performance Certificate (EPC) to both the occupiers and to Norwich City Council within 14 days of a written request from the Council. Where the property is subject to the Minimum Energy Efficiency Standards (MEES) regime, the EPC must show a rating of E or higher unless a valid statutory exemption has been registered on the PRS Exemptions Register. The licence holder remains responsible for ensuring that the certificate accurately reflects the current condition of the property and that any necessary improvement works have been completed.

Written Agreements

6.5 The Licence Holder must provide any new occupiers of the house with a written statement of terms on which they occupy it in writing prior to the commencement of any occupancy agreement. The licence holder must retain the written statements of terms and evidence of providing the written statement of terms to the occupant throughout the occupiers' period of occupation and for a minimum of five months after the occupation has ceased.

6.6 The Licence Holder must provide the Council with the written statement of terms and evidence of the provision to the occupant within 14 days on demand.

These documentation and certification requirements form an essential part of the Council's approach to safeguarding tenants and ensuring good standards of management. By keeping records current, accessible, and available for inspection, licence holders demonstrate due diligence and accountability in meeting their legal obligations. Failure to provide the required documentation within the prescribed timeframe may result in enforcement action or a review of the licence.

How the Council assesses 'fit and proper' and your responsibilities

This section sets out how Norwich City Council determines whether a proposed licence holder and any manager involved in running a house in multiple occupation are considered "fit and proper" persons under section 64 of the Housing Act 2004.

The assessment helps ensure that those responsible for managing licensed properties are competent, trustworthy, and capable of meeting their legal obligations towards occupiers. In making its assessment, the Council considers a range of factors including criminal convictions, previous breaches of housing or landlord legislation, and evidence of poor management or misconduct.

Applicants are required to provide full and accurate information as part of the licensing process and must notify the Council immediately of any relevant changes that could affect their status or ability to manage the property.

Fit and Proper Person

7.1 The council must be satisfied that “the proposed management arrangements are satisfactory” before granting an HMO licence. Those arrangements include (but are not limited to) consideration of whether:

- the persons* proposed to be involved in the management of the premises have a sufficient level of competence to be involved
- the persons proposed to be involved with the management of the premises are involved in the management
- those persons are ‘fit and proper,’ and
- the proposed management structures and funding arrangements are suitable.

7.2 It is for a council to determine whether a person has sufficient competence to be involved in the management of HMOs and, of course, the level of competence required will in some measure be determined by the complexity of the management challenges posed. The council will therefore be looking at the applicant’s experience and record of accomplishment of managing HMOs and, where they are the existing manager, the premises to which the application relates, and whether they belong to a recognised trade association or are a member of an accreditation scheme.

7.3 The management structures must be such that the manager is able to comply with any licence conditions and deal with the day-to-day operation management issues that arise as well as being able to deal with longer term management issues. In considering whether the structures are appropriate the council may take account of the following:

- evidence as to whether the systems in place are sufficient to enable the manager to comply with any condition of a licence or if such systems can be put in place through a condition of a licence to ensure compliance.
- evidence of the systems for dealing with:
 - emergency repairs and other issues
 - routine repairs and maintenance to the premises and its curtilage
 - cyclical maintenance
 - management and the provision of services (if any) to the building and its curtilage
 - management of tenancies or occupants
 - management of the behaviour of tenants, occupants, and their visitors to the premises
 - neighbourhood issues (including disputes)
- evidence of structures for engagement with the local authority, police, and other agencies, where appropriate

*Persons – may include owner, landlord, letting agent or another person

7.4 The manager or a competent representative will need to operate within a reasonable proximity to the HMO, so that they can attend to matters promptly and retain an overview on the condition of the premises and the management of the tenancies. Consideration of reasonable proximity will be taken on the merits of each individual case, however within the county boundary may be a reasonable guide. A competent representative may be an

individual who is not necessarily part of a letting or estate agency but should be able to deal with, or have knowledge, of any relevant matters in representing the property manager. The council will assess proximity on a case-by-case basis.

7.5. The council must also be satisfied that the financial arrangements relating to the HMO are suitable. In that regard the manager must be sufficiently funded or have access to funding to carry out their obligations under the licence and their general management functions.

7.6 The council can vary or revoke a licence at any time during the licence period if there is sufficient evidence to support these decisions. Unannounced visits of licensed properties may therefore be undertaken during the licence period to check for compliance with the licensing and management regimes which apply. This is consistent with the powers provided under Section 239 of the Housing Act 2004.

7.7 Breach of any such legislation is an offence for which further action will be taken. The Housing, Health, and Safety Rating System (HHSRS) also applies to rented properties and (if appropriate) remedial works can be enforced via The Housing Act 2004, which will be separate to the powers provided under the licensing scheme.

7.8 The licence holder must inform the Council in writing if, since becoming the licence holder, he/she commits any of the actions described within paragraphs below. Notification to the authority must be within 21 days of such a contravention via email.

7.9 The licence holder must inform the Council in writing, if the person managing the property contravenes any of the sections below. This must be done within 21 days of such a contravention via email.

7.10 The following is also considered by the Council when it assesses whether the licence holder or manager is a fit and proper person:

a) Have committed an offence involving:

- Fraud
- Dishonesty
- Violence
- Drugs
- Sexual Offences Act Schedule 3.
- Practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in connection with a business.
- Contravened any provision of housing or landlord and tenant law. In particular: subject to proceedings by a local authority
 - where the local authority has had to carry out works in default
 - subject to a management order under the Housing Act 2004
 - or been refused a licence or breached conditions of a licence.
 - acted in contravention of any Approved Code of Practice.
 - failed to register with a property redress scheme as appropriate.

The “fit and proper person” test provides an important safeguard for tenants and the wider community.

Norwich City Council will assess each application on its individual merits and may request additional information to verify the applicant’s suitability.

If an applicant or manager fails to meet the required standard, the Council may refuse or revoke a licence and take enforcement action as appropriate.

Licence holders must continue to act responsibly and in accordance with the law throughout the term of the licence, ensuring that properties remain safe, well managed, and compliant with all statutory obligations.

Your Responsibilities as a Licence Holder

This section outlines the key responsibilities placed on HMO licence holders under the Housing Act 2004 and the Management of Houses in Multiple Occupation (England) Regulations 2006. It sets out the standards that Norwich City Council expects from landlords and managers to ensure that licensed properties are safe, well maintained, and responsibly managed.

Licence holders are legally responsible for notifying the Council of relevant changes, maintaining property condition and public health standards, managing tenant behaviour, preventing overcrowding, and ensuring suitable waste disposal. These requirements protect tenants' wellbeing, safeguard neighbourhood amenity, and support effective regulation across the private rented sector.

Changes to the Licence

8.1 The licence holder must inform the Council in writing if they no longer reside at the address given and provide the authority with new address details within 21 days of a change.

8.2 The licence holder must inform the Council in writing where there is a change in any managing agent within 21 days of such a change.

8.3 If the licence holder is a managing agent, they must inform the Council in writing if the person who is specified as the main contact ceases to be employed by them and inform the authority of a new contact within 21 days of such a change.

8.4 If the licence holder is a managing agent, they must inform the Council in writing if they cease to have an interest in the property within 21 days of such a change.

8.5. The licence holder is responsible for updating HM Land Registry with any changes in ownership.

General Public Health and Environmental Housing Standards

8.6 The licence holder must ensure that the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.

8.7 The licence holder must ensure that gardens, yards, paths, and drives, where present, are maintained such that their condition does not adversely affect the amenity of the neighbourhood. To that extent the licence holder must ensure that gardens, yards path and drives and other areas within the curtilage of the house are always kept in a clean and tidy condition and free from rodent infestations.

Landlord and Tenant Issues

8.8 This is a procedure to be followed if or when a landlord has been made aware of the occurrence of anti-social behaviour. For the purpose of transparency, this process should be made available to tenants at the start of their tenancy agreement.

The licence holder must cooperate with the Council, the Police Service and any other agencies in resolving complaints of anti-social behaviour.

The licence holder should address problems of anti-social behaviour resulting from the occupiers or their visitors by following the procedure set out below:

- If a complaint is received, or anti-social behaviour is discovered, the licence holder must contact the tenant within 14 days. The tenant must be informed in writing of the allegations made against them and of the consequences of its continuation.
- The licence holder must monitor any allegations of anti-social behaviour for a period of 28 days; from the date the complaint was received.
- If after 28 days, it is found that the anti-social behaviour is continuing the licence holder must visit the premises within 7 days and provide the tenant with a warning letter advising them of the possibility of eviction if their behaviour continues.
- If after 14 days of giving a warning letter, the tenant has not taken steps to address the anti-social behaviour and it is continuing, the licence holder must act, appropriately, which may include taking necessary steps to commence legal proceedings against the tenant. Landlords should note that third party action against a tenant can extend to be taken against a landlord.
- The licence holder must ensure that written notes are kept of any meetings, telephone conversations or investigations regarding anti-social behaviour for 3 years, and if requested by the Council, provide this information within 28 days on demand.
- Any letters, relating to antisocial behaviour, sent or received by the licence holder must be kept for 3 years by the licence holder and if requested by the Council, provide copies of them within 28 days on demand.
- Where the licence holder or his agent has reason to believe that the antisocial behaviour involves criminal activity the licence holder must inform the appropriate authorities.

8.9 The licence holder currently must

- keep their rented properties safe and free from health hazards.
- protect the tenant's deposit in a government-approved scheme.
- check the tenant has the right to rent your property if it is in England.
- give the tenant a copy of the *How to rent* checklist when they start renting from you (it can be emailed)

Maximum Permitted Occupation

8.10 Conditions require the licence holder to:

- (a) to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres.

(b) to 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.

(c) to 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.

(d) to ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.

e) The total number of occupants does not exceed that stipulated in the licence

f) The occupancy of any particular room does not exceed the occupancy limit specified in the licence

g) Only rooms that are suitable for occupancy may be used as living accommodation

8.11 Conditions require the licence holder to 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.

8.12 Persons of different sexes and aged ten or over should not be permitted to share the same room for sleeping purposes unless they are married or living as partners.

8.13 However, it is recognised that for short term emergency accommodation where there is no other appropriate accommodation available the placing of families with children over ten in a family room may be the only option available. In such circumstances and where the Authority have no safeguarding concerns such occupation may be permitted but all available steps must be taken to ensure that the family's stay is kept to a minimum. Such occupation of family rooms must only be for temporary accommodation and occupation must be limited to a maximum of 42 nights unless there are exceptional circumstances agreed by the Local Authority

8.14 The licence holder must ensure that the maximum number of households/occupants specified in the licence conditions is not exceeded and must confirm with the Local Authority that placements will not cause the number of permitted occupants to be exceeded.

8.15 Only rooms designated as bedrooms may be used for sleeping accommodation.

8.16 Rooms containing cooking facilities within the room itself are not suitable to accommodate families with children below the age of 5 years.

Storage and Disposal of Refuse

8.17 The licence holder must provide and maintain an adequate number of waste wheeled bins for the number of households and rubbish produced.

8.18 The licence holder must ensure that there is adequate off-street storage for all waste receptacles between collections and that bins are not unnecessarily left on the street between collection days.

8.19 The licence holder must ensure that all occupiers of the HMO are provided with adequate information on the appropriate disposal of refuse, the relevant days of collection and any reasonable recycling schemes imposed by the local authority.

8.20 The Licence holder must ensure that all internal and external refuse bins and bin storage areas, structure and hard standings are maintained in a clean and serviceable condition.

Compliance with these responsibilities is a condition of every HMO licence. Licence holders must act promptly, communicate openly with the Council, and take reasonable steps to prevent or remedy problems that may arise during the course of a tenancy. Failure to meet these duties can lead to enforcement action, licence revocation, or prosecution under the Housing Act 2004.

By fulfilling these obligations, licence holders help maintain good standards of housing, promote positive relationships with tenants and neighbours, and contribute to a safer and better managed private rented sector across Norwich.

Administering the Application and Issuing a Licence

This section explains how Norwich City Council administers the process of granting, renewing, varying, and revoking HMO licences. It outlines the statutory framework and internal procedures that govern inspections, consultation, and decision-making.

The Council's approach is designed to ensure that licences are issued efficiently, consistently, and in accordance with the Housing Act 2004. The process supports the Council's wider objective to improve housing standards while maintaining fairness and transparency for landlords, managing agents, and tenants. Applicants are responsible for providing complete and accurate information, responding promptly to requests, and maintaining effective communication with the Council throughout the licensing period.

Issuing a licence

9.1. Norwich City Council does not have to conduct an inspection of an HMO as part of the licensing process. However, in conducting its licensing function Norwich City Council may become aware of properties where inspection is necessary. This requirement applies to licence renewals, therefore there must be some form of regular check of all licensed HMOs every five years.

9.2. Norwich City Council is required to satisfy itself that a licensable HMO is free of category 1 (serious) hazards and whether action is required to address any category 2 (other) hazards

under Part 1 of the Housing Act 2004 (the Housing Health and Safety Rating System). Norwich City Council has a duty to do this as soon as reasonably practicable and not later than five years after receipt of a licence application as per s.55(5)(c) and (6) of the Housing Act 2004

9.3. All HMOs will also remain subject to further inspections during the lifetime of the licence to check compliance with licence conditions, management responsibilities and minimum standards. Frequency of inspection will be driven by a risk assessment of all the data relevant to the property and/or licence holder/manager. This will be modelled on a risk profile.

- Prior resolved category one hazards – 12 months
- Prior resolved category two hazards – 24 months
- Remainder – in the period of the licence.
- Any unresolved Cat 1 hazards will either have their licences refused or revoked, after due consideration of the circumstances on a case-by-case basis.

9.4. In certain cases, the council may decide to conduct such inspections without prior notice being given to the owner, licence holder and /or manager. This is consistent with the powers set out in Section 239 of the Housing Act 2004.

9.5. Where the inspection has been pre-arranged then licence holders, or applicants where applicable, will be required to provide access to all rooms in the HMO at a suitably arranged appointment.

9.6. All contact with the licence holder and relevant person(s) will be made using the contact information provided by the applicant on the original application. Accordingly, it is the licence holder's responsibility to ensure that all contact details are up to date, and you must notify the council of any change in details. The council will not be held responsible for any delay in communication if it is because of any contact information changing.

9.7. Where it is deemed appropriate to issue a licence, all parties will be issued with all relevant conditions for consultation.

9.8. Relevant persons will have an opportunity to make any representations, and these will be considered by the authority.

9.9. Representations must be submitted to the HMO Licensing Team within a maximum of 21 days of the date the licence is sent. Representations received outside of this period will not be considered.

9.10. A suitably qualified/experienced member of the licensing team will consider representations; and the licence varied or issued, as necessary.

9.11. Where the inspection has been pre-arranged then licence holders, or applicants where applicable, will be required to provide access to all rooms in the HMO at a suitably arranged appointment.

9.12. If the licence holder is still dissatisfied with the conditions or terms of the licence, they will have an opportunity to appeal to the First-tier Property Tribunal. The details of how this appeal can be made will be provided with the licence.

Renewal Application

9.13. The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Amendment) (England) Regulations 2012 set out amendments to “renewal applications”, which reduces the burden on landlords applying for the renewal of a licence.

9.14. In the case of renewal applications an applicant must provide a complete application form and sign the declarations provided.

9.15. Regulations define a “renewal application” as “an application for a licence under section 63 of the Act where, at the time the application is made a licence of the kind applied for is already held by the applicant and has effect in respect of the HMO or house”.

9.16. The effect of this part of the Regulations is that for the council to treat any application as a “renewal” the application must be made during the active period of the current licence. If a renewal application is received after expiry of the previous licence, then the application will be treated as refused and a new licence application will need to be submitted, along with the appropriate fee.

9.17 It is important to note that it is the licence holder’s responsibility to apply to renew the licence at the appropriate time. The council may send reminders prior to the expiry of any current licence, but these should not be relied upon to prompt a timely application.

Revocation or Variation of a Licence

9.18. If circumstances regarding the HMO change during the licence period, the licence holder must notify the council directly so the licence can be re-assessed and varied if the HMO is considered suitable to accommodate the variation request.

9.19. The types of change requiring a variation to the licence would be:

- there is a change in the number of kitchens (including bedsits), or bathrooms provided.
- there is a change to the design or layout of the property.
- there is a change of management or ownership.

9.20. Similarly, if the HMO is no longer going to be occupied as an HMO or the licence holder changes, then the licence holder must make an application for the licence to be revoked. Any remaining period of the licence will be forfeited and there will be no right to refund of the original payment.

9.21. Where there is a change of licence holder, there is no facility to transfer the licence to another party. A new licence application must be submitted, and the old licence revoked.

9.22. As well as voluntary revocation set out above, The Housing Act 2004, s.70 and s.70A also set out other circumstances where the council may take action to revoke a licence. This action falls into two categories:

9.22.1. Circumstances relating to licence holder or another person, such as:

- where the authority considers that the licence holder or any other person has committed a serious breach of a condition of the licence or repeated breaches of such a condition

- where the authority no longer consider that the licence holder is a fit and proper person to be the licence holder; and
- where the authority no longer consider that the management of the house is being continued by persons who are in each case a fit and proper person to be involved in its management.
- Where a banning order is made under Part 2, section 16 of the Housing and Planning Act 2016 against the licence holder, or a person who— (i) owns an estate or interest in the house or part of it, and (ii) is a lessor or licensor of the house or part of it.

9.22.2. Circumstances relating to HMO concerned, such as:

- where the authority considers at any time that, were the licence to expire at that time, they would, for a particular reason relating to the structure of the HMO, refuse to grant a new licence to the licence holder on similar terms in respect of it.
- Section 249A of the Housing Act 2004 and Norwich City Council's enforcement policy on civil penalties also applies where necessary

Licence Period

9.23 HMO licences cannot be granted beyond a 5-year period. If fully compliant with both the law and policy then it will be normal practice to issue a 5-year licence.

Decision Making – Delegation of Authority

9.24. All decisions regarding the grant, refusal, modification, and revocation of HMO licences are delegated to the post of head of planning and regulatory services, or any subsequent post fulfilling the responsibilities of overseeing the HMO licensing function.

How Long will it Take to Process an Application

9.25. Upon receiving a valid application, the council will aim to provide a decision as soon as is reasonably practicable. However, each case will require different processes to be completed before issuing a decision and will be dependent on the applicant supplying the required information and necessary payments within timescales, and that no representations are made. Where information or payments are late, or representations made, then this could extend the time it takes to process your application.

9.26. It is therefore the council's aim to process all valid applications and provide the relevant persons with a decision within 20 weeks of receipt. This will require the full co-operation of the applicant with the council's requirements for determining a licence application.

9.27. Tacit consent does not apply to HMO licence applications. It is in the public interest that we check that the HMO meets the prescribed standards, which may include arranging a full property inspection, before a licence can be granted.

Public Registers

9.28. A register of HMO licences is available on the council's website. Full details are also available by request to the HMO licensing team.

Appeals

9.29. If an application for an HMO Licence is refused, or the terms of a licence granted are disputed, there is a right to appeal this decision within 28 days to the First-tier Tribunal (Property Chamber -Residential Property). The details of this will be provided with the relevant documentation relating to the refusal or granting of the licence.

Norwich City Council aims to process all valid applications within a reasonable timeframe, balancing efficiency with the need for thorough assessment and compliance checks. Licence holders are responsible for keeping their information up to date and ensuring that any changes in ownership, management, or property condition are reported within statutory timescales. Failure to comply with licence conditions or provide accurate information may result in enforcement action, licence revocation, or prosecution under the Housing Act 2004. All decisions regarding the issue, renewal, variation, or revocation of licences are made under delegated authority and are subject to the applicant's right of appeal to the First-tier Tribunal (Property Chamber)



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