

Mansfield District Council

Houses in Multiple Occupation
Licence Conditions

Standard Conditions

1. Gas safety

- 1.1 If gas is supplied to the house, the licence holder shall ensure that the Gas Safety (Installation and Use) Regulations 1998, or any Regulations which subsequently replace these, are complied with.
- 1.2 In particular the licence holder shall ensure that an annual safety check is carried out by a Gas Safe registered engineer on each gas appliance/flue in the house.
- 1.3 The licence holder shall annually produce to the Council, for its inspection, a gas safety certificate obtained within the last 12 months in respect of the house.

2 Safety of electrical appliances

- 2.1 The licence holder shall ensure that the Electrical Equipment (Safety) Regulations 1994, or any Regulations which subsequently replace these, are complied with.
- 2.2 The licence holder shall ensure that electrical appliances made available in the house by them are kept in a safe condition and proper working order at all times.
- 2.3 The licence holder shall ensure that all electrical appliances made available in the house by them are inspected visually for defects, such as frayed wiring, badly fitting plugs and so on, at the beginning of each occupancy, regularly thereafter and in any event every two years.
- 2.4 Subject to (2.5) below, the licence holder shall ensure that earthed electrical equipment (class 1) and the associated leads and plugs made available to him are tested at least every five years (more often if deemed necessary by a risk assessment undertaken by the licence holder).
- 2.5 The licence holder shall ensure that portable earthed electrical equipment (class 1) and the associated leads and plugs made available by him are tested at least every two years.
- 2.6 This testing shall be undertaken by a person who is competent in the use of the testing equipment and who has the appropriate electrical knowledge and training (ie a competent electrician or competent other person in possession of a City and Guilds Certificate 2377).
- 2.7 The licence holder shall ensure that as soon as any electrical appliance is identified as being unsafe, it shall be removed from the house immediately.

- 2.8 The licence holder shall ensure that a record of visual inspections and tests is maintained.
- 2.9 The licence holder shall submit to the Council on demand the record of visual inspections and tests within 14 days of the Council's demand.

3 Furniture and Furnishings (Fire Safety)

- 3.1 The licence holder shall 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 head boards, mattresses, scatter cushions, seat pads, pillows and upholstered garden furniture are complied with.
- 3.2 The licence holder shall ensure that the furniture made available by them is kept in a safe condition at all times.
- 3.3 The licence holder shall supply to the Council on demand, a declaration as to the safety of such furniture.

4 Smoke & Carbon Monoxide Alarms

- 4.1 The licence holder shall ensure that at all times a suitable fire detection system designed in accordance with BS 5839-6:2004, or any British Standard which subsequently replaces this, is installed in the house and is maintained in proper working order.
- 4.2 The licence holder shall 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 shall be carried out:

- every six months checks on the system shall be carried out in accordance with clause 45.3 of the above mentioned BS 5839
 - every 12 months checks on the system shall be carried out in accordance with clause 45.4 of the above mentioned BS 5839
 - where provided independent smoke alarms shall be cleaned periodically in accordance with supplier's instructions.
- 4.3 Throughout the period of the licence, inspection and servicing certificates in the format recommended by BS 5839 – part 1:2002 (Annex G 6) shall be submitted to the Council within 14 days of its demand.
- 4.4 The above-mentioned checks shall 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.
- 4.5 The licence holder shall 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 contains a solid fuel burning combustion appliance.

- 4.6 The licence holder shall keep any such carbon monoxide alarm(s) in proper working order.
- 4.7 The Licence holder shall 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.
- 4.8 The licence holder shall supply to the Council on demand within 7 days, a declaration as to the condition and position of any smoke alarms and/or carbon monoxide alarms in the property

5 Emergency Escape Lighting

- 5.1 The licence holder shall ensure that the escape lighting in the house is inspected, tested and serviced generally in accordance with clause 12 of BS 5266 – 1: 2005, or any British Standard which subsequently replaces this. In particular the following shall be carried out:
 - every six months checks on the system shall be carried out in accordance with clause 12.4.4 of the above mentioned BS 5266
 - every three years checks on the system shall 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 test shall be carried out annually in accordance with clause 12.4.6 of the above mentioned BS 5266.
- 5.2 Throughout the period of the licence, periodic and test certificates in the format recommended by BS 5266 – part 1: 2005 (Annex C) shall be submitted to the Council within 14 days of the demand.
- 5.3 The above-mentioned checks shall 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.

6 Written Agreements

- 6.1 The licence holder shall supply to the occupiers of the house a written statement of the terms on which they occupy it.
- 6.2 The licence holder shall supply to the Council on demand a copy of the written statement.

7 Safety of Electrical Installations

- 7.1 The licence holder shall ensure that the electrical installation in the house is kept safe and in proper working order at all times.
- 7.2 The licence holder shall 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.
- 7.3 The licence holder shall supply to the Council on demand the latest electrical installation condition report (EICR) in the format recommended in BS 7671.
- 7.4 The licence holder shall 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.

8 General Public Health and Environmental Housing Standards

- 8.1 The licence holder shall ensure that the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.
- 8.2 The licence holder shall 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 shall ensure that gardens, yards paths and drives and other areas within the curtilage of the house are kept in a reasonably clean and tidy condition and free from rodent infestations at all times.

9 Landlord and Tenant Issues

- 9.1 The licence holder shall ensure that notification in writing is given to all occupants at the beginning of their occupancy of the arrangements in place to deal with emergency and other repairs.
- 9.2 The licence holder shall ensure that all reasonable and practical steps are taken to prevent or reduce anti-social behaviour by the occupants and all persons visiting the house.

Note: Where any of the conditions required as part of the licence, request that reports, certificates, declarations or other documents be produced or supplied to the Council, this shall mean sending by post or delivering by hand, a copy of the relevant report/certificate/declaration to the Council's Offices.

10 Licence Holder

- 10.1 The licence holder shall 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.

- 10.2 The licence holder shall inform the Council in writing where there is a change in any managing agent within 21 days of such a change.
- 10.3 If the licence holder is a managing agent, they shall 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.
- 10.4 If the licence holder is a managing agent, they shall inform the Council in writing if they cease to have an interest in the property within 21 days of such a change.

11 Fit and Proper Person

- 11.1 The licence holder shall inform the Council in writing if, since becoming the licence holder, he/she commits any of the actions described within paragraphs a) to d) below. Notification to the authority shall be within 21 days of such a contravention.
- 11.2 The licence holder shall inform the Council in writing, if the person managing the property contravenes any of the sections a) to d) below. This shall be done within 21 days of such a contravention.
- 11.3 The following is the criteria by which the Council assessed whether the licence holder or manager is a fit and proper person:
- a) Committed an offence involving
- fraud
 - dishonesty
 - violence
 - drugs
 - Sexual Offences Act Schedule 3.
- b) Practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in connection with a business.
- c) 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.
- d) Acted in contravention of any Approved Code of Practice.

12 Storage and Disposal of Refuse

- 12.1 The licence holder shall comply with Mansfield District Councils waste collection scheme relating to the storage, collection and disposal of waste arising from the HMO.

- 12.2 The licence holder shall apply for, fund and maintain a 'Trade Waste Agreement' where directed by the local authority for the disposal of waste arising from the HMO.
- 12.3 The licence holder shall provide and maintain an adequate number of waste wheeled bins for the number of households and rubbish produced.
- 12.4 The licence holder shall 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.
- 12.5 The licence holder shall 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.
- 12.6 The Licence holder shall ensure that all internal and external refuse bins and bin storage areas, structure and hard standings are maintained in a clean and serviceable condition.

13 Maximum Permitted Occupation

- 13.1 The Licence holder shall ensure that the maximum permitted occupancy of **X Households and X Persons** in occupation within the HMO are not exceeded.
- 13.2 The Licence holder shall ensure that the maximum permitted number of persons in each bedroom/bedsit detailed in the chart below does not exceed the permitted number indicated.

Room Number	Room Location	Max permitted no. of households	Max permitted no. of adults/children
1.			
2.			
3.			
4.			
5.			

- 13.3 Persons of the opposite sex and aged 10 or over should not generally be permitted to share the same room for sleeping purposes unless they are married or living as partners.
- 13.4 Only rooms designated as bedrooms may be used for sleeping accommodation.
- 13.5 Rooms containing cooking facilities within the room itself are not suitable to accommodate families with children below the age of 5 years.

14.0 Any other condition(to be used if necessary)

- 14.1 Mansfield District Council imposes the following additional condition[s] on the [licence holder]. The[se] condition[s] [are] [is] to regulate the management, use and occupation of the house concerned and its condition and contents.