



Middlesbrough Council

North Ormesby area

Selective Landlord Licensing
Conditions

(Housing Act 2004)

Mandatory Conditions Schedule 4 Housing Act 2004

1. Gas

If gas is supplied to the house, the Licence holder shall provide to Middlesbrough Council a Gas Safety Certificate issued within the previous 12 months at the time of the application and thereafter annually.

Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004.

2. Electrical appliances

The Licence holder shall keep all electrical appliances and furniture supplied in a safe condition and must provide a declaration as to their safety at the time of application and thereafter on demand.

Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004.

3. Furniture and furnishings

The Licence holder shall ensure that furniture and furnishings supplied by them are compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended 1989 and 1993) and must provide a declaration as to their safety at the time of application and thereafter on demand.

Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004.

4. Smoke alarms

The Licence holder shall ensure that smoke alarms are installed in the property and kept in proper working order and provide a declaration as to their condition and positioning to Middlesbrough Council on demand.

Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004 and to comply with minimum fire safety standards LACORS.

5. Tenant references

The Licence holder shall request references for prospective tenants, subject to condition number 7.

Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004

6. Terms of occupation

The Licence holder shall supply to the occupiers of the house a written statement of the terms on which they occupy the property. A copy of the terms will be provided to the Council on demand.

Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004

Additional Conditions of Licence imposed by Middlesbrough Council

The Licence holder must ensure that the premises fully comply with the conditions set out below unless notified otherwise

7. Tenant references
<p>The Licence holder shall obtain references for prospective tenants via the Council's Tenant Referencing Service.</p> <p>Reason: To reduce anti-social behaviour.</p>
8. Number of occupiers
<p>The Licence holder shall ensure that the number of occupants in the property does not cause overcrowding.</p> <p>Reason: To ensure that the premises comply with Middlesbrough's space and amenity standards.</p>
9. Heating and Insulation/Energy Efficiency
<p>The Licence holder shall provide a copy of a valid Energy Performance Certificate. Also, when requested during the period of the Licence, to complete and return to the authority, an energy efficiency assessment questionnaire of the licensed property.</p> <p>Reason: To safeguard the health and well-being of the occupants with regards to the reduction of fuel poverty and national energy efficiency measures and to be aware of the statutory requirements for Energy Performance Certificates (EPCs).</p>
10. Property management
<p>The Licence holder shall ensure that:</p> <ol style="list-style-type: none">all repairs to the house or any installations, facilities or equipment within it are carried out by competent and suitably qualified persons, for example Corgi registered operatives for gas appliances and an electrical contractor who is a member of an approved scheme, such as NICEIC, BSI, NAPIT, ELECSA or BRE.all occupants of the house receive written confirmation detailing arrangements in place to deal with repairs and emergencies and report nuisance and anti-social behaviour;if accommodation is provided on a furnished basis and includes electrical appliances, copies of user manuals or equipment provided as part of the agreement for the occupation of the house;all occupiers are made aware of the licence and conditions. <p>Reason: To safeguard the health, safety and well-being of occupants.</p>

11. Fire safety

The Licence holder shall produce a Fire detection and alarm certificate on request, where the property is in a House in Multiple Occupation.

Reason: To safeguard the health, safety and well-being of occupants in the event of fire. The Fire Safety Guidance is provided by LACORS, see www.lacors.gov.uk. <http://www.lacors.gov.uk/lacors/upload/19175.pdf>

12. Carbon Monoxide

The Licence holder shall install and maintain in good working order a carbon monoxide detector to the property.

Reason: To ensure a safe living environment for tenants. There are approximately 50 deaths per year in the UK due to carbon monoxide poisoning, including one case in Middlesbrough.

13. Security

The Licence holder shall ensure that:

- a) the security provisions for the access to the dwelling (including but not limited to locks, latches, deadbolts and entry systems) must be maintained in good working order at all times;
- b) where window locks are fitted, keys are provided to the relevant occupant;
- c) where previous occupants have not surrendered keys, a lock change is undertaken prior to new occupants moving in; and,
- d) where alley gates are installed to the rear of the licensed property, tenants are aware of how to obtain a key.

Reason: To safeguard the health, safety and well-being of occupants.

14. External areas, refuse and waste

The Licence holder shall ensure that:

- a) the exterior of the property is maintained in a reasonable decorative condition and state of repair, including the removal of graffiti;
- b) the tenants are instructed in their responsibilities to maintain at all times any garden, yard and other external areas within the curtilage of the house, and ensure they are kept in a reasonably clean and tidy condition;
- c) the tenants are instructed in their responsibilities in respect of refuse storage and disposal, to include details of what day refuse collections take place and what type of receptacle to use for household waste and recycling;
- d) where they are aware of a pest problem or infestation at the property, they will take steps to ensure that a treatment program is carried out to eradicate it. Records shall be kept of such treatment programs and these shall be provided to the Council on demand;
- e) access is available at all times to adequate, external, refuse storage.

Reason: To ensure that the domestic hygiene and condition of the licensed property is maintained.

15. Training

The Licence holder and/or Manager shall undertake property management training courses or information days, where required to do so by the Council. The training/information days will be provided by Middlesbrough Council.

Reason: To enable the Council to provide licence holders with the knowledge and expertise to improve the management of their properties.

16. Management / Anti-social behaviour

The Licence holder shall take reasonable and practical steps to reduce or prevent anti-social behaviour by persons occupying or visiting the house and the use of premises for illegal purposes.

The Licence holder shall:

- a) provide a written action plan to Middlesbrough Council outlining procedures for dealing with anti-social behaviour at the time of application. This must be reviewed annually and submitted on request;
- b) obtain tenant references prior to granting a tenancy as to previous tenancy conduct, including behaviour of that of the proposed occupier and household;
- c) provide the local authority, upon request, the full names and dates of birth of each occupant of the property;
- d) if he/she receives a reference request for a current or former tenant he must refer the matter to Middlesbrough Council's tenancy referencing service who will carry out the reference on their behalf;
- e) cooperate with Middlesbrough Council, Cleveland Police and other agencies in resolving complaints of anti-social behaviour or criminal activity. The Licence holder and/or their nominated Managing Agent must not ignore or fail to take action against any complaints regarding their tenants. Written records of action taken, if any, shall be maintained and made available for inspection by an authorised officer of Middlesbrough Council on request;
- f) ensure that the appropriate authorities (namely Middlesbrough Council and Cleveland Police) are informed, where they have reason to believe that their tenant's behaviour involves criminal activity;
- g) contact the tenant within 14 days if a complaint is received, or criminal or anti-social behaviour is discovered. The tenant must be informed of the allegations of their behaviour in writing and of the consequences of its continuation. The Licence holder should maintain contact with the Council's Neighbourhood Safety Team in order to monitor complaints and take appropriate action;
- h) endeavour to attend home visits, interviews, multi-agency meetings or case conferences arranged by the Council or Police as and when necessary;
- i) make regular (at least quarterly) inspections 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. Written records of inspections made, conditions noted and actions taken as a result shall be maintained and made available for inspection by an authorised officer of Middlesbrough Council;
- j) ensure that each tenant is made aware that they are responsible for their own behaviour and the behaviour of other occupiers and visitors. Tenants shall be made aware that if they, other occupiers, or their visitors: engage in criminal activity within the locality, or cause nuisance or annoyance to neighbours; or use abusive or threatening language or behaviour to neighbours; fail to store or dispose of refuse properly; or cause damage to fixtures, fittings, fire prevention or alarm equipment or installations, or to the fabric of the premises; or fail to give access to the landlord or his agent for the purpose of maintaining communal areas or, upon reasonable

notice, to inspect or undertake works within their accommodation. They will be liable to enforcement action which may include possession proceedings either under the terms of the tenancy, pursuant to Section 21 of the Housing Act 1988 or pursuant to Grounds 13 or 14 of Schedule 2 to the Housing Act 1988;

- k) ensure that the occupants of the property are aware of the services available to them and how they can report nuisance and anti-social behaviour to the local authority.

Reason: To safeguard the well-being of occupants, persons visiting the premises and persons in the immediate locality.

17. Notification / consultation of changes

The Licence holder and Managing Agent shall consult with Middlesbrough Council before making any material changes to the layout, amenity provision, fire precautions or occupation of the house. They must inform Middlesbrough Council of:

- a) details of any unspent convictions not previously disclosed to the local authority that may be relevant to the Licence holder and/or the property manager and their fit and proper person status and in particular any such conviction in respect of any offence involving fraud or dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003;
- b) details of any finding by a court or tribunal against the Licence holder and /or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business;
- c) details of any contravention on the part of the Licence holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her;
- d) information about any property the Licence holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the Licence holder breaching the conditions of his/her licence;
- e) information about any property the Licence holder or manager owns or manages or has owned or managed that has been the subject of an Interim or Final Management Order under the Housing Act 2004;
- f) the property becoming empty;
- g) changes to liability insurance;
- h) notification of repossession/foreclosure;
- i) successful claims against the Licence holder for default of tenancy deposits;
- j) change in managing agent or the instruction of a managing agent;
- k) the undertaking of substantial works to the property, including conversions and modernisations or emergency problems relating to fire, flood or disaster and the tenants are made temporarily homeless.

Reason: To safeguard the health, safety and well-being of occupants in the event of changes during the period of the Licence.

18. Absence

The Licence holder shall have in place suitable emergency and other management arrangements in the event of their absence. The name and contact details of the Licence holder and/or manager must be supplied to each occupier and must also be on display in a prominent place.

Reason: to safeguard the health, safety and well-being of occupants in the event of temporary absence of persons in control.

19. Compliance inspections

The Licence holder shall allow the Council to undertake Licence compliance checks. Council officers will give the Licence holder at least 24 hours notice of these checks and produce valid authorisation at the time of visit. If the inspection is because the Council suspects there has been a breach of Licence conditions then no notice period will be provided.

Reason: To ensure that the property complies with the Housing Act 2004 and Licence conditions.

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