

HMO licence application – Guidance notes

Misrepresentation

An application for a House in Multiple Occupation (HMO) licence is a serious matter and should be regarded in the same manner as applications for other licences such as those required for the sale of alcohol, provision of entertainment or to operate a hackney carriage.

Please note that it is a criminal offence to knowingly supply information, which is false or misleading for the purpose of obtaining an HMO Licence. Evidence to support any statements or information made in the HMO Licence application may be required at a later date. If the Council subsequently discovers something which is relevant and which you should have disclosed or which is incorrectly or imprecisely stated or described, the licence may be cancelled or other action taken. This may affect other HMO licences with which you have any connection.

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1. Security Update to payment systems software

Payment card industry security standards have recently been updated nationally which means that if you are not using the latest version of your chosen internet browser, you may experience an error message when making online payments. This is because older internet browsers are deemed to be a security risk by the Payment Card industry and have therefore been disabled from connecting to online payment systems.

To resolve this you will need to update your internet browser.

What is a browser?

A browser is the software that gives you access to the internet (eg Google Chrome, Firefox, Internet Explorer, Safari etc)

Why should I get the latest browser version?


For your security and safety, it is strongly recommended that you use the latest version of your preferred browser.

2. Before you begin

Please familiarise yourself with the [Council's Data Protection Privacy Notice](#)

We recommend you register for your Idox ID BEFORE applying for a licence. This will allow you to save as you go and return to your unfinished application anytime you wish.

Once you clicked on [Online application](#), to register, click **log in to save** (top of page on the application)

 New Residential Property Licence - Address search Log in to save

Find address Search

and then go to **Register for an Idox ID**

Log in

Once logged in your progress will be saved automatically allowing you to return at any time to complete your form.

OR

Register for an Idox ID

An Idox ID is a secure user account registered with Idox that allows you to save your progress and to view your previous submissions to the authority.

Once you have registered, you will receive a confirmation email. Please ensure you follow the instructions on this email before logging back in to start your online application.

You can exit the application at any time by closing your browser. When you log in, please note it will say 'Saved as Draft' in the top left hand corner of your application; if it does not say that, you have not logged in after registering.

To return to your saved application, close all open pages on your browser and then click on 'Return to saved applications'.

If you have any problems with the application form, please contact Idox Helpdesk on: **servicedesk@idoxds.com or by tel: 03330 111 677**

Never use the back button on the browser; use the previous/next buttons on the application form.

You will need to submit with your online application form the following supporting documentation:

- a. Current (ie: within last 12 months) Gas Safety Certificate
- b. Current (ie: within last 5 years) Electrical Installation Condition Report completed by a competent person such as NAPIT, ELECSA, NICEIC contractor
- c. Fire Detection systems – for systems less than 12 months old – the design, installation and commissioning certificates for the system
Alternatively, if older than 12 months – the most recent servicing/maintenance certification for the system
- d. Emergency lighting – for systems less than 12 months old, the installation certificate
For systems older than 12 months, the most recent servicing/maintenance certification
- e. Copy of a Tenancy Agreement
- f. Proof of address of the applicant
- g. Annotated floor plan showing room sizes and fire safety measures ([see guide](#))
- h. Signed Fit and Proper Person Declaration(s)

On-line application stages:

3. Address of HMO

Enter the postcode of the HMO or street name and select the address of the HMO.

| | | |
|--------------|----------------------|--------|
| Find address | <input type="text"/> | Search |
|--------------|----------------------|--------|

In the rare instance that you cannot find the required address (usually buildings converted into flats). Please contact us with the details of the property on HMO@dartford.gov.uk.

4. Type of Application

Mandatory – National scheme – from the 1 October 2018, all HMOs occupied by 5 or more occupants sharing facilities will require a licence to operate. However there is one exception - a purpose-built flat being occupied by 5 persons as an HMO which is situated in a block comprising three or more self-contained flats will not require a licence.

5. Applicant's details

The applicant in most cases will be the proposed licence holder. However, other persons including the managing agent may be the applicant; they will have to sign the application form and declare that all the information is correct.

We would however recommend that the proposed licence holder(s) apply, due to the requirement of Fit and Proper declarations being submitted for the proposed licence holder(s) with **every** application, regardless of whether another application has been submitted.

As the person completing the application, please select which statement applies to you.

Please note that if you select 'I am the Proposed Licence Holder – The Sole Applicant, who collects the rent and has sole responsibility for managing the property', you are confirming that there are no other persons involved in the management of the property and that you do not employ a separate manager.

Applicant Details ?

** Indicates a mandatory field*

As the applicant please select the appropriate statement? *

- ☐ I am completing the form on behalf of the Proposed Licence Holder(s)
- ☐ This is a Joint Application, I am one of the applicants
- ☐ I am the Proposed Licence Holder – There are other people involved in the management of the property
- ☐ I am the Proposed Licence Holder – The Sole Applicant, who collects the rent and has sole responsibility for managing the property

6. Proposed Licence Holder details

Select one of the options listed that best describes the proposed licence holder, complete the subsequent questions relating to the proposed licence holder(s) details.

Details of the person(s) to be named on the licence (Proposed Licence Holder) ?

** Indicates a mandatory field*

Type of Licence Holder *

- ☒ An Individual / Joint Individual
- ☐ Unincorporated Business Owner (Operating under a trade name)
- ☐ A Limited Company
- ☐ A Partnership (Operating under a trade name)
- ☐ A Trust
- ☐ A Charity
- ☐ A Managing Agent
- ☐ Other

After selecting one of the options above that best describes the proposed licence holder, complete the subsequent questions relating to the proposed licence holder(s) details.

7. Registered address v Trading address

The registered address is the official contact address for a company as listed with Companies House, it serves as the official contact address for delivering official documents.

The trading address may be different and is the address of the premises the company/business operates from.

8. Details of the Property Manager

(This section does not appear if the applicant has previously selected that the statement 'I am the Proposed Licence Holder – The Sole Applicant....')

Details of the Property Manager ?

** Indicates a mandatory field*

Who will manage the property? *

- ☐ The Proposed Licence Holder will manage the property
- ☐ The person filling out the form will manage the property
- ☐ Another Individual has been employed to manage the property e.g. An employee of the person with control of the property
- ☒ Another Non Individual / company has been employed to manage the property

Enter the details of the manager including their registered address.

If a separate manager is employed, are they a member of a regulatory body and if yes, which regulatory body?

9. Fit and Proper Person test

Before granting a licence, the local authority must be satisfied that the licence holder, manager and any other person involved in managing the HMO is fit and proper.

We require a separate signed **fit and proper person (F&PP) declaration** from all proposed licence holders and managers (including managing agents) to assist us in making this judgement.

If a proposed licence holder lives abroad, they should have a local manager who would be responsible to day-to-day management of the HMO. The proposed licence holder would need to submit this manager's fit and proper declaration. The manager's details would also need to be updated each time a new manager is appointed and a new F&PP check would be required.

By signing the F&PP declaration that person must be confident that any person appointed to assist in the management of the property, including key holders, would be able to sign the declaration themselves.

Where a business or organisation is to be the licence holder, an F&PP declaration is required and should be signed by the director or other responsible person on behalf of the company, charity or trust. Any employee who is involved with the management of the HMO can be

regarded as an 'associate'. Consequently, in signing the declaration, the responsible people should be satisfied that these employees would be able to sign the declaration themselves.

Where the managing agent operates out of more than one office, then an F&PP declaration must be completed by the manager of the local office in control of/managing the licensable HMO and also an F&PP declaration must be completed by head office and signed by a person in authority such as a director or company secretary.

The local authority must have regard to any evidence that a person or organisation has committed any of the matters listed in the declaration that is contained in the fit and proper declaration.

Those signing the declaration should note that any offences etc. committed by an associate or family member involved in the management of the property are also relevant.

An unspent conviction will not necessarily prevent a fit and proper judgement by the local authority. The local authority will consider each offence and any mitigating circumstances on their relative merits.

A local authority can revoke a licence, if it no longer considers a licence holder to be fit and proper.

Similarly, the fit and proper person status can be removed from managers and anyone else involved in the management of the property or key holders. It would then be a breach of a licence condition, if that person continues in that capacity.

10. Fit and Proper Person declarations

A fit and proper person declaration **must** be submitted with every application for all proposed licence holders, except where the applicant has previously selected the statement 'I am the Proposed Licence Holder – The Sole Applicant....', as the declaration is incorporated within the application and the following page does not appear. These should be attached to the application as additional supporting document(s).

In addition, F & PP Declarations are required from any other persons/organisations involved in the management of the HMO.

Fit and proper person declarations can be downloaded from [here](#).

Only unspent convictions are to be included.

Information on Spent Offences:

Under the Housing Act 2004, licence holders and managers of Houses in Multiple Occupation must be fit and proper persons to undertake the responsibilities of running them. In order to assist the Council in making proper assessment of your suitability, you are asked to provide details about previous convictions for criminal offences. Under the Rehabilitation of Offenders Act 1974, you are not required to provide details about previous convictions which are "spent". A conviction becomes spent after a certain length of time, which changes depending upon the sentence and your age at the time of conviction. (The periods are halved if the conviction took place when you were aged 17 or less).

| Sentence | <i>Period of good conduct needed for conviction to be spent</i> |
|--|--|
| 6 months to 2½ years imprisonment | 10 years |
| Less than 6 months' imprisonment | 7 years |
| Borstal Training | 7 years |
| A fine or Community Services Order | 5 years |
| Probation Order, Conditional Discharge, or Bind Over | 1 year |
| An Absolute Discharge | 6 months |

Note:

If a person is sentenced to more than 2½ years in prison, his/her conviction can never become "spent".

Any information given will be treated as confidential and used only in connection with this application.

If you have any doubts about whether you have to declare a previous conviction, you should contact your local Probation Office or the Citizens' Advice Bureau or your Solicitor.

11. Legal interest

List all details of all owners, freeholders, leaseholders and mortgage companies including mortgage number and any charges that may be on the property.

12. Property management

See the [Council's website](#)

13. Details of Property

Self-contained unit

A self-contained unit is a dwelling or a part of a dwelling which has been constructed or adapted for use as separate living accommodation. Self-containment is where all the rooms (including kitchen, bathroom and toilet) in the living accommodation are behind a single door. There will be no sharing of facilities between units.

Non self-contained unit

A non-self contained unit is part of a dwelling, which is occupied as a separate household but lacks or requires sharing of one or more amenities, e.g. kitchen, bathroom or WC.

Number of households

A household consists of family members/co-habiting couple. E.g. where a couple is sharing with 3 unrelated individuals, the property comprises 5 individuals and 4 households.

Number of occupiers in the property

All occupants should be counted including children.

Facilities within HMO

Enter the number of each facility where requested.

Sinks – where there is 1½ sinks in the kitchen, enter 1.5.

14. Furniture and Furnishings (Fire)(Safety) Regulations 1988

See the [Council's website](#)

15. Fire precautions

Fire/smoke alarms

It is not necessary to have all fire precautions in place before a licence is granted. However, you are strongly advised, in the meantime to have as a minimum, interlinked battery smoke detectors throughout the common parts and interlinked heat detectors in shared kitchens and any bedsitting rooms with kitchen facilities; any self-contained flat should be linked into the system with a smoke detector. If the licensing standard is not met, it could be a condition of the licence that the standard is met or enforcement action may be taken to meet relevant requirements, and this will involve a hard-wired system, as battery detectors are not acceptable.

Fire Risk Assessment

The Fire Risk Assessment must be undertaken by a competent person. For more information, please visit the Kent Fire & Rescue website [here](#).

16. Supporting files

This is your opportunity to upload supporting documents such as fit and proper declarations, floor plans, gas and electrical safety certs etc. and anything else that you think is appropriate.

Supporting files ⓘ

Any files which may be relevant to your submission

Attached files

Used: 182 / 7200 KB

| | |
|--|---|
| 3_or_more_licence_holders.doc(32,006 KB) | 🗑 |
| 2018_Floor_plan_example.pdf(48,329 KB) | 🗑 |
| F_PP_declaration_-_Individuals.doc(57,829 KB) | 🗑 |
| F_PP_declaration_-_Registered_Companies.doc(48,274 KB) | 🗑 |

17. Supporting documents

This is a list of documents we require to process your application. Please confirm how we will receive them.

- **Safety certificates**

Gas Safety Certificate

Electrical Installation Condition Report, this should be satisfactory and dated within 5 years. Please ensure the certificate shows that the fixed wiring has been tested and

inspected and not that for example a consumer unit has been installed. Evidence must be provided that any defects shown have been resolved.

- **Floor plans: please check what should be included (fire detectors, fire blanket etc.) [here](#)**
- [Fit and proper declarations](#) for all relevant parties must be completed and submitted with each application, regardless of whether it has been previously provided. Please attach the completed declarations to your online application.

18. Notification Requirements

The applicant/licence holder must notify in writing all interested parties that an HMO licence application has been made. A person having an interest in the property includes any mortgagee, leaseholder, freeholder, all owners, the proposed manager, any other person who has agreed to be bound by the conditions in the licence if granted.

By signing the declaration you confirm that you have notified all interested parties that an HMO licence application has been made by you.

Note:

Date declaration made – this is the date you make the declaration i.e. today.

Follow the online instructions when making your payments.

We accept the following cards: Visa, Visa Delta, Electron, MasterCard Debit, MasterCard Credit and Maestro.

19. Confirmation of submission


It is strongly recommended that you take a Print Screen of the following page and save in a safe place.

Your request has been submitted successfully.


Your unique reference


DSFX1542107907564


HMO Renewal Application PDF


View

Your supporting files


3_or_more_licence_holders.docx


F_PP_declaration_-_Individuals.docx


2018_Floor_plan_example.pdf

Fee

Fee amount: £450.00

Payment reference: ZZEL00000028

Finish

Once you have submitted a valid application, you will receive a confirmation email from IDOX with a DSFX number and a pdf copy of the application attached (check your junk mail). This is your evidence of submission and you should keep it in a safe place; and we will contact you in due course. You do not need to contact B&NES HMO Licensing to check that we have received it.

If you have not received this confirmation email, then you may not have submitted an application and you should check your IDOX account and draft submissions.

After 30 days you will receive an email from IDOX stating that your draft application or submission will be deleted within 2 days, this is normal practice as they only keep hold of applications and any supporting documents for this period of time.

For further advice, please contact hmo@dartford.gov.uk