

HMO Licensing Initial Enquiry Form

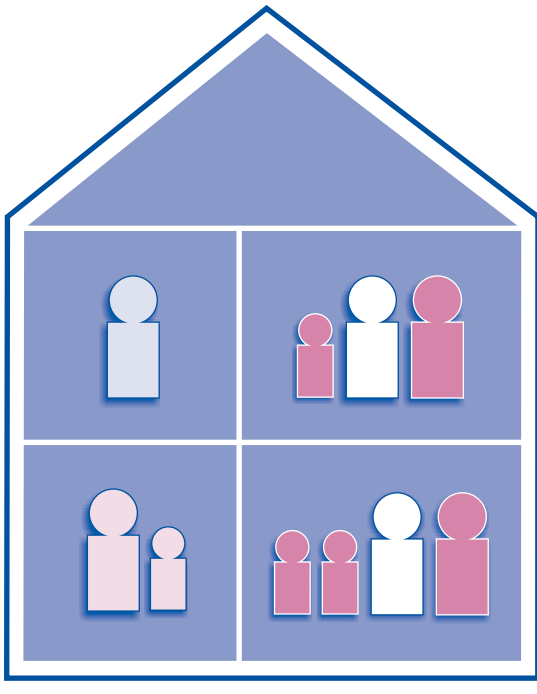
The Housing Act 2004 requires that certain Houses in Multiple Occupation (HMO) within a Local Authority District are licensed. If you are the owner of such a property you must ensure that it is licensed by the Local Authority. Operating such a property without a licence could result in a £20,000 fine.

Please read the following form carefully.

When you have completed this form, please return it to the address given at the end. Once we have received this initial enquiry form we will either issue you with a formal application form **OR** write to you.

Before completing this form, please read the definitions carefully

For further advice on how to complete this form, please contact



Private Sector Housing,

Environmental Health,
South Hams District Council,
Follaton House,
Totnes,
TQ9 5NE.
Tel: 01803-861234
Fax: 01803-861294
Email: **environmental.health@southhams.gov.uk**



Applicants Details;

Title (Mr, Mrs, Miss, Ms).....

Other Title

First Name:.....

Last Name:.....

Date of Birth:.....

Applicants Address:

Flat No: Building Number

Street Name:

.....

Town:.....

Full Postcode.....

Daytime telephone number

Mobile telephone number

Email Address:

Property interest.

Are you an existing Landlord? Yes No

If Yes, is your property in the South Hams? Yes No

Please give the address(s) of your property(s):.....

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Do you own property in any other area? Yes No

If Yes Where?

.....

.....

(Please continue on a blank sheet if necessary).

Fit & Proper Person

The Housing Act 2004 requires that all HMO Licence holders (landlords and agents/managers) are a 'fit & proper' person. When determining whether the applicant is a fit and proper person and their ability to manage the property, this Authority will need information about any problems that have arisen in the past. Relevant convictions do not automatically mean that a person cannot be deemed fit and proper but should be declared. These may be considered alongside matters such as whether a landlord has undertaken training or accreditation or has a record of engagement with initiatives with the local authority to improve the sector. In deciding whether the person is fit and proper, the Local Authority must have regard, amongst other matters to:

- any offence involving fraud or other dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003;
- any unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business; and
- contravention of any provision of the law relating to housing or of landlord and tenant law; (including any civil proceedings that he/she has lost).
- He/She should also reveal whether he/she has in the last 5 years:
 - been in control of any property subject to a control order under S379 of the Housing Act 1985;
 - been refused a licence or had a licence removed for any property in relation to HMO, additional or selective licensing under the Housing Act 2004;
 - been found to have breached a condition on a licence for any property in relation to HMO, additional or selective licensing under the Housing Act 2004;
 - been found by a Local Authority to have acted otherwise than in accordance with any Code of Practice approved under Section 197 of the Housing Act 2004;
 - been in control of any property that has been the subject of any proceedings by a local authority (such as breaches of the Environmental Protection Act, planning control of compulsory purchase proceedings.);
 - been in control of any property on which the local authority has carried out work in default; and
 - been in control of any property which has been the subject of an interim or final management order or a special interim management order under the Housing Act 2004.

The landlord should also reveal whether any person associated or formerly associated with him (whether on a personal, work or other basis) has done any of the things set out above, **where this is relevant** to the question of whether the applicant is a fit and proper person to be the license holder or (as the case may be) the manager of the house. (This information is specified in the Housing Bill as a matter which may be taken into account where relevant).



**South Hams
District Council**