



Licence for a House in Multiple Occupation

section 64 Housing Act 2004

Licence Number:-

497/18

A licence is granted by Warwick District Council subject to the conditions in the schedule(s) attached to the licence for the property known as:-

Property address:-

15 Granville Street
Leamington Spa
Warwickshire
CV32 5XW

This licence is issued to:-

Mr David Leal-Bennett

26 The Avenue
Hitchin
SG4 9RJ

This licence is issued for a period of 5 years commencing on:-

01/10/2018 and expiring on **01/10/2023**.

The property is suitable for occupation by a maximum of

5 persons living as 5 households

The licence has been approved by:

Mark Lingard

Private Sector Housing Manager

*The person duly authorised to approve licence applications under
section 61 of the Housing Act 2004 on behalf of Warwick District Council.*

Signed.....

Date 12 December 2018

Private Sector Housing
PO Box 2175
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5QE
01926 456744
email: pshousing@warwickdc.gov.uk

This licence is not transferable to a third party.

A copy must be displayed in a prominent position within the property at all times

NOTES

These notes are intended as general information to the recipient(s) of this licence. The notes are not intended to be definitive and the recipient should refer to the full version of the Housing Act 2004.

"category 1 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score of or above a prescribed amount;

"category 2 hazard" means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method for calculating the seriousness of hazards of that description, a numerical score below the minimum amount prescribed for a category 1 hazard of that description; and

"hazard" means any risk of harm to the health or safety of an actual or potential occupier of a dwelling or HMO which arises from a deficiency in the dwelling or HMO or in any building or land in the vicinity (whether the deficiency arises as a result of the construction of any building, an absence of maintenance or repair, or otherwise).

64 Grant or refusal of licence

- (1) Where an application in respect of an HMO is made to the local housing authority under section 63, the authority must either –
 - (a) grant a licence in accordance with subsection (2), or
 - (a) refuse to grant a licence.
- (1) If the authority are satisfied as to the matters mentioned in subsection (3), they may grant a licence either –
 - (a) to the applicant, or
 - (a) to some other person, if both he and the applicant agree.
- (2) The matters are –
 - (a) that the house is reasonably suitable for occupation by not more than the maximum number of households or persons mentioned in subsection (4) or that it can be made so suitable by the imposition of conditions under section 67;
 - (a) that the proposed licence holder –
 - (i) is a fit and proper person to be the licence holder, and
 - (ii) is, out of all the persons reasonably available to be the licence holder in respect of the house, the most appropriate person to be the licence holder;
 - (c) that the proposed manager of the house is either –
 - (i) the person having control of the house, or
 - (ii) a person who is an agent or employee of the person having control of the house;
 - (d) that the proposed manager of the house is a fit and proper person to be the manager of the house; and
 - (e) that the proposed management arrangements for the house are otherwise satisfactory.
- (4) The maximum number of households or persons referred to in subsection (3)(a) is –
 - (a) the maximum number specified in the application, or
 - (b) some other maximum number decided by the authority.
- (5) Sections 65 and 66 apply for the purposes of this section.

65 Tests as to suitability for multiple occupation

- (1) The local housing authority cannot be satisfied for the purposes of section 64(3)(a) that the house is reasonably suitable for occupation by a particular maximum number of households or persons if they consider that it fails to meet prescribed standards for occupation by that number of households or persons.
- (2) But the authority may decide that the house is not reasonably suitable for occupation by a particular maximum number of households or persons even if it does meet prescribed standards for occupation by that number of households or persons.
- (3) In this section "prescribed standards" means standards prescribed by regulations made by the appropriate national authority.
- (4) The standards that may be so prescribed include –
 - (a) standards as to the number, type and quality of –
 - (i) bathrooms, toilets, wash-basins and showers,
 - (ii) areas for food storage, preparation and cooking, and
 - (iii) laundry facilities, which should be available in particular circumstances; and
 - (b) standards as to the number, type and quality of other facilities or equipment which should be available.

66 Tests for fitness etc. and satisfactory management arrangements

- (1) In deciding for the purposes of section 64(3)(b) or (d) whether a person ("P") is a fit and proper person to be the licence holder or (as the case may be) the manager of the house, the local housing authority must have regard (among other things) to any evidence within subsection (2) or (3).
- (2) Evidence is within this subsection if it shows that P has –
 - (a) committed any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (c.42) (offences attracting notification requirements);
 - (b) practised 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;
 - (c) contravened any provision of the law relating to housing or of landlord and tenant law; or
 - (d) acted otherwise than in accordance with any applicable code of practice approved under section 233.
- (3) Evidence is within this subsection if –
 - (a) it shows that any person associated or formerly associated with P (whether on a person, work or other basis) has done any of the things set out in subsection (2)(a) to (d), and
 - (b) it appears to the authority that the evidence is relevant to the question whether P is a fit and proper person to be the licence holder.
- (4) For the purposes of section 64(3)(b) the local housing authority must assume, unless the contrary is shown, that the person having control of the house is a more appropriate person to be the licence holder than a person not having control of it.
- (5) In deciding for the purposes of section 64(3)(e) whether the proposed management arrangements for the house are otherwise satisfactory, the local housing authority must have regard (among other things) to the considerations mentioned in subsection(6).
- (6) The considerations are –
 - (a) whether any person proposed to be involved in the management of the house has a sufficient level of competence to be so involved;
 - (b) whether any person proposed to be involved in the management of the house (other than the manager) is a fit and proper person to be so involved; and
 - (c) whether any proposed management structures and funding arrangements are suitable.
- (7) Any reference in section 64(3)(c)(i) or (ii) of subsection (4) above to a person having control of the house, or to being a person of any other description, includes a reference to a person who is proposing to have control of the house, or (as the case may be) to be a person of that description, at the time when the licence would come into force.

Advice: If you do not understand this notice or wish to know more about it, you should contact the Local Authority. If you want independent advice about your rights and obligations, you should go to a Citizens' Advice Bureau, Housing Aid Centre, Law Centre or a solicitor. You may be able to obtain help with all or part of the cost of legal advice from a solicitor under the Legal Aid Scheme. If you do not know whether you could apply for Legal Aid you can see a solicitor who may be prepared to give you half-an-hour of legal advice for a small fee. If you want to know more about the works the Local Authority require you to do, you may wish to consult a surveyor.