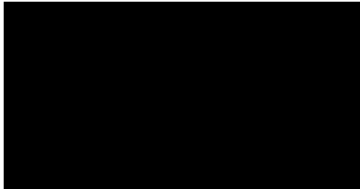


# HOUSING ACT 2004

## Part 2, Section 64

### Licence of house in multiple occupation (HMO)

The **South Gloucestershire Council** ("the Authority")  
hereby grant to **Davis Estates Ltd**  
of 

A licence under section 64 of the Housing Act 2004, subject to the conditions set out in the schedules attached, in respect of the House in Multiple Occupation known as:

**558 Filton Avenue  
Filton  
BRISTOL  
BS7 0QG**

The Authority has decided that the house is reasonably suitable for occupation by not more than the maximum of **6** persons in **6** households.

This licence is granted this **9<sup>th</sup> day of October 2023**. It shall come into force on the **24<sup>th</sup> day of October 2023** and shall remain in effect for a period of **5 years** from that date, unless previously revoked.

This licence is granted subject to the conditions in Schedules 1 and 2.

Dated **9<sup>th</sup> October 2023**

Signed 

Designation **Private Sector Housing Officer**

The officer appointed for this purpose

Number of Schedule 1 attachments

1

Number of Schedule 2 attachments

1

**NON-TRANSFERABLE**

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 (a) with subsection (2), or
  - (b) refuse to grant a licence.
- (2) If the authority are satisfied as to the matters mentioned in subsection (3), they may grant a licence either -
  - (a) to the applicant, or
  - (b) to some other person, if both he and the applicant agree.
- (3) 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;
  - (b) 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-basin and showers,

- (ii) areas 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 in particular circumstances.

#### 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 personal, 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.
- (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) or 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 licence 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

## Schedule 1

### Mandatory Conditions

1. If gas is supplied to the house, the licence holder must produce to the Authority annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months;
2. The licence holder must keep electrical appliances and furniture made available by them in the house in a safe condition and supply the Authority, on demand, a declaration that the appliances and furniture supplied to the tenants are in a safe condition;
3. The licence holder must ensure that a working fire alarm system is installed in the house and is kept in proper working order and supply to the Authority, on demand, a declaration as to the positioning and condition of each alarm;
4. The licence holder must ensure that a carbon monoxide alarm is equipped in any room used as living accommodation that contains a fixed combustion appliance (excluding gas cookers);
5. The licence holder must provide the occupiers of the house with a written statement of the terms on which they occupy it;
6. The licence holder must comply with The Management of Houses in Multiple Occupation (England) Regulations 2006;
7. The licence holder is required to provide the tenants with their telephone number, email address and business address

## Schedule 2

### Additional Conditions

1. Reasonable and practicable steps are to be taken under the terms of the Tenancy Agreement to prevent or reduce anti-social behaviour by persons occupying or visiting the property
2. The licence holder must provide suitable facilities for the storage and disposal of refuse and recycling in accordance with the South Gloucestershire Council's waste and recycling collection requirements. This includes a suitable bin storage area with enough waste receptacles for the number of tenants. The licence holder must also ensure that all tenants follow the Council's waste collection and recycling programme and that there is no rubbish accumulation at the property
3. A list of all occupants is to be provided to South Gloucestershire Council on demand
4. Within 2 months of the licence issue date, provide a current Periodic Inspection Report on the electrical installation indicating that the installation is satisfactory and that there are no Code 1, 2 or FI defects
5. Any other person that becomes involved in the management of the property after the licence date must also be a fit and proper person and the Authority notified of any such changes
6. The property is to be occupied in accordance with and by no more than the number of persons and households specified below:

<b>Bedroom number:</b>	<b>Location/description:</b>	<b>Suitable occupation:</b>
<b>1</b>	<b>Ground Floor Rear Left</b>	<b>1</b>
<b>2</b>	<b>First Floor Rear Left</b>	<b>1</b>
<b>3</b>	<b>First Floor Front Left</b>	<b>1</b>
<b>4</b>	<b>First Floor Front Right</b>	<b>1</b>
<b>5</b>	<b>Second Floor Rear Left</b>	<b>1</b>
<b>6</b>	<b>Second Floor Front</b>	<b>1</b>

**Notes:**

- The above table details the maximum number of occupiers permitted per room within the property
- Rooms must not be shared by persons who are not living together as a couple
- The licence holder is reminded that they must ensure that the maximum number of occupiers and households is not exceeded at any time