

Housing Act 2004 - Part 2

APPLICATION TO LICENCE A HOUSE IN MULTIPLE OCCUPATION

Denbighshire County Council operates a Mandatory & Additional Licensing Scheme. Licensing aims to ensure that landlords of HMOs are fit and proper people, or employ managers who are, and that each HMO is suitable for occupation by the number of people allowed under the licence. Licensing will enforce the standards of management and conditions of the HMO, to provide a better quality of living for its occupants and will allow high risk HMOs to be identified and targeted for improvement.

Please complete the application carefully and legibly using black or blue ink and refer to the guidance notes to assist you in completing it. Please complete in BLOCK CAPITALS. If you find there is insufficient space to supply answers to a question, please use a continuation sheet and attach it to the application marking the sheet with the section number to which the information relates.

Address of Premises to be Licensed:	
Postcode:	

Completed application forms must be returned to the following address:

Public Protection (HMO Licensing)

Denbighshire County Council,

Po Box 62

Ruthin

LL15 9AZ

Phone: 01824 706389

Website: www.denbighshire.gov.uk

E mail: envhealth@denbighshire.gov.uk

For assistance in completing this form or any further enquiries, please contact **Public Protection (HMO Licensing)**

If you rent out a property which is a house in multiple occupation (HMO) that is subject to licensing and you have not applied for a licence, you are committing a Criminal Offence. Failure to apply for a licence for a licensable House in Multiple Occupancy will be an offence liable on summary conviction to an unlimited fine (previously £20,000)

Part 1: Application for a HMO Licence

The person who is completing this licence application.	
Surname:	First Name:
Address:	
Post Code:	Tel No:
E-mail address:	Mobile No:
Date of Birth:	Place of Birth:
Signature:	Date:

IMPORTANT NOTE TO APPLICANTS

Please note that it is a **criminal** offence to knowingly supply information, which is false or misleading for the purposes of obtaining a licence. Evidence of any statements made in this application with regard to the property concerned may be required at a later date. If we subsequently discover something which is relevant and which you should have disclosed, or which has been incorrectly stated or described, your licence may be revoked or other action taken.

In order for an application to be valid, you must provide the relevant documentation (if applicable) with the completed application form and signed Declaration. The following checklist provides details of the documentation that must be provided with this completed application form. (Please tick)

- Appropriate fee (Paid) (details on how to pay in Part 14)**
- 1 set of floor plans indicating:**
 - **The room layout on each floor, identifying room dimensions and usage**
 - **The location of all smoke/heat sensors, escape lighting, call points, inspection panel, extinguishers and fire blankets.**
 - **The position of all self-closing half hour fire resisting doors.**
- Current Fire Alarm installation/inspection and servicing report (where applicable)**
- Emergency Lighting periodic inspection and testing certificate (where applicable)**
- Electrical System Periodic Inspection Certificate(s) for all units of accommodation and common areas**
- Current Gas Safety Certificate(s) (where applicable)**
- A copy of your written anti-social behaviour procedures for the premises**

If you believe the property is exempt from HMO Licensing, please fill in and return the back exemption sheet (**See Part 20**).

Part 2: Ownership and Control of the Property to be Licensed	
Is the proposed licence holder the owner of the property?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the proposed licence holder have control of the property? (i.e. is legally entitled to receive the rental income from the property)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the proposed licence holder have the authority: <ul style="list-style-type: none"> • To let and evict contract holders • To access all parts of the premises • To authorise any necessary expenditures 	Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
If you answered no to any of the above questions, please state who has the authority to carry out these functions:	
Does anyone else have a legal interest in the property? (e.g. as freeholder, leaseholder, or mortgage provider)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Please provide details about the owner(s) of the property (including your mortgage provider), and anyone else who has a legal interest in the property and/or anyone who has agreed to be bound by the conditions of the licence (if granted)	
Details 1	
Surname:	First Name:
Address (if an organisation, give the registered office or other official address):	
Post Code:	Tel No:
E-mail address:	Mobile No:
Nature of interest in property:	Work Tel No:
Details 2	
Surname:	First Name:
Address (if an organisation, give the registered office or other official address):	
Post Code:	Tel No:
E-mail address:	Mobile No:
Nature of interest in property:	Work Tel No:

Part 3: Proposed Licence Holder

The person(s) who you propose will hold the licence.

The licence holder must be competent to undertake HMO management duties, be locally based and have in place a clear chain of responsibility to efficiently and effectively deal with all remedial works, expenditures and breaches of licence conditions that may require rectifying during the term of the licence.

In this context, locally based means within one hour travelling distance of the licensed house. Licence holders who can demonstrate that adequate provisions are in place to deal with urgent repair / management issues, may be exempted from this requirement.

Is the proposed licence holder (please tick appropriate box):

Individual Company Partnership Trustee Charity

Other (please specify):

Surname:	First Name:
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Company Name (if applicable):

Address (registered address if a Company):

Post Code:	Tel No:
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E-mail address:	Mobile No:
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Date of Birth:	Place of Birth:
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Name and address of company secretaries/directors/partners/trustees (if applicable):

Joint Licence Holder (if applicable)

Surname:	First Name:
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Address:

Post Code:	Tel No:
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E-mail address:	Mobile No:
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Date of Birth:	Place of Birth:
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Part 4: Person Managing

Will the proposed licence holder be the manager of the property?	Yes <input type="checkbox"/> No <input type="checkbox"/>
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If No, please provide details about the manager below:

Surname:	First Name:
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Business Name:

Address (if an organisation, give the registered office or other official address):

Post Code:	Tel No:
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Work Tel No:	Mobile No:
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E mail address:

State the level of management experience of the person(s) managing the property: (E.g. number of years managing, relevant training and qualifications)

How often do you visit:

Do you inspect the condition of the accommodation at the beginning and end of each contract?	Yes <input type="checkbox"/> No <input type="checkbox"/>
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What arrangements do you have with your contract holders for reporting maintenance issues:

What arrangements do you have in place to carry out emergency maintenance at the premises: (E.g. inoperable fire panel, burst water supply)

What financial arrangements do you have in place for day-to-day and planned maintenance requirements?

What arrangements are in place for maintaining the decorative condition and cleanliness of the common areas within the HMO?

Have you provided occupation contracts to your contract holders?	Yes <input type="checkbox"/> No <input type="checkbox"/>
What procedures/arrangement do you have in place to vet prospective contract holders?	
What procedures do you have in place to gain possession?	
How do you deal with incidents of anti-social behaviour in the property?	
To demonstrate this, provide a copy of your written anti-social behaviour procedures for the premises	

Part 5: Rent Smart Wales, Accreditation & Qualifications

Rent Smart Wales process landlord registrations and grant licences to landlords and agents who need to comply with the Housing (Wales) Act 2014. In order to apply for a HMO Licence, you **must** be registered, and if applicable, licenced under the Rent Smart Scheme. More information about Rent Smart can be found at www.rentsmart.gov.wales

Please provide details of all registered owners of the property.

Name	Rent Smart Registration Reference/ Licence Reference

Is the proposed licence holder and/or the manager:	
<ul style="list-style-type: none"> A member of any landlords' association or other professional body? 	Yes <input type="checkbox"/> No <input type="checkbox"/> Please Specify:
<ul style="list-style-type: none"> The holder of any relevant qualification or undertaken any training courses relevant to the ownership and management of residential property? 	Yes <input type="checkbox"/> No <input type="checkbox"/> Please Specify:

Part 6: Fit and Proper Person

When deciding to grant a licence, the Council must be satisfied that the **proposed licence holder, proposed manager and agent or employee** are fit and proper persons, in doing so the Council must have regard to any evidence within the list below. Under the Rehabilitation of Offenders Act 1974, there is no requirement to provide details about previous convictions that are 'spent' (see glossary for further guidance).

Please indicate which of the below offences, if any, apply to you or **any person named in Parts 2, 3 and 4** and/or **any person associated** with any of them of which have of been convicted in a Court of Law:

Committed an offence involving fraud or other dishonesty, or violence or drugs or any offence listed in Schedule 3 of the Sexual Offences Act 2003?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with the carrying out of any business?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Contravened any legislation relating to housing, public health, environmental health or landlord and tenant law?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Been subject to a Control Order under the Housing Act 1985 in the past 5 years?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Been refused a licence for any property in relation to Part 2 and 3 of the Housing Act 2004?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Has had a licence revoked due to a breach of the licensing conditions for any property in relation to Part 2 and 3 of the Housing Act 2004?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Has been subject to an Interim or Final Management Order under the Housing Act 2004?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Acted otherwise than in accordance with any applicable Code of Practice approved under section 233 of the Housing Act 2004?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Name	Date	Offence	Sentence

Additional information:

We require your cooperation in obtaining further supporting evidence in confirmation of the above. We may also approach other Authorities such as the Police Authority, Fire and Rescue, Office of Fair Trading, etc. for information and confirmation.

The information you give will be treated in confidence and will only be taken into account in relation to your application.

Part 7: Property Details	
When was the property built?	
Before 1919 <input type="checkbox"/> 1919-1945 <input type="checkbox"/> 1946-1964 <input type="checkbox"/> 1965-1980 <input type="checkbox"/> After 1980 <input type="checkbox"/>	
Description of property:	
Detached <input type="checkbox"/> Semi-detached <input type="checkbox"/> Mid Terraced <input type="checkbox"/> End Terraced <input type="checkbox"/>	
Mixed Residential and Commercial <input type="checkbox"/> Other <input type="checkbox"/> (Please specify):	
Number of storeys (including ground floor, basements and attic conversions):	
Are any commercial activities carried out on the premises other than for accommodation purposes? E.g. shop/restaurant/office on ground floor	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes , please provide details of any commercial use and on which storey:	
Have you applied for planning permission for use as a House in Multiple Occupation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes , please give date and reference number of your application	
Date:	Reference Number:
Was permission granted or refused?	Granted <input type="checkbox"/> Refused <input type="checkbox"/>
If you have not applied for planning permission, we strongly advise that you seek advice from Denbighshire County Council's Planning department on 01824 706727 or planning@denbighshire.gov.uk .	

Part 8: Gas, Electricity Supply and Asbestos	
Is there a gas supply to the property?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes , you must supply with this application a copy of the current Gas Safety Certificate(s) covering all gas appliances in the property. The certificate must be within date and show that all appliances are in a satisfactory and safe condition. Please attach a copy.	
Are all rooms with a fuel-burning appliance (gas, oil, solid fuel) fitted with a working Carbon Monoxide detector?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have a 'satisfactory' electrical installation condition report (EICR) from a competent electrical engineer within the last 5 years to confirm that the electrical installations are safe? Please attach a copy.	Yes <input type="checkbox"/> No <input type="checkbox"/>

Do you have adequate refuse storage/disposal facilities?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes , do all your tenants have access to the above refuse storage facilities?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Do you have a door entry / intercom system for the property?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Bathrooms, Water Closets (W.C.), Wash Hand Basins and Showers	
State the number of bathrooms with a fixed bath or shower (with or without a w.c.)	
How many bathrooms are provided with heating?	
State the number of fixed wash hand basins	
How many wash hand basins are shared?	
State the number of fixed water closets?	
How many water closets are shared?	
Are all wash hand basins supplied with continuous hot and cold water?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Areas for Food Storage, Preparation and Cooking	
State the number of kitchens in the house?	
How many sinks are shared?	
State the number of sinks in the house	
State the number of cookers in the house	
State the number of fridges in the house	
Are all kitchens provided with the following: <ul style="list-style-type: none"> • Impervious work surfaces? • Fixed storage cupboards? • A cooker? • Fridge with freezer compartment? • Dedicated cooker point? • Sinks with draining board & continuous supply of hot and cold water? • Minimum 2 x two gang electrical sockets (or 4 single sockets) above the work surfaces for the use of portable appliances? • Dedicated sockets for large appliances? e.g. Fridge, Freezer, Washing Machine 	Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there a provision for laundry facilities? (i.e. dedicated plumbed in water supply and drainage for a washing machine)	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes , is the provided laundry facility: In each unit of accommodation? <input type="checkbox"/> In the communal area? (shared facility) <input type="checkbox"/>	

Part 11: Fire Precautions	
Have you carried out a Fire Safety Risk Assessment for your premises?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If no , note under the Regulatory Reform (Fire Safety) Order 2005, all HMOs must have a fire risk assessment in place.	
Does the property have an automatic fire alarm and detection system?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes , does the system include: <ul style="list-style-type: none"> • a fire alarm control panel? • mains wired heat detectors? • mains wired smoke detectors? • sounders / alarms on all levels? • call points in the communal areas on all levels? 	Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the automatic fire detection system supplied from a dedicated electricity supply connected to the landlord's meter?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If there is a mains wired fire alarm and detection system, has it been tested and inspected by a competent person in accordance with the BS5839 at least every 6 months?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the property have an emergency lighting system?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes , has the system been tested and inspected by a competent person in accordance with BS5266 at least every 12 months?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are the doors that open on to the communal areas fire resistant to a minimum of 30 minutes?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If Yes: <ul style="list-style-type: none"> • are they fitted with self-closers? • are they fitted with smoke seals? • are they fitted with intumescent strips (min 10mm thick)? • are they fitted with at least 3 fire rated hinges? • are they fitted with keyless locks? 	Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
Provide details on the fire escape routes from the property and how you ensure that they are kept clear:	
Provide details of any fire safety information or training provided to the occupiers of the property:	
Does each kitchen contain a fire blanket?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are fire extinguishers provided?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes , have the fire extinguishers been serviced in the last 12 months?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Do you have a contractor to maintain and inspect your system?	Yes <input type="checkbox"/> No <input type="checkbox"/>

If yes, please state inspector/company:	
Is there a logbook of inspection / testing?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, where is it kept?	
Does the landlord supply upholstered furniture?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, does all furniture provided by you in the property meet the statutory safety requirements of the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended)?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Part 12: Heating and Energy Efficiency	
What is the current banding on the energy performance certificate (EPC) for the property/flats?	
<p>All private rental properties in Wales must currently have a minimum EPC rating of E. The UK Government has proposed that this minimum standard will rise to EPC C by 2030, unless a valid exemption applies.</p>	
What type of heating does the property have? (please tick all that apply) Gas central heating <input type="checkbox"/> Electrical central heating/night storage heaters <input type="checkbox"/> Fixed gas heaters/fires <input type="checkbox"/> Fixed electrical heaters/fire <input type="checkbox"/> Solid fuel fires <input type="checkbox"/> Other <input type="checkbox"/> (please provide details):	
Do all the rooms, including bathrooms, in the property have a source of fixed heating?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Do all the bathrooms and kitchens have a means of natural or mechanical ventilation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are windows double glazed?	All <input type="checkbox"/> Some <input type="checkbox"/> None <input type="checkbox"/>
Is the roof space insulated?	All <input type="checkbox"/> Some <input type="checkbox"/> None <input type="checkbox"/>
Please provide details including the thickness of insulation in mm:	
Are walls insulated (external / internal)?	All <input type="checkbox"/> Some <input type="checkbox"/> None <input type="checkbox"/>
Are hot water tanks lagged?	N/A <input type="checkbox"/> All <input type="checkbox"/> Some <input type="checkbox"/> None <input type="checkbox"/>

Part 13: Notifying People about the Licence

As the Applicant, you must let certain persons know in writing that you have made this application, or give them a copy of it. You must confirm this by completing the table below.

Does anybody (other than you) own the Property? (e.g. freeholder, joint owner)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there a mortgage on the property?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the property have any contract holder or leaseholder with more than 3 years remaining on the tenancy or lease?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the proposed licence holder somebody other than you?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the proposed manager somebody other than you?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Has anybody else agreed to be bound by the conditions of the Licence, if it is granted?	Yes <input type="checkbox"/> No <input type="checkbox"/>

The following information must be provided to any person (or organisation) where you have answered yes to any of the questions above:

- Your name, address, telephone number and email address (if possible)
- The name, address, telephone number and email address (if possible) of the proposed licence holder (if it will not be you)
- That this is an application for a HMO Licence under Part 2 of the Housing Act 2004
- The address of the property to which the application relates
- The name and address of the local housing authority to which the application will be made
- The date of when the application will be submitted

To help you comply with this requirement the Council have provided a form, at the back of this application form (Part 19), which you can use to notify all persons of the licensing application you have made. Please complete the form with your details. Photocopy this as many times as you need and fill in the name and address of the person you must notify in the top box.

Provide details of those people you have notified about the licence application:

Name of Person Notified	Address	Interest in the Property (e.g. freeholder, mortgage, etc)	Date Notified

Part 14: HMO Licensing Fee Structure

Fee Structure 1 – Applications

The basic fee is £855 based on **4 habitable rooms** which is a **bedsit, separate living room or bedroom** in a **3 storey or greater building**.

*For properties with 5 or more habitable rooms there is additional charge of £35 for each habitable room.

Below is the HMO licensing fees for 5 years based on the building's number of habitable rooms:

Habitable rooms (bedsit, living room or bedroom)	Three Storeys or more	Two Storeys	Single Storey
4 or less	£855	£655	£455
5*	£890	£690	£490
6*	£925	£725	£525
7*	£960	£760	£560
8*	£995	£795	£595
9*	£1,030	£830	£630
10*	£1,065	£865	£665
11*	£1,100	£900	£700
12*	£1,135	£935	£735
13*	£1,170	£970	£770
14*	£1,205	£1,005	£805
15*	£1,240	£1,040	£840
16*	£1,275	£1,075	£875
17*	£1,310	£1,110	£910
18*	£1,345	£1,145	£945
19*	£1,380	£1,180	£980
20*	£1,415	£1,215	£1,015

Table 1

Example:

A 3 storey property consisting of 5 habitable rooms with a fee of £890 for five years will cost:

- £178 per habitable room for 5 years
- £35.60 per habitable room a year
- 68.5 pence a week for each habitable room

Discounts Available:	Total Discount:
Fully completed application received within 8 weeks of notification of Licensing requirement. This applies for both New and Renewal Applications	£200
For Charitable Organisations, the fee is 50% of the original fee.	50%

Table 2

Fee Structure 2 – Change of HMO Ownership

Licenses are non-transferable to another person or property and fees are not refundable. If the property were sold on as an HMO, the new landlord would need to apply for a new Licence; the fee structure remains unchanged given such circumstances.

Fee Structure 3 – Planning Requirements

Where a HMO is being operated without the required planning permission, then we will only issue the HMO Licence for **1 year** rather than 5. The cost of a 1 year Licence will be **75%** of the amount shown in Table 1.

Fee Structure 4 - Payment Method

Payment can be made either in full at the application stage, or by two instalments:
 Instalment 1 – 50% of fee to be paid on Application.
 Instalment 2 – Remaining 50% of fee to be paid prior to the Licence being granted.

Fee Payable

Type of Unit(s)	Total Unit(s)	Discount/Additional Fees	Total Fee Payable
Give the total number of habitable rooms (excluding separate kitchen & bathroom)			

How to Pay

1. Over the phone

You can pay over the phone with a credit or debit card by contacting Finance on 01824 706000. Please quote **3479-40142** (Additional Licence), or **3479-40091** (Mandatory Licence) and the **property address**.

2. Payment can also be made by a BACS Transfer

- The bank is the **NatWest** at Ruthin
- Account number: **22837469**
- Sort Code: **54-41-06**

To ensure the payment reaches our account, you must provide the following information in the BACS reference field:

- **Cost code:** **3479-40142** (Additional Licence), or **3479-40091** (Mandatory Licence)
- **Postcode**

e.g. Mandatory HMO Licence application for 26 Fox Street, Rhyl, LL18 1ZP:

3	4	7	9	-	4	0	0	9	1		L	L	1	8	1	Z	P
---	---	---	---	---	---	---	---	---	---	--	---	---	---	---	---	---	---

Please notify us when you have made a payment.

Part 15: Declaration

"I/we declare that the information contained in this application is correct to the best of my/our knowledge. I/we understand that I/we commit an offence if I/we supply any information to a local housing authority in connection with any of their functions under any of Parts 1 to 4 of the Housing Act 2004 that is false or misleading and which I/we know is false or misleading, or I/we am/are reckless as to whether it is false or misleading"

I/we declare that I/we have notified the people listed in Part 17 about this application and that these are the only people known to me/us that are required to be informed that I have made this application.

I/we declare that any gas appliances, electrical appliances and furniture provided for the use of tenants in the property are in safe working order and comply with all relevant safety legislation.

I/we declare that the smoke and heat detectors/alarms installed in the house as described in this form are in good safe working order and comply with all relevant safety information.

I/we declare that adequate financial resources are available to maintain the property ensuring the health and safety of the tenants and fulfil all other statutory obligations.

I/we accept that in connection with the checking of the accuracy of a fit and proper person declaration, that the local authority may share this information with other statutory bodies, particularly other local authorities and the Police.

Proposed Licence Holder(s)

Full Name(s):

Signature(s):

Date:

Full Name(s):

Signature(s):

Date:

Proposed Manager(s)

Full Name(s):

Signature(s):

Date:

Denbighshire County Council Privacy Notice

Please visit <https://www.denbighshire.gov.uk/en/privacy/privacy.aspx> for more information.

Part 16: General Information

Mandatory Licensing

The Housing Act 2004 came into force in Wales on 30th June 2006. Part 2 of the Act requires that Houses in Multiple Occupation (HMOs) consisting of:

- 3 or more storeys
- and occupied by 5 or more persons who constitute more than 2 household
- where there may be sharing of facilities but not necessarily

must be subject to the requirements of mandatory licensing.

This scheme is known as **The Denbighshire County Council (Licensing of Houses in Multiple Occupation) Regime 2006**

Additional Licensing

The Housing Act 2004 Section 56 allows a Local Housing Authority to designate areas as subject to **Additional Licensing**, thereby allowing them to deal with those properties which could not be dealt with under the Mandatory Scheme

Additional licensing has been designated county wide by Denbighshire County Council, this designation was made on the 21st October 2025.

This scheme will be known as **Denbighshire County Council Additional Licensing (Houses in Multiple Occupation) Scheme 2025**. The designation is in accordance with the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Wales) Regulations 2006.

The Scheme to which the designation applies has General Approval of the Welsh Assembly Government under the Housing Act 2004 (Additional HMO Licensing Wales) General Approval 2007 of which came into force on 13th March 2007. Accordingly, by virtue of Section 58 subsections (1) (b) and (7) of the designation need not be confirmed and will come into effect on a date specified in the Designation.

The Scheme will work in conjunction with the Mandatory Licensing of Houses in Multiple Occupation Regime referred to above. The Scheme will be effective from **1st February 2026** and unless revoked beforehand or extended will cease to have effect on **31st January 2031**.

This Scheme shall be applied county wide and will include properties that meet **all** of the criteria, within either one of the following two categories:

- any type of HMO as defined by Section 254 of the Housing Act 2004 which does not fall within the mandatory licensing scheme, occupied by three or more persons, forming two or more households
- HMO properties which are defined within the scope of Section 257 of the Housing Act; HMO's created by converting buildings into flats, but do not meet the 1991 Building Regulations and they have not been subsequently brought up to the relevant standards

The Scheme shall not be applied to those properties exempted by relevant sections of the Act and those already licensed under the Mandatory Licensing of Houses in Multiple Occupation Scheme.

Fit & Proper Person

The proposed Licence holder and any other persons involved with the management of the house must be fit and proper persons within the definition of Section 66 of the Housing Act 2004.

The licence holder must also satisfy the Authority that a proper management structure exists in terms of management competence and funding for the effective operation of the house.

Fire Safety

Under the Regulatory Reform (Fire safety) Order 2005 (RRO) the responsible person (Licence holder) must ensure a fire risk assessment is carried out by a competent person and produce a written record of the significant findings. The Licence holder will be required to submit their risk assessment to the **Public Protection (HMO Licensing)** when requested.

Antisocial Behaviour

The Licence holder will be required to satisfy the authority that reasonable procedures are in place to deal with and reduce anti-social behaviour problems that may occur within the premises. The Licence holder will be expected to apply the procedures and manage these issues effectively.

Submitting Your Application – What Happens Next

Please check through the application form to ensure that all relevant sections have been completed and that all documentation listed in the Part 1 check list (if applicable) have been enclosed, including the requisite licensing fee. (Full application must be received in order to qualify for discounts)

Following submission of your fully completed application for a licence, we aim to notify you of our decision in relation to your application within 6 weeks of receiving your completed application. The authority must serve a notice upon you stating our proposed decision stating any Conditions attached to the licence, you will be giving an opportunity to make representations regarding that decision.

Further opportunity is given to make representation when the authority serve upon you the decision to grant a licence with any conditions attached.

How will licensing work?

The Authority must grant a licence if it is satisfied that:

- The HMO is reasonably suitable for occupation by the number of people allowed under the licence.
- The proposed Licence holder is a fit and proper person and the most appropriate person to hold the Licence
- The proposed manager, if there is one, is a fit and proper person to be the manager
- The management arrangements are satisfactory
- The financial structure for the management are suitable

What is in a licence?

The licence will be subject to conditions relating to its management, use, occupation, content and condition.

- The Licence will specify the maximum number of people who may live in the HMO

It will also include the following conditions, which apply to every licence:

- A valid current gas safety certificate, which is renewed annually, must be provided.
- Proof that all electrical appliances and furniture are kept in a safe condition.
- Proof that all smoke alarms are correctly positioned and installed.
- Each occupier must have a written statement of the terms on which they occupy the property, for example, an occupation contract.

Denbighshire County Council may also apply the following conditions.

- Restrictions or prohibitions on the use of parts of the HMO by occupants.
- A requirement that the condition of the property, its contents, such as furniture and all facilities and amenities, bathroom and toilets, for example, are in good working order.
- A requirement for specified works or repairs to be carried out within a particular timeframe, these will need to be carried out as outlined in your licence

Please refer to **Licensing Conditions (Minimum Licensing Standards for Houses in Multiple Occupation)** for full details of your requirements. As part of your licence, you may be required to carry out work in order to comply with the licensing conditions.

How long will it last?

A Licence will be valid for a maximum period of **5 years***, will relate to **one HMO only** and **will not be transferable**. If the property is sold, transferred to another person a new licensing application form will need to be completed. Licences may be granted for less than 5 years if concerns are raised regarding poor management, persistent non-compliance with works required or fit and proper person concerns.

* Where a HMO is being operated without the required planning permission, we will only issue the HMO Licence for **1 year** rather than 5.

Licensing inspections

The authority will also carry out inspections of houses to validate the content of completed application forms and to confirm that licence conditions are being maintained during the period of the Licence.

Can I change my Licence once it has been issued?

Yes, where a Licence holder wishes to alter the terms of their licence, they may apply for a **variation** to the Licence by making a written request to Public Protection (HMO Licensing).

Can I Appeal?

You may appeal if the council decides to:

- Refuse a Licence.
- Grant a Licence with conditions.
- Revoke a Licence.

- Vary a Licence.
- Refuse to vary a Licence

You must appeal to the Residential Property Tribunal (RPT), normally within **28 days**. A fee of £155 must accompany your application.

The contact address for the RPT is:

**The Residential Property Tribunal Wales,
Oak House,
Kleppe Park,
Celtic Springs,
Newport,
NP10 8BD.**

Telephone - 03000 252 777. E-mail - rpt@gov.wales.

Planning & Building Regulations

In line with the Local Authorities policies, please ensure that you seek the necessary Planning and / or Building Regulations approval before you undertake any works or changes of use to the property. It is also advised that you seek clarification from the Planning Section, in order to ensure that the property has the required planning approval.

Housing Health and Safety Rating Scheme

The Local Authority is also required to address health and safety issues in the house through Part 1 functions of the Housing Act 2004. This involves an inspection by Public Protection Officers in accordance with the **Housing Health & Safety Rating System (HHSRS)**. The inspection can be carried out at any time within the 5 year period of receiving the licensing application. You may be required to carry out works to comply with these health and safety standards.

Temporary Exemption Notice

If it is your intention to take particular steps to secure that the house is no longer required to be licensed, you may apply for a Temporary Exemption Notice (TEN). In order to apply for a TEN, you must notify the authority by providing details of the proposed measures to be taken to secure that the house is exempt from licensing.

If granted, a TEN will negate the requirement to Licence the house during the period the TEN is in force.

A TEN is in force for a period of 3 months beginning on the date of service. If the authority receives a further notification, and consider that there are exceptional circumstances that justify the service of a second TEN in respect of the house, this would take effect from the end of the period of 3 months applying to the first Notice. No further Notice can be served following the expiry of the second TEN.

If the Local Authority decides not to serve a TEN in response to a notification, they must inform the applicant of:

- a) The decision
- b) The reasons for it and the date on which it was made
- c) The right to appeal
- d) The period within which an appeal may be made

Licensing Penalties

Restriction on Terminating Occupation Contracts

In relation to occupation contractors, a landlord who is required to have a Licence in respect of an HMO, but who does not have a Licence, forfeits the right to automatic possession (No section 173 notice, no section 186 notice, no paragraph 25B of Schedule 12 notice and no section 194 notice may be given in relation to a standard contract of a part of an unlicensed HMO as long as it remains such an HMO).

Fines

Failure to apply for a Licence for a licensable house will be an offence liable on summary conviction to an unlimited fine.

The house must be reasonably suitable for occupation by a particular maximum number of households or persons. It will be a criminal offence liable on summary conviction to an unlimited fine, to increase the occupancy level of a house above that stated in the Licence.

Breaking any of the Licence conditions can result in unlimited fines as specified in the Housing Act 2004. Giving false or misleading information can result in unlimited fines as specified in the Housing Act 2004.

Management Orders

If a landlord fails to bring an HMO up to the required standard, or fails to meet the fit and proper person criteria, the council can issue an **Interim Management Order (IMO)**, which allows it to temporarily take control and manage the property. The owner keeps their rights as an owner. This order can last for a year until suitable permanent management arrangements can be made. If the IMO expires and there has been no improvement, then the council can issue a **Final Management Order**. This can last up to five years and can be renewed.

Rent Repayment Orders

A Landlord who receives rent while operating an unlicensed property could be liable to a penalty equivalent to any rent received during the period of the offence up to a maximum of 12 months. The Residential Property Tribunal (RPT) has the power to make a "rent repayment order" where it determines that an offence has been committed. The authority is also entitled to make an application to the RPT for a rent repayment order in respect of housing benefit paid during the period where an offence has been committed, irrespective of whether there has been a prosecution.

Pat 17: Further Information

If you require more information regarding licensing, or if you are unsure whether your property needs to be licensed, please contact:

Public Protection (HMO Licensing)
Denbighshire County Council,
Po Box 62
Ruthin
LL15 9AZ
Phone: 01824 706389
E mail: envhealth@denbighshire.gov.uk
Website: www.denbighshire.gov.uk

<https://www.denbighshire.gov.uk/en/licences-permits-and-trading-standards/houses-in-multiple-occupation.aspx>

Mae'r daflen wybodaeth hon ar gael hefyd yn yr iaith Gymraeg, am gopi cysylltwch a ni /
This guide is also available in Welsh, please contact us if you need a copy.

These notes are provided for general information only. All owners, landlords or agents of properties should seek advice from the Local Authority regarding Licensing of Houses in Multiple Occupation. However, where applicants require clarification regarding interpretation of the legal content of this application form, they should seek professional legal advice.

Part 18: Glossary of Terms

This Part explains some of the terms used in the application form; it also gives general guidance. Please refer to this while completing the form.

A person bound by a condition of the licence	Could be any person who is involved in the management/ and/or maintenance of the property. This will also depend on the licence conditions.
Agent	Someone appointed by the landlord to carry out some or all of the duties on behalf of the landlord. This could be a professional property manager, associate or relation of the landlord. The agent could or could not be paid by the landlord.
Building Regulation Approval	Means a document issued by the Local Authority which, following the submission of plans and/or specifications indicates that any work to be done in the property which requires Building Regulation Approval has been assessed by the Local Authority and approval given to the works proceeding.
Building Regulations Completion Certificate	Means a certificate issued by the Local Authority which indicates that specified building work carried out in the building has been completed to a standard which complied with the Building Regulations in force at the time the work was done.
Electrical Installation Condition Report	Means a certificate completed and signed by a competent person indicating the state of the electrical installations, electrical switchgear and accessories and all fixed and portable electrical appliances provided by the landlord. Appliances provided by the landlord include any appliances left by previous tenants and not removed by the landlord.
Fit and Proper Person	In deciding whether someone is fit and proper the council must take into account: <ul style="list-style-type: none"> • Any previous convictions relating to violence, sexual offences, drugs and fraud. • Whether the proposed license holder has broken any laws relating to housing or landlord and tenant issues. • Whether the person has been found guilty of unlawful discrimination. • Whether the person has previously managed HMOs that have broken any approved code of practice.
Freeholder	Means the same as owner i.e. the person entitled to sell the property.
Gas Safe Register	Gas Safe Register is the hallmark for gas safety. They manage the register of gas engineers who are properly qualified to work with gas in Great Britain and Isle of Man. To carry out work on gas installations and appliances safely and legally, gas engineers must be on the Gas Safe Register.
Habitable Room	Means rooms capable of being used for everyday activities. Such rooms would include all living accommodation and sleeping accommodation but would exclude kitchens, bathrooms, conservatories, porches etc., and unconverted basements.
Household	<ul style="list-style-type: none"> • Persons married to each other or living as husband and wife (or in an equivalent relationship in the case of persons of the same sex) • Relatives living together, including parents, grandparents, children, (and step children), grandchildren, brothers, sisters, uncles, aunts, nephews, nieces or cousins • Half-relatives will be treated as full relatives. A foster child living with his foster parent is treated as living in the same household as his foster parent. • Domestic staff are included in the household if they are living rent-free in the accommodation provided by the person for whom they are working. <p>Therefore, three unrelated friends sharing living accommodation are considered to be three separate household. A couple sharing with a third unrelated person would constitute two households. A family renting a property</p>

	is a single household. If that family had an au pair to look after their children that person would be included in their households.
Is a two-storey property above business premises defined as an HMO?	Yes, where living accommodation is situated in a part of a building above or below business premises, each storey of the business premises is counted as a storey .
Landlord	Means the person who has the legal right to let and terminate occupation contracts in the house. This could be by virtue of being the freeholder , being a leaseholder with rights to let, or as the result of some form of agreement with the freeholder . If no manager is appointed, then the landlord will also be the manager .
Landlord Gas Safety Record	Means a form completed and signed by a properly qualified and competent person indicating the state of repair and appropriateness of the gas installation and appliances. The report must cover the whole of the installation and all gas appliances including necessary venting requirements. These certificates are now issued under the banner of Gas Safe Register , to find a registered installer visit: www.gassaferegister.co.uk or contact 0800 408 5500
Licence Holder	Means a person entitled to apply for, or has been awarded, a licence in respect of the HMO . The licence holder needs to be the person who can authorise, organize and pay for essential repairs. They also must be reasonably available for contract holders to contact in case of problems that may arise with respect to the property and they must have the means to resolve them. The proposed licence holder will often be the landlord or it could be a manager to whom the rent is paid to and who has authority from the owner to effectively manage the property. Overall, it is the person in control of the property. A proposed licence holder may appoint an agent to control the property and hold the licence if they are not considered to be a fit and proper person. This licence holder should also have the authority to authorise and pay for works or repairs as they will be liable for any breaches of the licence. Organisations that are landlords must nominate an appropriate person to be the licence holder. This person will be responsible for ensuring that there are no breaches of the licence.
Manager	Means a person, or company appointed by the landlord expressly for the purpose of managing the house. The manager could be an employee of the landlord . If no separate manager is appointed the landlord will also be the manager . The manager will act under the instructions of the landlord and will have powers and duties given to him by the landlord . The manager must have, at least, the following powers: <ul style="list-style-type: none"> • to let to contract holders and terminate occupation contracts in accordance with the law; • to access all parts of the premises to the same extent as the landlord; and • be authorised to approve reasonable expenditure necessary for repairs etc. (note that the manager is not expected to authorise such expenditure but that they have the authority to do so if there is a reasonable need) The manager must be able to travel to the property within a reasonable time unless there are arrangements in place to cover every eventuality that may otherwise demand their presence.
Non-Self Contained	Some sharing of amenities, for example, separate kitchen / lounge, separate bedroom & shared bathroom amenities or rooms are not behind one closed door.
Owner	Means the person entitled to sell the property.
Person	Includes persons of all ages including newly born children.

Planning Consent	Means a document issued by the Local Authority which, following the submission of plans and/or specifications and/or information indicates that the building complies or will comply with relevant planning criteria.
Rent Smart Wales	Rent Smart Wales process landlord registrations and grant licences to landlords and agents who need to comply with the Housing (Wales) Act 2014. In order to apply for a HMO Licence you must be registered, and if applicable, licenced under the Rent Smart Scheme. More information about Rent Smart can be found at www.rentsmart.gov.wales
Self-Contained Flat	A flat which has all rooms such as bedrooms / lounge / kitchen / bathroom etc all located behind one closed door .
Spent conviction	Under the Rehabilitation of Offenders Act 1974 (ROA), eligible convictions or cautions become 'spent' after a specified period of time, known as the 'rehabilitation period' A conviction becomes spent after a certain length of time, which changes depending upon the sentence and the age of the person at the time of the conviction. The periods are halved if the conviction took place when aged 17 or less. If you have any doubts whether you have to declare a previous conviction, you should contact your local Probation Office, Citizens Advice Bureau or a solicitor.
Storeys	Attics, loft conversions, basements and mezzanine floors count as storeys if they are used as living accommodation i.e. living rooms and bedrooms, or if they are used in connection with the HMO i.e. kitchen, bathroom, w/c, storage room, laundry, or used for gas / electric intake meters and water mains. Commercial storeys must also be included, except for basements in purely commercial use.
What is classed as an HMO?	<p>HMO stands for House in Multiple Occupation, which means a building or part of a building, such as a flat, that:</p> <ul style="list-style-type: none"> • Is occupied by more than one household and where more than one household shares – or lacks an amenity, such as a bathroom, toilet or cooking facilities. • Is occupied by more than one household and which is a converted building – but not entirely self-contained flats (whether or not some amenities are shared or lacking). • Is converted self-contained flats but does not meet as a minimum standard the requirements of the 1991 Building Regulations, and at least one third of the flats are occupied under short tenancies. • Is occupied by two or more households: • Is occupied as their only or main residence. • Is occupied as a refuge for people escaping domestic violence. • Is occupied by students during term time. • Is occupied by other purposes prescribed by the government.

Part 19: Notification Of Licence Application Form

To be used by the applicant to inform people identified in Part 13 of the application for a HMO Licence

HOUSING ACT 2004 - Part 2 LICENSING OF HOUSES IN MULTIPLE OCCUPATION

To:

Of:

In accordance with the Licensing & Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Wales) Regulations 2006, I / we hereby inform you that an application to licence the following property has been made.

Address of premises to be licensed:

Application submitted to:

Public Protection (HMO Licensing), Denbighshire County Council, Po Box 62, Ruthin, LL15 9AZ

Date submitted:

Applicant Details

Applicant Name:

Address:

Tel No:

Mobile:

E-mail:

Proposed Licence Holder Details

Proposed Licence Holder Name:

Address:

Tel No:

Mobile:

E-mail:

Part 20: Property Exemption Form

If you believe that your property is exempt from this Scheme, for example, if your property is a family home only, wholly in single occupation, used solely for holiday accommodation or a conversion has been carried out in accordance with the Building Regulations 1991 onwards, please **complete this page only** and return it to the Public Protection (HMO Licensing).

Address of Property:

Postcode:

Name of Freeholder:

Address (if different from above):

Post Code:

Tel No:

1. Is this property your family home?
2. Is this property rented by a single family?
3. Is this property used as a guesthouse, B&B or hotel?
4. If Yes to 3, do any occupants reside longer than 4 weeks?
5. Has a conversion been carried in accordance with the Building Regulations 1991 onwards?

Yes No

Yes No

Yes No

Yes No

Yes No

If yes, please supply copies of planning consent, building regulation approval or certificates issued on completion of the works.

“ I/We declare that the information contained in this application is correct to the best of my/our knowledge. I/We understand that I/we commit an offence if I/we supply any information to a local housing authority in connection with any of their functions under any of Parts 1 to 4 of the Housing Act 2004 that is false or misleading and which I/we know is false or misleading, or I/we am/are reckless as to whether it is false or misleading.

Signed:

Date:

Signed:

Date:

Please note that it is a criminal offence to knowingly supply information, which is false or misleading for the purposes of obtaining a licence. Evidence of any statements made in this application with regard to the property concerned may be required at a later date. If we subsequently discover something which is relevant and which you should have disclosed, or which has been incorrectly stated or described, your licence may be revoked or other action taken. Please see page 24 for Licensing Penalties