

# Housing Services

## **Strategic Housing Interim Inspection – Evidence Briefing Note – Private Sector Housing Strategy – HMO Licensing**

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### The Issues

The Housing Act 2004 introduced a statutory licence for certain larger Houses in Multiple Occupation. A desktop survey identified 1292 properties as potential HMOs that could require a licence. Of these 1292 properties 571 have been identified as HMOs, of which 104 fall within the statutory licensing scheme.

### The Challenge

To risk assess and licence the highest risk HMOs. The target was to have all HMOs that required licensing to be licensed or the relevant enforcement action taking place by the end of the 2008/09 year.

The HMO database indicated that there were over 1200 HMOs in the area, anecdotally we were aware that not all of these were licensable HMOs however we had little idea of how many were.

Following inspection and licensing a further full HHSRS inspection must take place within 5 years of the licence being issued.

### The Response

The response was broken down into a number of actions, initially

- recruiting staff / consultants with the relevant expertise,
- undertaking an information trawl of the HMO database,
- writing to all owners of HMOs with a questionnaire and chasing questionnaires with telephone call or visit if not returned,
- undertaking a physical trawl / walkabout the areas where likely HMO's were,
- identifying the high risk licensable HMOs,
- getting an HMO policy adopted.

These tasks did not run in this specific order and in some cases ran in tandem.

After receiving the relevant training staff from other areas of the council in particular surveyors from the design and surveying team undertook some work on the initial trawl of streets and the lower risk HMO inspections.

### The Outcome

As of November 2009, questionnaires have been sent to the owners of 1360 HMOs. 102 licensable HMOs have been identified through this process of which 99 are licensed – most with conditions. To date 87 of the licensed HMOs have been re-inspected to ensure compliance with the licence conditions. Additionally all licensed

HMOs have been prioritised for a HHSRS inspection. To date 73 of the licensed HMOs have had a HHSRS inspection.

Of the three outstanding properties: -

- 1) Licence application incomplete despite numerous attempts to help. A refusal is to be issued.
- 2) Licence in the process of being issued
- 3) Owner not co-operating to complete application and therefore likely to result in refusal of the application.

Two prosecution cases have been put together for HMO's where a declaration had been made that the property was not licensable due to having less than five residents, but further investigation revealed otherwise. The first case is due to be heard on 5<sup>th</sup> January 2010.

Medway Council's Cabinet adopted an HMO policy in August 2008. This policy has been revised and is due for publication on the Council's web site for consultation prior to being taken to Cabinet for approval.