

Appendix 2



For office use only

Licence Number:
Date received:
Fees Received:

Enfield Property Licence and Conditions

Housing Act 2004

I hereby certify that the property situated at:

has been licensed with the London Borough of Enfield under the above legislation and is subject to the attached conditions.

Licence Holder Name & Address: Managing Agent Name & Address:	
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Valid From:	
Expiry Date:	
Occupation:	
Maximum Permitted Occupancy: This licence is granted for occupancy of the premises by a maximum of _____ people	

Date:

Signed:

A copy of this licence must be displayed in a prominent and accessible position within the above property at all times. This licence is granted on the stipulation that the conditions listed below shall apply for its duration.

This licence is non-transferable, and does not guarantee that the property has been inspected and approved as being of an acceptable standard.

The following conditions will apply to all landlord licences. Additional conditions may be attached to a licence depending on the individual circumstances of each application. The licence conditions will be checked by the Council throughout the five year period and appropriate action taken following a breach of condition.

Property Licence Conditions

1. Numbers of persons permitted to occupy

- 1.1 A new resident must not be permitted to occupy the property or any part of the property if that occupation exceeds the maximum numbers specified in the licence. A new resident means a person who was not an occupier of the house and/or the specific room at the date of the issue of the licence. *A&S (*Additional & Selective Licence condition*)
- 1.2 The licence holder will be required to ensure that the numbers of households and/or persons residing in the property do not exceed the maximum numbers specified in the licence. These numbers will relate to the amenities that are, or can be, provided and/or to the size and layout of the units of accommodation available. *A&S
- 1.3 The licence holder may be required to ensure that the use or occupation of particular parts of the property is restricted or prohibited, e.g. prohibition of the use of a room entered via a kitchen as a bedroom or bedsit room. *A&S
- 1.4 If numbers exceed the specified maximum levels at the time of licence issue, the licence holder will be expected to ensure that the numbers are reduced at the earliest opportunity. Existing tenancies must be allowed to run their full tenancy term, unless agreed with tenant/s, an earlier termination that complies with the correct statutory procedure. *A&S

2. Tenancy management

- 2.1 The licence holder shall supply the occupiers of the property with a written statement of the terms on which they occupy the property and details of the arrangements in place to deal with repair issues and emergency issues. Copies of the written statement of terms must be provided to the Council for inspection within 7 days upon demand. *A&S
 - 2.1.1 The licence holder shall hold a contingency budget of £1000.00 (minimum) and/or supply the sum to a managing agent if applicable; to address category 1 hazards rated as an emergency repair in the absence of the licence holder. *A&S
- 2.2 The licence holder shall obtain references from persons who wish to occupy a letting in the property before entering into any tenancy, licence or other agreement with them to occupy the accommodation. No new occupiers shall be allowed to occupy the accommodation if they are unable to provide a reference. *A&S
- 2.3 The licence holder must retain all references obtained for occupiers for the duration of the licence and provide copies to the council within 28 days on demand. *A&S
- 2.4 The licence holder shall protect any deposit taken under an assured short-hold tenancy by placing it in a statutory tenancy deposit scheme. The tenant must be given the prescribed information about the scheme being used at the time the deposit is taken. This information must be provided to the Council within 28 days on demand. *A&S
- 2.5 The licence holder must provide to the Council details in writing of the tenancy management arrangements that have been, or are to be, made to prevent or reduce

anti-social behaviour by persons occupying or visiting the property. Copies of these must be provided to the Council within 14 days on demand. *A&S

- 2.5.1 The Licence holder must provide to the Council on request:
- An emergency 24hr contact number (including out of hours response arrangements).
 - Formal arrangements for the storage and collection/disposal of rubbish and bulky waste.
 - Written records of property inspections for management and repair issues at least once every six months. *A&S
- 2.5.2 The Licence holder shall provide sufficient bins or stores for residents to store refuse. The bins shall be kept in a suitable place on the property or other location agreed by the Council. The Licence holder must ensure that all tenants on commencement of their tenancy agreement are given details of the proper storage arrangements for refuse at the property, the collection day and how to present their waste for collection.
- 2.5.3 The Licence Holder shall have arrangements in place for the proper storage and disposal of bulky waste, and provide this information to tenants on commencement of their tenancy.
- 2.6 The licence holder shall ensure that inspections of the property are carried out at least every six months to identify any problems relating to the condition and management of the property. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of inspection and issues found and action(s) taken. The records of such inspections shall be kept for the duration of the licence. Copies of these must be provided to the Council within 28 days on demand. *A&S
- 2.7 The licence holder shall effectively address problems of anti-social behaviour resulting from the conduct of occupiers, or visitors to the premises by complying with the requirements of paragraphs (a) to (i) below:
- (a) The licence holder must take action, if they have received complaints of anti-social behaviour (ASB) that concern the visitors to or occupiers of the premises.
 - (b) Any letters, relating to anti-social behaviour, sent or received by the licence holder, or agent of the licence holder, must be kept for the duration of the licence.
 - (c) The licence holder must ensure that written notes are kept of any meetings or telephone conversations or investigations regarding antisocial behaviour for the duration of the licence.
 - (d) If a complaint is received, or antisocial behaviour is alleged, the licence holder must contact the accused tenant within 14 days. The accused tenant must be informed of the allegations of the antisocial behaviour in writing and of the consequences of its continuation.
 - (e) The licence holder shall, from the date of receipt of the complaint of anti-social behaviour, monitor any allegations of antisocial behaviour and make all records relating to the complaints available to the council within 28 days.
 - (f) Where the anti-social behaviour is continuing after 28 days from receipt of the complaint, the licence holder, or their agent must within 7 days visit the premises and the accused tenant with a warning letter advising them of the possibility of eviction if the behaviour continues if appropriate and applicable
 - (g) Where the licence holder or their agent has reason to believe that the anti-social behaviour involves criminal activity the licence holder shall ensure that the

appropriate authorities are informed. The licence holder and /or agent will work with the appropriate authority as required to reduce the anti-social behaviour.

- (h) If after 14 days of giving a warning letter, the accused tenant has taken no steps to address the anti-social behaviour and the anti-social behaviour is continuing, the licence holder shall take formal steps under the written statement of terms for occupation, e.g. the tenancy agreement or licence. Such action shall include promptly taking any possession proceedings to address the anti-social behaviour.
- (i) Where the licence holder is specifically invited they shall attend any case conferences or multi-agency meetings arranged by the Council or Police.

Any correspondence, letters and records referred to in condition 2.7 must be provided to the Council within 14 days on demand. *A&S

3. Property Management

- 3.1 The licence holder shall ensure that all gas installations and appliances are in a safe condition at all times. The licence holder must have available a current valid gas safety certificate obtained within the last 12 months. This must be provided to the Council within 28 days on demand and copies must be provided to all tenants/occupiers at the start of and during their tenancy. *A&S
- 3.2 The licence holder shall ensure that the electrical installation and all electrical appliances provided in the property are in a safe condition. The licence holder must submit to the council, for their inspection, an electrical installation and appliance test reports in respect of all electrical appliances that are supplied by the landlord at the property address, to the Council within 28 days on demand. *A&S
- 3.3 The licence holder must ensure that the property and grounds are effectively maintained so as to avoid adversely affecting the quality and appearance of the street scene or residential character. The property and grounds shall be properly managed to avoid adverse impact on the residential amenity of occupiers or neighbouring properties. This includes the removal within 7 days of any rubbish, furniture or other household contents left at a time of tenancy changes. *A&S
 - 3.3.1 No refuse shall be kept in the front or rear garden other than in an approved storage container for that purpose as may be determined by the Council for the effective collection of household waste *A&S
 - 3.3.2 The licence holder must take all reasonable steps to deal with and/or remove any graffiti, fly tipping, fly posters. Advertising boards (Estate agent boards, To Let, Let By boards) must only to be displayed in accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and must be removed within 14 days of the grant of tenancy. *A&S
 - 3.3.3 The Licence holder shall at all times ensure that the exterior of the property is maintained in a condition of good repair and appearance to the satisfaction of the Council.
 - 3.3.4 The provision of off street parking shall only be used for the parking of private motor vehicles and shall at no time be used for the parking of commercial vehicles used by tenants or visitors to the property.
- 3.4 Where the licence holder becomes aware of a pest problem or infestation at the property they shall take steps to ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs and these must be provided to the Council within 28 days on demand.

- 3.5 The licence holder shall install and maintain in good working order appropriate smoke alarms in the property and shall submit to the council, upon request, a declaration by them as to the condition and positioning of such alarms.
- 3.6 The licence holder shall ensure that any fire fighting equipment and fire alarms are maintained in good working order. The licence holder must submit to the council, for their inspection, a copy of all periodical inspection report/test certificates for any automatic fire alarm system, emergency lighting and fire fighting equipment provided in the property. These must be provided to the Council within 28 days on demand.
**A (additional licence condition)*
- 3.7 The licence holder shall ensure that any furniture and/or electrical appliance made available in the property are in a safe condition. All electrical appliances and upholstered furniture, covers, fillings of cushions and pillows should comply with current fire safety legislation. A declaration as to the safety of such furniture or appliances must be provided to the Council within 28 days on demand. This shall apply to all furnished tenancies. **A&S*

4. Documents to be displayed

- 4.1 The licence holder shall display a copy of the licence to which these conditions apply in the common parts of the property. Copies must be provided to all tenants/occupiers at the start of their tenancy. **A&S*
- 4.2 The licence holder shall display a notice with the name, address and emergency contact number of the licence holder or managing agent in the common parts of the property. Copies must be provided to all tenants/occupiers at the start of their tenancy and provided to the Council within 28 days on demand. **A*
- 4.3 The licence holder shall display a copy of the current gas safety certificate in the common parts of the property. Alternatively copies must be provided to all tenants/occupiers at the start of their tenancy and provided to the Council within 28 days on demand. **A&S*
- 4.4 If there have been new tenancies issued after 1st October 2008 for the premises, the licence holder must obtain a valid Energy Performance Certificate (EPC). Copies must be/have been made available to all tenants/occupiers at the start of their tenancy and provided to the Council within 28 days on demand. Where individual rooms in a building are rented out and there are shared facilities (e.g. kitchen and/or bathroom), an EPC is not required. **S (Selective licence condition)*

5. Security

- 5.1 The licence holder will be required to ensure that there are sufficient measures in the property to provide a secure environment for the occupiers. **A*
- 5.2 The licence holder must have a policy on controlling the return of room keys when rooms are vacated. This shall include action to be taken to ensure lock barrels are changed when keys are not returned. **A*
- 5.3 The licence holder may seek the advice of the local police stations crime prevention officer on measures to improve security of the property, including lettings and communal areas. **A*

6. General

6.1 The licence holder must advise the Council's Property Licensing Team in writing of any proposed changes to the construction, layout or amenity provision of the house that would affect the licence or licence conditions. *A&S

6.2 The licence holder must allow officers of the authority, upon production of identification, access to the property for the purpose of carrying out inspections of the property and must not obstruct council officers carrying out their statutory duty to ensure compliance of licence conditions and any other relevant legislation. *A&S

6.3 The licence holder shall if required, by written notice, provide the Council with the following particulars as may be specified in the notice with respect to the occupancy of the house:

- The names, dates of birth and numbers of individuals/households accommodated specifying the rooms they occupy within the property.
- number of individuals in each household and/or property.

The particulars shall be provided to the Council within 14 days on demand. *A&S

6.4 The licence holder shall inform the Council of any change in ownership or management of the house. *A&S

6.5 The licence holder shall ensure that whilst any alteration or construction works are in progress, the works are carried out to ensure the safety to all persons occupying or visiting the premises. The licence holder must ensure the appropriate consent from LBE Development Management Services is obtained prior to works commencing. *A&S

6.6 The licence holder shall ensure that on completion of any works, the property shall be left in a clean tidy condition and free from builders' debris. *A&S

6.7 The licence holder and/or manager may be required to attend an accredited property management training course. One such course is run by the London Landlord Accreditation Scheme. Information on this scheme may be obtained from www.londonlandlord.org.uk. *A&S

6.8 The licence only covers the property named on the front of this document. *A&S

6.8.1 The licence is not transferable to another person *A&S.

6.8.2 The licence comes into force on the date of issue. *A&S

For planning and building regulation queries please refer to the Development Management Services pages on the Council's website or contact by telephone: 020 8379 1000

Failure to comply with any licence condition may result in proceedings including fines up to £5,000 and revocation of the licence.

The property licence and conditions do not imply or grant by inference or otherwise any approval or permission for any other purposes including those for Building Control, Development Control and under The Regulatory Reform (Fire Safety) Order 2005. Conversely compliance with any of those requirements does not confer or imply compliance with the requirements of the Housing Act 2004 including property licensing.

From 23 October 2013, if it is intended to convert a dwelling house (use class C3) to a House in Multiple Occupation (use class C4), planning permission will be required. Please contact the Council's Development Control team on 020 8379 1000 to clarify what planning permissions are already in place for the property and advice on the process. Please note that unlawful HMOs may be subject to planning enforcement action.

The Council do have powers of enforcement against breaches of planning control and that, upon summary conviction, continued failure to meet the Council's enforcement requirements could ultimately result in fines of up to £20,000.

Any requirements relating to the licence and conditions are without prejudice to assessments and appropriate actions including enforcement actions under the Housing Act 2004. This includes actions to deal with category 1 and category 2 hazards as may be identified under Housing Health and Safety Rating System (HHSRS) and does not preclude such action.

Fees and Charges

Additional and Selective Licence Application Fees

Licence Application Fee (Applications made from 01/04/2015)	£500
'Reduced Application' Fee (Applications made from 01/11/2014 to 31/03/2015)	£250

Licence Variation Fees

These fees are for a licence variation where a property is already licensed.

Proposed Variation to the Licence	Fee
Change of details of an existing licence holder and where ownership of property is retained	£25 admin fee to cover 'Fit and Proper Person' check
Change of Licence holder	£500 new application fee
Change of Tenant	None
Reduction in the number of maximum occupiers and/or households for licensing purposes	None
Increase in the number of maximum occupiers and/or households, through increasing the number of habitable rooms, change in room sizes and/or amenity provision.	None
Application from a landlord with previous management contraventions or enforcement action by the Council	£500 for a one year licence
Change of licence type: From a single dwelling re-let as a HMO From a HMO re-let as a single dwelling	£500 new application fee None

Other Fees and Charges

These fees are applicable in relation to a licensing application and, where a property is already licenced.

Application Type	Fee or Charge
Applicant withdraws licence application	Initial application fee with no refund
Application refused by the Council	Initial application fee with no refund
Application made in error	Refund
Revocation of licence	None
Application to licence after a revocation	£500 fee for each year until compliant. (Thereafter £500 for remaining period deducting any £250 fee made for an early application)
Temporary Exemption Notice (TEN)	No Fee
Application to licence following the expiry of a Temporary Exemption Notice	New application Fee