

FLEXIBILITY IN HMO LICENCING PERIODS

Warwick District Council is introducing flexibility in the HMO licencing cycles to enable HMO licences to be granted for a shorter period at a higher cost for landlords causing concern.

Process

The implementation of a shorter, two year, HMO licencing period would need to follow the general principles set out in the Regulators Code, which have been included in the Council's Enforcement Policy.

Subject to the approval of the Head of Housing Services landlords will be given HMO licences for a shorter period of two years, rather than the normal five years, in the following circumstances:

- Improvement Notice served (disrepair and hazards)
- Prohibition Notice served (for part of the property)
- Civil Penalty (various housing offences)
- Noise Abatement Notice (served on tenants)
- Community Protection Notice (served for refuse issues)
- Breach of HMO licence conditions

Whilst enforcement action,as described above, would take place at the time. The additional sanction of a shorter two year HMO licence period can take effect from:

- The grant of new HMO licence
- During the five year licence period (the current licence would be revoked)
- At the renewal of an existing HMO licence (if less than one year to renewal)

Additional Cost

The council will charge the same HMO licence fee for a two year period as it currently does for five years. This means that the cost per year of a two year licence is 150% higher than the cost per year of a five year licence.

Appeal

The landlord has the right of appeal to the First Tier Tribunal about a decision to grant them a two year HMO licence.

Renewal

At the renewal of a two year HMO licence the options for the Council will be:

- Issue a normal five year HMO licence (if there have been no concerns during the two year HMO licence period)
- Issue another two year licence (if there are some issues but enforcement action has been necessary).
- Further enforcement action if the two year HMO licence period has not resolved the problems (to be determined on a case by case basis).