

# Extension of Mandatory Licensing of HMO's

Changes to HMO Licensing due to come  
into force from 1<sup>st</sup> October 2018



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# What will be covered today?

- What are the key changes resulting from the Extension of Mandatory Licensing for Houses in Multiple Occupation (HMO's)
- How to Apply
- Reading Rent with Confidence Scheme (RRWC)
- Contact Information
- Questions?



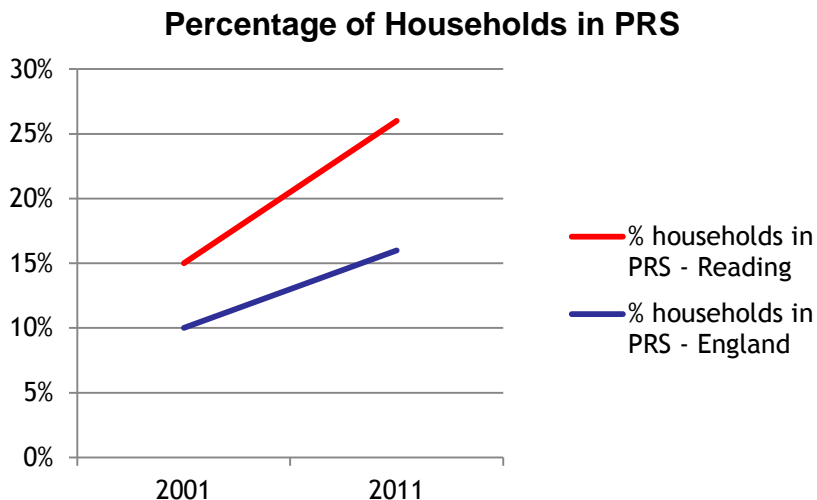
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# Private Sector Housing

- Growing Sector



**In 2013, 28.5% of households in Reading in Private Rented Sector compared to 24.2% in 2006.**

- 52,236 properties in the private sector of which 14,863 are private rented
- 5,241 (10%) are classified as HMO and 1001 are licensable HMO's
- Potentially a further 2,000 - 3,000 properties may require a HMO Licence as of 1<sup>st</sup> October 2018.



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# Current definition of a Licensable HMO

- Current mandatory licensing definition is in: The Licensing of Houses in Multiple Occupation (Prescribed Descriptions)(England) Order 2006
- The property comprises 3 or more storeys - to include any attic or basement - and
- The property is occupied by 5 or more people forming 2 or more households, where there is some sharing of amenities, or the accommodation is lacking in a basic amenity such as a toilet, bathroom or cooking facilities



# New definition of a licensable HMO

- The new definition is detailed in 'The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018
- From 1<sup>st</sup> October 2018 the 3 storey criteria will be removed and all HMOs:
  - Occupied by 5 or more people;
  - Forming 2 or more households;
  - Where there is some sharing of amenities or the accommodation is lacking in a basic amenity such as a toilet, bathroom or cooking facilities;
  - ...will require a licence



# Changes to Flats in Multiple Occupation

- Mandatory Licensing will apply to flats in multiple occupation with:
  - 5 or more people
  - forming 2 or more households
- But not a purpose built flat situated in a block comprising 3 or more self contained flats
- It will affect purpose built flats where there are up to 2 flats in the block – whether or not there are commercial premises in the block e.g. a shop



# Examples of Purpose Built Flats - are they in scope?

In Scope



Up to 2 flats  
In the block

in Scope



up to 2 flats in  
block above a  
commercial  
premise

Not in Scope



Larger purpose built  
block of flats with 3  
or more flats



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# National Minimum Room Sizes

- Minimum room sizes have been prescribed as part of the updated Regulations:

| Occupation                     | Room Sizes   |
|--------------------------------|--|
| One person aged over 10 years  | Not less than 6.51m <sup>2</sup>   |
| Two persons aged over 10 years | Not less than 10.22m <sup>2</sup> . RBC's standard will remain at 10.5m <sup>2</sup> |
| One person aged under 10 years | Not less than 4.64m <sup>2</sup>   |





# National Minimum Room Sizes

- Any room of less than 4.64m<sup>2</sup> cannot be used as a sleeping room
- Any part of the room where the ceiling height is less than 1.5m will not be taken into account when determining floor area



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# Mandatory Licensing Conditions

- Licence will state the maximum number of persons who can occupy each room as sleeping accommodation
- Landlord will be required to:
  - Comply with minimum room sizes;
  - Not exceed the maximum number of occupants permitted to occupy each room;
  - Notify the Council of any room in a HMO which is smaller than 4.64m<sup>2</sup>;
- Licence will also contain conditions requiring the licence holder to rectify any breach in room sizes but LA's have the discretion to allow up to 18 months to rectify. This applies to new licences granted from 1<sup>st</sup> October 2018, including renewals



# New Mandatory Condition - Waste Disposal

- In the same Regulations as the new room sizes
- Licences granted or renewed after 1<sup>st</sup> October 2018
- Licence will include conditions requiring licence holders to comply with any scheme for storage and disposal of household waste
- Tenants are still responsible for disposing of their waste



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# Which Licences do these changes apply to?

- Does not apply to licences granted before 1<sup>st</sup> October 2018
- Will apply to all HMO licences granted after 1<sup>st</sup> October 2018, including any renewals of existing licences



# Non Compliance

- Failure to license a licensable HMO or failure to comply with licence conditions is an offence resulting in:
- Criminal Proceedings: if found guilty Magistrates can issue an unlimited fine
- Civil Penalty Notice: LA's can issue a penalty of up to £30,000 as an alternative to prosecution
- Also the LA will then consider if you are a fit and proper person to hold a licence or may refuse to grant a licence



# How To Apply

- Online application form will be ready shortly, at which point we will invite applications
- Assistance or paper copies of applications can be provided if necessary - contact us after 1<sup>st</sup> October for this
- Payment of licence fee will be requested at point of application



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# Reading Rent with Confidence



- Rate properties based on which RRWC criteria is met
- Based on three tiers of banding: Bronze, Silver and Gold
- Tiers reflect different levels of private sector standards, each with different criteria



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# Our Contact Details

- General Enquiries contact number:  
**0118 937 3787**
- Private Sector Housing team contact number:  
**0118 9372151**
- Email address:  
[HMO@reading.gov.uk](mailto:HMO@reading.gov.uk)



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# Any Questions?



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