

SCHEDULE 2

Regulation 7(1), (2) and (3)

Content of applications under sections 63 and 87 of the Act

1. The form of statement mentioned in regulation 7(1) is:

“You must let certain persons know in writing that you have made this application or give them a copy of it. The persons who need to know about it are—

any mortgagee of the property to be licensed

any owner of the property to which the application relates (if that is not you) i.e. the freeholder and any head lessors who are known to you

any other person who is a tenant or long leaseholder of the property or any part of it (including any flat) who is known to you other than a statutory tenant or other tenant whose lease or tenancy is for less than three years (including a periodic tenancy)

the proposed licence holder (if that is not you)

the proposed managing agent (if any) (if that is not you)

any person who has agreed that he will be bound by any conditions in a licence if it is granted.

You must tell each of these persons—

your name, address telephone number and e-mail address or fax number (if any)

the name, address, telephone number and e-mail address or fax number (if any) of the proposed licence holder (if it will not be you)

whether this is an application for an HMO licence under Part 2 or for a house licence under Part 3 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 the application will be submitted”

2.—(1) The information mentioned in regulation 7(2)(a) is—

(a) the name, address, telephone number and e-mail address of—

(i) the applicant;

(ii) the proposed licence holder;

(iii) the person managing the HMO or house;

(iv) the person having control of the HMO or house; and

(v) any person who has agreed to be bound by a condition contained in the licence;

(b) the address of the HMO or house for which the application is being made;

(c) the approximate age of the original construction of the HMO or house (using the categories before 1919, 1919-45, 1945-64, 1965-80 and after 1980);

(d) the type of HMO or house for which the application is being made, by reference to one of the following categories—

(i) house in single occupation;

(ii) house in multiple occupation;

(iii) flat in single occupation;

(iv) flat in multiple occupation;

Changes to legislation: There are currently no known outstanding effects for the *The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006, SCHEDULE 2.* (See end of Document for details)

- (v) a house converted into and comprising only of self contained flats;
 - (vi) a purpose built block of flats; or
 - (vii) other;
- (e) details of other HMOs or houses that are licensed under Part 2 or 3 of the Act in respect of which the proposed licence holder is the licence holder, whether in the area of the local housing authority to which the application is made or in the area of any other local housing authority;
- (f) the following information about the HMO or house for which the application is being made ^[F1], except in respect of an application in respect of a section 257 HMO—
- (i) the number of storeys comprising the HMO or house and the levels on which those storeys are situated;
 - (ii) the number of separate letting units;
 - (iii) the number of habitable rooms (excluding kitchens);
 - (iv) the number of bathrooms and shower rooms;
 - (v) the number of toilets and wash basins;
 - (vi) the number of kitchens;
 - (vii) the number of sinks;
 - (viii) the number of households occupying the HMO or house;
 - (ix) the number of people occupying the HMO or house;
 - (x) details of fire precautions equipment, including the number and location of smoke alarms;
 - (xi) details of fire escape routes and other fire safety ^[F2]information provided to occupiers;
 - (xii) a declaration that the furniture in the HMO or house that is provided under the terms of any tenancy or licence meets any safety requirements contained in any enactment; and
 - (xiii) a declaration that any gas appliances in the HMO or house meet any safety requirements contained in any enactment.
- ^[F3](g) where the application is being made in respect of a section 257 HMO, the following information—
- (i) the number of storeys comprising the HMO and the levels on which those storeys are situated;
 - (ii) the number of self-contained-flats and, of those, the number —
 - (aa) that the applicant believes to be subject to a lease of over 21 years; and
 - (bb) over which he cannot reasonably be able to exercise control;
 - (iii) in relation to each self-contained flat that is not owner-occupied and which is under the control of or being managed by the proposed licence holder, and in relation to the common parts of the HMO—
 - (aa) details of fire precautions equipment, including the number and location of smoke alarms;
 - (bb) details of fire escape routes and other fire safety information provided to occupiers; and

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- (cc) a declaration that the furniture in the HMO or house that is provided under the terms of any tenancy or licence meets any safety requirements contained in any enactment; and
- (iv) a declaration that any gas appliances in any parts of the HMO over which the proposed licence holder can reasonably be expected to exercise control meet any safety requirements contained in any enactment.]

Textual Amendments

- F1** Words in Sch. 2 para. 2(1)(f) inserted (1.10.2007) by [The Licensing and Management of Houses in Multiple Occupation \(Additional Provisions\) \(England\) Regulations 2007 \(S.I. 2007/1903\)](#), regs. 1(1), **12(7)(a)(i)** (with reg. 1(2))
- F2** Word in Sch. 2 para. 2(1)(f)(xi) substituted (1.10.2007) by [The Licensing and Management of Houses in Multiple Occupation \(Additional Provisions\) \(England\) Regulations 2007 \(S.I. 2007/1903\)](#), regs. 1(1), **12(7)(a)(ii)** (with reg. 1(2))
- F3** Sch. 2 para. 2(1)(g) inserted (1.10.2007) by [The Licensing and Management of Houses in Multiple Occupation \(Additional Provisions\) \(England\) Regulations 2007 \(S.I. 2007/1903\)](#), regs. 1(1), **12(7)(b)** (with reg. 1(2))

3. The information mentioned in regulation 7(2)(b) is—

- (a) details of any unspent convictions that may be relevant to the proposed licence holder's fitness to hold a licence, or the proposed manager's fitness to manage the HMO or house, and, in particular any such conviction in respect of any offence involving fraud or other dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003 ^{M1};
- (b) details of any finding by a court or tribunal against the proposed licence holder or manager that he has practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business;
- (c) details of any contravention on the part of the proposed licence holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgement being made against him.
- (d) information about any HMO or house the proposed licence holder or manager owns or manages or has owned or managed which has been the subject of—
 - (i) a control order under section 379 of the Housing Act 1985 ^{M2} in the five years preceding the date of the application; or
 - (ii) any appropriate enforcement action described in section 5(2) of the Act.
- (e) information about any HMO or house the proposed licence holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the licence holder breaching the conditions of his licence; and
- (f) information about any HMO or house the proposed licence holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Act.

Marginal Citations

- M1** 2003 c. 42.

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M2 1985 (c. 68).

4. The form of declaration mentioned in regulation 7(3)(a) is as follows—

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 am/are are reckless as to whether it is false or misleading.

Signed (all applicants)

Dated

I/We declare that I/We have served a notice of this application on the following persons who are the only persons known to me/us that are required to be informed that I/we have made this application:

<i>Name</i>	<i>Address</i>	<i>Description of the person's interest in the property or the application</i>	<i>Date of service</i>
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[^{F4}**5.** The form of declaration mentioned in regulation 7(3)(b) is as follows—

I/We declare that the house in respect of which a licence is sought under Part2/Part 3 of the Housing Act 2004 is subject to a licence under that Part at the time this application is made. I/We further declare that to the best of my/our knowledge either: (a) none of the information described in paragraph 2(c) to (g) of that Act and previously submitted to the authority has materially changed since that licence was granted; or (b) the only material changes to that information are described as follows: [include description of all material changes].]

Textual Amendments

F4 Sch. 2 para. 5 added (10.9.2012) by [The Licensing and Management of Houses in Multiple Occupation and Other Houses \(Miscellaneous Provisions\)\(Amendment\)\(England\) Regulations 2012 \(S.I. 2012/2111\)](#), regs. 1(1), **2(3)** (with reg. 3)

Changes to legislation:

There are currently no known outstanding effects for the The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006, SCHEDULE 2.