



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2006 Rhif 1715 (Cy.177)

2006 No. 1715 (W.177)

TAI, CYMRU

HOUSING, WALES

Rheoliadau Trwyddedu a Rheoli
Tai Amlfeddiannaeth a Thai Eraill
(Darpariaethau Amrywiol) (Cymru)
2006

The Licensing and Management of
Houses in Multiple Occupation and
Other Houses (Miscellaneous
Provisions) (Wales) Regulations
2006

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn gwneud darpariaethau parthed nifer o faterion amrywiol sy'n ymwneud â darpariaethau'r Ddeddf Tai ("y Ddeddf") sef: Rhan 2 (trwyddedu HMOs), Rhan 3 (trwyddedu dethol), Penodau 1 a 2 o Ran 4 (gorchmynion rheoli) ac adran 254 (ystyr HMO) o'r Ddeddf. Maent yn-

These Regulations make provision in respect of a number of miscellaneous matters relating to provisions of the Housing Act 2004 ("the Act."). These are: Part 2 (licensing of HMOs), Part 3 (selective licensing), Chapters 1 and 2 of Part 4 (management orders) and section 254 (meaning of HMO) of the Act. They-

pennu'r amgylchiadau pan fo personau i gael eu hystyried yn ffurfio aelwyd unigol at ddibenion penderfynu a yw adeilad yn HMO o fewn unrhyw un o'r disgrifiadau yn adran 254 o'r Ddeddf (rheoliadau 3 a 4);

specify the circumstances when persons are to be regarded as forming a single household for the purposes of deciding whether a building is an HMO within any of the descriptions in section 254 of the Act (regulations 3 and 4);

darparu bod gweithwyr mudol, gweithwyr tymhorol a cheiswyr lloches i gael eu trin fel petaent yn meddiannu mangre benodol fel eu hunig breswylfa neu eu prif breswylfa (rheoliad 5);

provide that migrant workers, seasonal workers and asylum seekers are to be treated as occupying certain premises as their only or main residence (regulation 5);

pennu disgrifiad o adeiladau nad ydynt yn HMOs at ddibenion y Ddeddf (ac eithrio Rhan 1) (rheoliad 6 ac Atodlen 1);

specify a description of buildings that are not HMOs for the purposes of the Act (excluding Part 1) (regulation 6 and Schedule 1);

gwneud darpariaeth ynglŷn â cheisiadau am drwyddedau o dan Ran 2 neu 3 o'r Ddeddf, gan gynnwys yr wybodaeth y mae'n rhaid ei rhoi gyda chais (rheoliad 7 ac Atodlen 2);

make provision about applications for licences under Part 2 or 3 of the Act, including the information that must be supplied with an application (regulation 7 and Schedule 2);

pennu'r safonau sydd i'w cymhwyso wrth benderfynu ar addasrwydd tŷ ar gyfer amlfeddiannaeth i'w drwyddedu o dan Ran 2 o'r Ddeddf (rheoliad 8 ac Atodlen 3);

specify the standards to be applied when determining the suitability of a house for multiple occupation for licensing under Part 2 of the Act (regulation 8 and Schedule 3);

pennu'r dull y mae'n rhaid i ddynodiadau o ardaloedd o dan Ran 2 neu 3 o'r Ddeddf, a dirymiadau o ddynodiadau o'r fath, gael eu cyhoeddi (rheoliadau 9 a 10); ac yn

pennu'r wybodaeth y mae'n rhaid ei chynnwys yn y cofrestrau sy'n cael eu dal gan awdurdodau tai lleol o drwyddedau a roddir o dan Adran 2 neu 3, ac o hysbysiadau eithrio dros dro sy'n eithrio tŷ rhag drwyddedaeth, ac o orchmynion rheolaeth (rheoliadau 11, 12 a 13).

Mae arfarniad rheoliadol o'r effeithiau y bydd y Rheoliadau hyn yn eu cael ar gael oddi wrth Yr Uned Sector Preifat, Yr Adran Cyfiawnder Cymdeithasol ac Adfywio, Cynulliad Cenedlaethol Cymru, Parc Cathays, Caerdydd CF10 3NQ (ffôn: 02920825111; e-bost HousingIntranet@wales.gsi.gov.uk).

specify the manner in which designations of areas under Part 2 or 3 of the Act, and revocations of such designations, must be published (regulations 9 and 10); and

specify the information that must be contained in registers held by local housing authorities of licences granted under Part 2 or 3, of temporary exemption notices that exempt a house from licensing and of management orders (regulations 11, 12 and 13).

A regulatory appraisal of the effects that these Regulations will have is available from the Private Sector Unit, Department for Social Justice and Regeneration, National Assembly for Wales, Cathays Park, Cardiff CF10 3NQ (telephone 02920825111; e-mail HousingIntranet@wales.gsi.gov.uk).

2006 Rhif 1715 (Cy.177)**2006 No. 1715 (W.177)****TAI, CYMRU****HOUSING, WALES**

Rheoliadau Trwyddedu a Rheoli
Tai Amlfeddiannaeth a Thai Eraill
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The Licensing and Management of
Houses in Multiple Occupation and
Other Houses (Miscellaneous
Provisions) (Wales) Regulations
2006

Wedi'u gwneud 27 Mehefin 2006
Yn dod i rym 30 Mehefin 2006

Made 27 June 2006
Coming into force 30 June 2006

CYNNWYS

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Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 59(2), (3) a (4), 60(6), 63(5) a (6), 65(3) a (4), 83(2), (3) a (4), 84(6), 87(5) a (6), 232(3) a (7), 250(2), 258(2)(b), (5) a (6), 259(2)(c) o Ddeddf Tai 2004(1), a pharagraffau 3 a 6(1)(c) o Atodlen 14 iddi, yn gwneud y Rheoliadau a ganlyn:

The National Assembly for Wales, in exercise of the powers conferred on it by sections 59(2), (3) and (4), 60(6), 63(5) and (6), 65(3) and (4), 83(2), (3) and (4), 84(6), 87(5) and (6), 232(3) and (7), 250(2), 258(2)(b), (5) and (6), 259(2)(c) of, and paragraphs 3 and 6(1)(c) of Schedule 14 to, the Housing Act 2004(1), makes the following Regulations:

Enwi, cychwyn a chymhwys

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Trwyddedu a Rheoli Tai Amlfeddiannaeth a Thai Eraill (Darpariaethau Amrywiol) (Cymru) 2006 a deuant i rym ar 30 Mehefin 2006.

Title, commencement and application

1.-(1) The title of these Regulations is The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Wales) Regulations 2006 and they come into force on 30 June 2006.

(2) Mae'r Rheoliadau hyn yn gymwys o ran unrhyw HMO(2) yng Nghymru, ac eithrio bloc o fflatiau a gafodd ei drosi y mae adran 257 o'r Ddeddf yn gymwys iddo, ac i unrhyw dŷ (3) yng Nghymru y mae Rhan 3 o'r Ddeddf yn gymwys iddo(4).

(2) These Regulations apply in relation to any HMO(2) in Wales, other than a converted block of flats to which section 257 of the Act applies, and to any house(3) in Wales to which Part 3 of the Act applies(4).

Dehongli

2. Yn y Rheoliadau hyn ystyr "y Ddeddf" ("the Act") yw Deddf Tai 2004.

Interpretation

2. In these Regulations "the Act" ("y Ddeddf") means the Housing Act 2004.

Personau yr ystyrir eu bod yn ffurfio aelwyd unigol at ddibenion adran 254 o'r Ddeddf: cyflogeion

3.-(1) Pan fo-

(a) person ("person A") yn meddiannu llety i fyw mewn adeilad neu ran o adeilad; a

Persons to be regarded as forming a single household for the purposes of section 254 of the Act: employees

3.-(1) Where-

(a) a person ("person A") occupies living accommodation in a building or part of a building; and

(1) 2004 p.34. Mae'r pwerau a roddir gan adrannau 59(2), (3) a (4), 60(6), 63(5) a (6), 65(3) a (4), 83(2), (3) a (4), 84(6), 87(5) a (6), 232(3) a (7), 250(2), 258(2)(b), (5) a (6), 259(2)(c) o'r Ddeddf a pharagraffau 3 a 6(1)(c) o Atodlen 14 iddi yn arferadwy, o ran Cymru gan Gynulliad Cenedlaethol Cymru ac, o ran Lloegr, gan yr Ysgrifennydd Gwladol. *Gweler* y diffiniad o 'appropriate national authority' yn adran 261(1).

(1) 2004 c.34. The powers conferred by sections 59(2), (3) and (4), 60(6), 63(5) and (6), 65(3) and (4), 83(2), (3) and (4), 84(6), 87(5) and (6), 232(3) and (7), 250(2), 258(2)(b), (5) and (6), 259(2)(c) of, and paragraphs 3 and 6(1)(c) of Schedule 14 of the Act are exercisable, as respects Wales, by the National Assembly for Wales and, as respects England, by the Secretary of State. *See* the definition of "appropriate national authority" in section 261(1).

(2) Am ystyr "HMO" *gweler* adrannau 77 a 254 i 259 o'r Ddeddf.

(2) For the meaning of "HMO" *see* sections 77 and 254 to 259 of the Act.

(3) Am ystyr tŷ ("house") *gweler* adran 99 o'r Ddeddf.

(3) For the meaning of "house" ("tŷ") *see* section 99 of the Act.

(4) *Gweler* adran 79(2) o'r Ddeddf.

(4) *See* section 79(2) of the Act.

- (b) mae person arall ("person B") ac unrhyw aelod o deulu person B sy'n byw gyda person B yn meddiannu llety i fyw yn yr un adeilad neu'r un rhan ohono,

dim ond os mai'r amgylchiadau a ddisgrifir ym mharagraff (2) yw eu hamgylchiadau y mae'r personau hynny i'w hystyried fel petaent yn ffurfio aelwyd unigol.

(2) Yr amgylchiadau yw-

- (a) mae person A yn gwneud gwaith neu'n cyflawni gwasanaeth o natur ddomestig yn unig i berson B neu i aelod o'r fath o deulu person B;
- (b) mae llety byw person A yn cael ei gyflenwi gan berson B neu aelod o'r fath o deulu person B fel rhan o'r gydnabyddiaeth am wneud y gwaith neu am gyflawni'r gwasanaeth; ac
- (c) nid yw person A yn talu unrhyw rent na chydabyddiaeth arall o ran y llety byw (heblaw gwneud y gwaith neu gyflawni'r gwasanaeth).

(3) Mae gwaith a wneir fel arfer neu wasanaeth a gyflawnir fel arfer gan unrhyw un o'r rhai a ganlyn i gael ei ystyried yn waith neu'n wasanaeth o natur ddomestig at ddibenion paragraff (2)(a)-

- (a) au pair;
- (b) mamaeth;
- (c) nyrs;
- (ch) gofalwr;
- (d) dysgodres;
- (dd) gwas, gan gynnwys morwyn, bwltler, cogydd neu lanhawr;
- (e) gyrrwr;
- (f) garddwr;
- (ff) ysgrifenydd; neu
- (g) cynorthwywr personol.

(4) Pan fo person A a person B i gael eu hystyried fel petaent yn ffurfio aelwyd unigol o dan baragraff (1) mae unrhyw aelod o deulu person A sy'n meddiannu'r llety byw gyda pherson A i gael ei ystyried fel petai yn ffurfio aelwyd unigol gyda pherson A, person B ac unrhyw aelod o deulu person B sy'n byw gyda pherson B at ddibenion adran 254 o'r Ddeddf.

Personau eraill yr ystyrir eu bod yn ffurfio aelwyd unigol at ddibenion adran 254 o'r Ddeddf

4.-(1) Os yw person sy'n derbyn gofal a gofalwr y person hwnnw yn meddiannu'r un llety byw yn yr un adeilad neu ran o adeilad, ystyrir eu bod yn ffurfio aelwyd unigol at ddibenion adran 254 o'r Ddeddf os yw'r gofalwr yn darparu gofal o dan gytundeb lleoli

- (b) another person ("person B") and any member of person B's family living with person B occupy living accommodation in the same building or part,

those persons are only to be regarded as forming a single household for the purposes of section 254 of the Act if their circumstances are those described in paragraph (2).

(2) The circumstances are that-

- (a) person A carries out work or performs a service of an exclusively domestic nature for person B or such a member of person B's family;
- (b) person A's living accommodation is supplied by person B or by such a member of person B's family as part of the consideration for carrying out the work or performing the service; and
- (c) person A does not pay any rent or other consideration in respect of the living accommodation (other than carrying out the work or performance of the service).

(3) Work or a service usually carried out or performed by any of the following is to be regarded as work or service of a domestic nature for the purpose of paragraph (2)(a)-

- (a) au pair;
- (b) nanny;
- (c) nurse;
- (d) carer;
- (e) governess;
- (f) servant, including maid, butler, cook or cleaner;
- (g) chauffeur;
- (h) gardener;
- (i) secretary; or
- (j) personal assistant.

(4) Where person A and person B are to be regarded as forming a single household under paragraph (1) any member of person A's family occupying the living accommodation with person A is to be regarded as forming a single household with person A, person B and any member of person B's family living with person B for the purpose of section 254 of the Act.

Other persons to be regarded as forming a single household for the purposes of section 254 of the Act

4.-(1) Where a person receiving care and that person's carer occupy living accommodation in the same building or part of a building, they are to be regarded as forming a single household for the purposes of section 254 of the Act if the carer provides,

oedolion yn unol â'r Rheoliadau Cynlluniau Rheoli Oedolion (Cymru) 2004, a bod y person sy'n derbyn gofal yn derbyn y gofal hwnnw(1).

(2) Os yw person a rhiant maeth y person hwnnw yn meddiannu'r un llety byw yn yr un adeilad neu ran o adeilad, ystyrir eu bod yn ffurfio aelwyd unigol at ddibenion adran 254 o'r Ddeddf os yw'r person hwnnw yn cael ei leoli gyda'r rhiant maeth o dan y Rheoliadau Gwasanaethau Maethu (Cymru) 2003(2).

(3) Mae i'r term "cytundeb lleoli oedolion" ("*adult placement agreement*") yr ystyr a roddir i'r ymadrodd hwnnw yn Rheoliad 2 o'r Rheoliadau y cyfeirir atynt ym mharagraff (1).

Personau sydd i'w trin fel petaent yn meddiannu mangre fel eu hunig breswylfod neu eu prif breswylfod at ddibenion adran 254 o'r Ddeddf

5.-(1) Mae'n rhaid ymdrin â pherson fel pe bai yn meddiannu adeilad neu ran o adeilad fel ei brif breswylfod neu ei unig breswylfod at ddibenion adran 254 o'r Ddeddf os yw'r person hwnnw-

- (a) yn weithiwr mudol neu'n weithiwr tymhorol-
 - (i) â'i feddiannaeth o'r adeilad neu ran o'r adeilad yn cael ei rhoi yn rhannol mewn cydnabyddiaeth o gyflogaeth y person yn y Deyrnas Unedig, p'un ai a oes taliadau eraill yn daladwy o ran y feddiannaeth honno ai peidio; a
 - (ii) os yw'r adeilad neu ran o adeilad yn cael ei ddarparu gan gyflogwr y person, neu ar ei ran, neu gan asiant neu gyflogai i gyflogydd y person; neu
- (b) yn geisiwr lloches neu'n ddibynnydd ceisiwr lloches y darparwyd llety iddo o dan adran 95 o Ddeddf Mewnfudo a Lloches 1999 (3) gyda'r llety hwnnw yn cael ei gyllido yn rhannol neu'n gyfangwbl gan y Gwasanaeth Cenedlaethol i Geiswyr Lloches(4).

(2) Yn y rheoliad hwn-

- (a) "gweithiwr mudol" ("*a migrant worker*") yw-
 - (i) person sy'n wladolyn o Aelod-wladwriaeth o'r Ardal Ewropeaidd Economaidd neu'r Swisdir sydd wedi ymgymryd â gweithgaredd fel person cyflogedig yn y Deyrnas Unedig o dan Rheoliad y Cyngor

and the person receiving care receives, care under an adult placement agreement in accordance with the Adult Placement Schemes (Wales) Regulations 2004(1).

(2) Where a person and that person's foster parent occupy living accommodation in the same building or part of a building, they are to be regarded as forming a single household for the purposes of section 254 of the Act if that person is placed with the foster parent under the provisions of the Fostering Services (Wales) Regulations 2003(2).

(3) The term "adult placement agreement" ("*cytundeb lleoli oedolion*") has the meaning given to that expression in Regulation 2 of the Regulations referred to in paragraph (1).

Persons treated as occupying premises as their only or main residence for the purposes of section 254 of the Act

5.-(1) A person is to be treated as occupying a building or part of a building as that person's only or main residence for the purposes of section 254 of the Act if the person is-

- (a) a migrant worker or a seasonal worker-
 - (i) whose occupation of the building or part is made partly in consideration of the person's employment within the United Kingdom, whether or not other charges are payable in respect of that occupation; and
 - (ii) where the building or part is provided by, or on behalf of, the person's employer or an agent or employee of the person's employer; or
- (b) an asylum seeker or a dependent of an asylum seeker who has been provided with accommodation under section 95 of the Immigration and Asylum Act 1999(3) and which is funded partly or wholly by the National Asylum Support Service(4).

(2) In this regulation-

- (a) "a migrant worker" ("*gweithiwr mudol*") is-
 - (i) a person who is a national of a member State of the European Economic Area or Switzerland who has taken up an activity as an employed person in the United Kingdom under Council Regulation (EEC)

(1) O.S. 2004/1756 (Cy.188).

(2) O.S. 2003/237 (Cy.35).

(3) 1999 p.33.

(4) Adran o fewn y Swyddfa Gartref yw'r Gwasanaeth Cynnal Cenedlaethol i Geiswyr Lloches.

(1) S.I. 2004/1756 (W.188).

(2) S.I. 2003/237 (W.35).

(3) 1999 c.33.

(4) The National Asylum Support Service is a department within the Home Office.

(EEC) Rhif 1612/68 ar Ryddid Symudiad i Weithwyr o Fewn y Gymuned(1), fel y'i ymestynwyd gan Gytundeb yr AEE neu gan Gytundeb y Swisdir; neu

- (ii) unrhyw berson sydd â phermit sy'n dangos, yn unol â'r rheolau mewnfudo, fod y person a enwir yn gymwys, er nad yw'n ddinesydd Prydeinig, i gael mynediad i'r Deyrnas Unedig at ddibenion cymryd cyflogaeth;
- (b) ystyr "Cytundeb AEE" ("*EEA Agreement*") yw'r cytundeb ar yr Ardal Ewropeaidd Economaidd a lofnodwyd yn Oporto ar 2 Mai 1992, fel y'i haddaswyd gan y Protocol a lofnodwyd ym Mrwsel ar 17 Mawrth 1993;
- (c) ystyr "Cytundeb y Swisdir" ("*Switzerland Agreement*") yw'r cytundeb rhwng y Gymuned Ewropeaidd a'i Aelod-wladwriaethau o'r naill ran a'r Conffederasiwn Swisaidd o'r rhan arall ar Ryddid Symudiad Personau a lofnodwyd yn Luxemborg ar 21 Mehefin 1999 ac a ddaeth i rym ar 1 Mehefin 2002;
- (ch) ystyr "gweithiwr tymhorol" ("*seasonal worker*") yw person sy'n gwneud gwaith o natur dymhorol i gyflogwr neu sy'n ymgymryd â chyflogaeth o natur dymhorol-
 - (i) y mae ei natur yn dibynnu ar dreigl y tymhorau ac sy'n ail ddigwydd ohono'i hun bob blwyddyn; a
 - (ii) nad yw yn para yn hwy nag wyth mis;
- (d) ystyr "rheolau mewnfudo" ("*immigration rules*") yw'r rheolau a osodir fel y crybwyllir am y tro yn adran 3(2) o Ddeddf Mewnfudo 1971(2); ac
- (dd) mae i "ceisiwr lloches" yr ystyr a roddir i'r ymadrodd "*asylum seeker*" yn Adran 94 o Ddeddf Mewnfudo a Lloches 1999.

Adeiladau nad ydynt yn HMOs at ddibenion y Ddeddf (ag eithrio Rhan 1)

6.-(1) Mae adeilad o ddisgrifiad a bennir at ddibenion paragraff 3 o Atodlen 14 i'r Ddeddf (adeiladau a reoleiddir ag eithrio o dan y Ddeddf nad ydynt yn HMOs at ddibenion y Ddeddf (ac eithrio Rhan 1)) os yw ei feddiannaeth yn cael ei reoleiddio gan unrhyw un o'r deddfiadau a restrir yn Atodlen 1 neu oddi tani.

(2) Y nifer o bersonau a bennir at ddibenion paragraff 6(1)(c) o Atodlen 14 i'r Ddeddf yw dau.

No 1612/68 on Freedom of Movement for Workers Within the Community(1), as extended by the EEA Agreement or the Switzerland Agreement; or

- (ii) any person who has a permit indicating, in accordance with the immigration rules, that a person named in it is eligible, though not a British citizen, for entry into the United Kingdom for the purpose of taking employment;
- (b) "EEA Agreement" ("*Cytundeb AEE*") means the agreement on the European Economic Area signed at Oporto on 2 May 1992, as adjusted by the Protocol signed at Brussels on 17 March 1993;
- (c) "Switzerland Agreement" ("*Cytundeb y Swisdir*") means the agreement between the European Community and its Member States of the one part and the Swiss Confederation of the other on the Free Movement of Persons signed at Luxembourg on 21 June 1999 and which came into force on 1 June 2002;
- (d) "seasonal worker" ("*gweithiwr tymhorol*") means a person who carries out for an employer or undertakes employment of a seasonal character-
 - (i) the nature of which depends on the cycle of the seasons and recurs automatically each year; and
 - (ii) the duration of which does not exceed eight months;
- (e) "immigration rules" ("*rheolau mewnfudo*") means the rules for the time being laid down as mentioned in section 3(2) of the Immigration Act 1971(2); and
- (f) "asylum seeker" ("*ceisiwr lloches*") has the meaning given to that expression in section 94 of the Immigration and Asylum Act 1999.

Buildings that are not HMOs for the purposes of the Act (excluding Part 1)

6.-(1) A building is of a description specified for the purposes of paragraph 3 of Schedule 14 to the Act (buildings regulated otherwise than under the Act which are not HMOs for purposes of the Act (excluding Part 1)) where its occupation is regulated by or under any of the enactments listed in Schedule 1.

(2) The number of persons specified for the purposes of paragraph 6(1)(c) of Schedule 14 to the Act is two.

(1) O.J.L.257, 19 Hydref 1968, fel y'i diwygiwyd gan EEC 312/76 (O.J. L.39, 14 Chwefror 1976) ac EEC 2434/92 (O.J.L.245, 26 Awst 1992).

(2) 1971 p.77.

(1) O.J.L.257, 19 October 1968, as amended by EEC 312/76 (O.J. L.39, 14 February 1976) and EEC 2434/92 (O.J.L.245, 26 August 1992).

(2) 1971 c.77.

Ceisiadau am drwyddedau o dan Ran 2 neu 3 o'r Ddeddf

7.-(1) Rhaid i gais am drwydded o dan adran 63 (cais am drwydded HMO) neu 87 (cais am drwydded i dy Rhan 3) o'r Ddeddf ("cais") gynwys datganiad yn y ffurf a bennir ym mharagraff 1 o Atodlen 2.

(2) Rhaid i geisydd roi fel rhan o'r cais-

- (a) yr wybodaeth a geir ym mharagraff 2 o atodlen 2; a
- (b) yr wybodaeth sy'n ymwneud â deiliad arfaethedig y drwydded neu reolwr arfaethedig yr HMO neu'r tŷ a bennir ym mharagraff 3 o Atodlen 2.

(3) Rhaid i geisydd-

- (a) roi gyda'r cais ddatganiadau wedi'u cwblhau a'u llofnodi yn y ffurf a bennir ym mharagraff 4 o Atodlen 2; a
- (b) llofnodi'r cais.

(4) Os yw'r ceisydd yn arfaethu i berson arall ddal y drwydded, rhaid i'r ceisydd a deiliad arfaethedig y drwydded ill dau gydymffurfio â'r gofynion ym mharagraff (3).

(5) Rhaid i'r ceisydd roi'r wybodaeth a ganlyn ynglŷn â'r cais i bob person perthnasol-

- (a) ei enw, ei gyfeiriad, ei rif ffôn ac unrhyw gyfeiriad e-bost neu rif ffacs sydd ganddo;
- (b) enw, cyfeiriad, rhif ffôn ac unrhyw gyfeiriad e-bost neu rif ffacs sydd gan ddeiliad arfaethedig y drwydded (os nad y ceisydd yw deiliad y drwydded);
- (c) math y cais drwy gyfeirio at a yw'n cael ei wneud o ran HMO y mae'n rhaid ei drwyddedu o dan Ran 2 neu o ran tŷ y mae'n rhaid ei drwyddedu o dan Ran 3 o'r Ddeddf;
- (ch) cyfeiriad yr HMO neu'r tŷ y mae'r cais yn ymwneud ag ef;
- (d) enw a chyfeiriad yr awdurdod tai lleol y mae'r cais yn cael ei wneud iddo; ac
- (dd) y dyddiad y gwneir y cais arno, neu y byddir yn ei wneud arno.

(6) Nid oes dim ym mharagraff (5) yn rhwystro ceisydd rhag rhoi copi o'r cais, na gwybodaeth arall ynglŷn â'r cais, i berson perthnasol.

(7) Rhaid i awdurdod tai lleol ad-dalu yn llawn unrhyw ffi a dalwyd gan y ceisydd mewn perthynas â chais cyn gynted ag y bo hynny'n rhesymol ymarferol wedi i'r awdurdod ddod i wybod, parthed yr adeg y talwyd y ffi-

- (a) yn achos cais am drwydded o dan Ran 2 o'r Ddeddf, nad oedd y tŷ yn HMO, neu nad oedd

Applications for licences under Part 2 or 3 of the Act

7.-(1) An application for a licence under section 63 (application for HMO licence) or 87 (application for licence of Part 3 house) of the Act ("an application") must include a statement in the form specified in paragraph 1 of Schedule 2.

(2) An applicant must supply as a part of the application-

- (a) the information contained in paragraph 2 of Schedule 2; and
- (b) the information relating to the proposed licence holder or proposed manager of the HMO or house specified in paragraph 3 of Schedule 2.

(3) An applicant must-

- (a) supply with the application completed and signed declarations in the form specified in paragraph 4 of Schedule 2; and
- (b) sign the application.

(4) Where the applicant proposes that another person should be the licence holder, both the applicant and the proposed licence holder must comply with the requirements in paragraph (3).

(5) The applicant must give the following information about the application to every relevant person-

- (a) the name, address, telephone number and any e-mail address or fax number of the applicant;
- (b) the name, address, telephone number and any e-mail address or fax number of the proposed licence holder (if the licence holder is not the applicant);
- (c) the type of application by reference to it being made in respect of an HMO which must be licensed under Part 2 or in respect of a house which must be licensed under Part 3 of the Act;
- (d) the address of the HMO or house to which the application relates;
- (e) the name and address of the local housing authority to which the application is made; and
- (f) the date on which the application is, or is to be, made.

(6) Nothing in paragraph (5) precludes an applicant from supplying a copy of the application, or other information about the application, to a relevant person.

(7) A local housing authority must refund an applicant in full any fee that the applicant has paid in respect of an application as soon as reasonably practicable after it learns that at the time the fee was paid-

- (a) in the case of an application for a licence under Part 2 of the Act, the house was not an HMO,

yn HMO yr oedd yn ofynnol i'w drwyddedu; neu

- (b) yn achos cais am drwydded o dan Ran 3 o'r Ddeddf, bod y tŷ yn dŷ nad oedd yn ofynnol i'w drwyddedu o dan ran 2 neu 3 o'r Ddeddf.

(8) Mae paragraff (7) yn gymwys p'un ai a roddodd yr awdurdod tai lleol, yn unol â'r cais, drwydded i'r HMO neu'r tŷ pan nad oedd yn ofynnol i'w drwyddedu ai peidio.

(9) At ddibenion y rheoliad hwn "person perthnasol" ("*relevant person*") yw unrhyw berson (ac eithrio person y mae paragraff (10) yn gymwys iddo)-

- (a) sydd, ac y mae hynny'n hysbys i'r ceisydd,-
- (i) yn berson gydag ystad neu ddiddordeb yn yr HMO neu'r tŷ y gwneir y cais yn ei gylch, neu
- (ii) yn berson sy'n rheoli neu sydd â rheolaeth dros yr HMO neu'r ty hwnnw (ac nad yw'n cwmpo o fewn is-baragraff (i)); neu
- (b) os yw'r ceisydd yn cynnig yn y cais y dylai'r drwydded gynnwys amodau sy'n gosod cyfyngiad neu rwymedigaeth ar unrhyw berson (ac eithrio deiliad y drwydded), y person hwnnw(1).

(10) Mae'r paragraff hwn yn gymwys i unrhyw denant o dan les ag iddi gyfnod heb ddod i ben o dair blynedd neu lai.

Safonau rhagnodedig ar gyfer penderfynu ar addasrwydd tŷ ar gyfer amlfeddiannaeth gan uchafswm nifer penodol o aelwydydd neu o bersonau

8. Y safonau a ragnodir at ddibenion adran 65 o'r Ddeddf (profion parthed addasrwydd HMO ar gyfer amlfeddiannwyr) yw'r rheini a nodir yn Atodlen 3.

Y gofynion cyhoeddi mewn perthynas â dynodiadau o dan Ran 2 neu 3 o'r Ddeddf

9.-(1) Rhaid i awdurdod tai lleol y mae'n ofynnol iddo o dan adran 59(2) neu 83(2) o'r Ddeddf gyhoeddi hysbysiad dynodi ardal at ddibenion Rhan 2 neu 3 o'r Ddeddf wneud hynny yn y dull a ragnodir gan baragraff (2).

(2) O fewn 7 niwrnod ar ôl y dyddiad y cafodd y dynodiad ei wneud neu ei gadarnhau rhaid i'r awdurdod tai lleol-

or was not an HMO which was required to be licensed; or

- (b) in the case of an application for a licence under Part 3 of the Act, the house was a house which was not required to be licensed under Part 2 or 3 of the Act.

(8) Paragraph (7) applies whether or not the local housing authority, pursuant to the application, granted a licence for the HMO or house when it was not required to be licensed.

(9) For the purposes of this regulation a "relevant person" ("*person perthnasol*") is any person (other than a person to whom paragraph (10) applies)-

- (a) who, to the knowledge of the applicant, is-
- (i) a person having an estate or interest in the HMO or house which is the subject of the application, or
- (ii) a person managing or having control of that HMO or house (and not falling within sub-paragraph (i)); or
- (b) where the applicant proposes in the application that the licence should include conditions imposing a restriction or obligation on any person (other than the licence holder), that person(1).

(10) This paragraph applies to any tenant under a lease with an unexpired term of three years or less.

Prescribed standards for deciding on the suitability of a house for multiple occupation by a particular maximum number of households or persons

8. The standards prescribed for the purpose of section 65 of the Act (tests as to suitability of HMO for multiple occupiers) are those set out in Schedule 3.

Publication requirements relating to designations under Part 2 or 3 of the Act

9.-(1) A local housing authority which is required under section 59(2) or 83(2) of the Act to publish a notice of a designation of an area for the purpose of Part 2 or 3 of the Act must do so in the manner prescribed by paragraph (2).

(2) Within 7 days after the date on which the designation was confirmed or made the local housing authority must-

(1) Am amodau trwydded gweler adrannau 67 a 90 o'r Ddeddf, ac, yn benodol, adrannau 67(5) a 90(6).

(1) For licence conditions see sections 67 and 90 of the Act, and, in particular, sections 67(5) and 90(6).

- (a) gosod yr hysbysiad ar hysbysfwrdd cyhoeddus mewn un neu mewn mwy nag un adeilad dinesig o fewn yr ardal ddynodedig, neu, os nad oes unrhyw adeiladau o'r fath o fewn yr ardal ddynodedig, mewn adeiladau o'r fath wedi eu lleoli y tu allan i'r ardal ddynodedig ond sydd agosaf ati;
- (b) cyhoeddi'r hysbysiad ar wefan yr awdurdod tai lleol; ac
- (c) trefnu iddo gael ei gyhoeddi mewn o leiaf ddau bapur newydd lleol sy'n cylchredeg yn yr ardal ddynodedig neu o'i hamgylch.

(3) O fewn 2 wythnos ar ôl i'r dynodiad gael ei wneud neu ei gadarnhau rhaid i'r awdurdod tai lleol anfon copi o'r hysbysiad at-

- (a) unrhyw berson a ymatebodd i'r ymgynghoriad a gynhaliwyd ganddo o dan adran 56(3) neu 80(9) o'r Ddeddf;
- (b) unrhyw sefydliad sydd, o fewn gwybodaeth resymol yr awdurdod tai lleol-
 - (i) yn cynrychioli diddordebau landlordiaid neu denantiaid o fewn yr ardal ddynodedig; neu
 - (ii) yn cynrychioli asiantaethau rheoli, asiantaethau ystad neu asiantaethau gosod tai o fewn yr ardal ddynodedig; ac
- (c) pob sefydliad o fewn ardal yr awdurdod tai lleol y mae'r awdurdod tai lleol yn gwybod neu yn credu ei fod yn darparu cyngor ar faterion landlord a thenant, gan gynnwys-
 - (i) canolfannau cyfraith;
 - (ii) canolfannau cyngor ar bopeth;
 - (iii) canolfannau cyngor ar dai; a
 - (iv) unedau personau digartref.

(4) Yn ychwanegol at yr wybodaeth y cyfeirir ati yn adran 59(2)(a), (b) ac (c) neu 83(2)(a), (b) ac (c), rhaid i'r hysbysiad gynnwys yr wybodaeth a ganlyn-

- (a) disgrifiad byr o'r ardal ddynodedig;
- (b) enw, cyfeiriad, rhif ffôn a chyfeiriad e-bost-
 - (i) yr awdurdod tai lleol a wnaeth y dynodiad;
 - (ii) y fangre lle gellir archwilio'r dynodiad; a
 - (iii) y fangre lle gellir cael ceisiadau am drwyddedau a chyngor cyffredinol ynddynt;
- (c) datganiad sy'n cynghori unrhyw landlord, unrhyw berson sy'n rheoli eiddo neu unrhyw denant sydd o fewn yr ardal ddynodedig i geisio cyngor gan yr awdurdod tai lleol ar y mater a yw'r dynodiad yn effeithio ar eu heiddo; ac

- (a) place the notice on a public notice board at one or more municipal buildings within the designated area, or if there are no such buildings within the designated area, at the closest of such buildings situated outside the designated area;
- (b) publish the notice on the local housing authority's internet site; and
- (c) arrange for its publication in at least two local newspapers circulating in or around the designated area.

(3) Within 2 weeks after the designation was confirmed or made the local housing authority must send a copy of the notice to-

- (a) any person who responded to the consultation conducted by it under section 56(3) or 80(9) of the Act;
- (b) any organisation which, to the reasonable knowledge of the local housing authority-
 - (i) represents the interests of landlords or tenants within the designated area; or
 - (ii) represents managing agents, estate agents or letting agents within the designated area; and
- (c) every organisation within the local housing authority area which the local housing authority knows or believes provides advice on landlord and tenant matters, including-
 - (i) law centres;
 - (ii) citizens' advice bureaux;
 - (iii) housing advice centres; and
 - (iv) homeless persons' units.

(4) In addition to the information referred to in section 59(2)(a), (b) and(c) or 83(2)(a), (b) and(c), the notice must contain the following information-

- (a) a brief description of the designated area;
- (b) the name, address, telephone number and e-mail address of-
 - (i) the local housing authority which made the designation;
 - (ii) the premises where the designation may be inspected; and
 - (iii) the premises where applications for licences and general advice may be obtained;
- (c) a statement advising any landlord, person managing or tenant within the designated area to seek advice from the local housing authority on whether their property is affected by the designation; and

- (ch) rhybudd o ganlyniadau methu â thrwyddedu eiddo y mae'n ofynnol i'w drwyddedu, gan gynnwys y sancsiynau troseddol.

Y gofynion cyhoeddi mewn perthynas â dirymu dynodiadau o dan Ran 2 neu 3 o'r Ddeddf

10.-(1) Rhaid i awdurdod tai lleol y mae'n ofynnol iddo o dan adran 60(6) neu 84(6) o'r Ddeddf gyhoeddi hysbysiad dirymu dynodiad ardal at ddibenion Rhan 2 neu 3 o'r Ddeddf wneud hynny yn y dull a ragnodir gan baragraff (2).

(2) O fewn 7 niwrnod ar ôl dirymu dynodiad rhaid i'r awdurdod tai lleol-

- (a) gosod hysbysiad ar hysbysfwrdd cyhoeddus mewn un neu mewn mwy nag un adeilad dinesig o fewn yr ardal ddynodedig, neu, os nad oes unrhyw adeiladau o'r fath o fewn yr ardal ddynodedig, mewn adeiladau o'r fath wedi eu lleoli y tu allan i'r ardal ddynodedig ond sydd agosaf ati;
- (b) cyhoeddi'r hysbysiad ar wefan yr awdurdod tai lleol; ac
- (c) trefnu i'r hysbysiad gael ei gyhoeddi mewn o leiaf ddau bapur newydd lleol sy'n cylchredeg yn yr ardal ddynodedig neu o'i hamgylch yn y rhifyn nesaf o'r papurau newydd hynny.

(3) Rhaid i'r hysbysiad gynnwys yr wybodaeth a ganlyn-

- (a) disgrifiad byr o'r ardal y mae'r dynodiad sy'n cael ei ddirymu yn ymwneud â hi;
 - (b) crynodeb o'r rhesymau dros y dirymiad;
 - (c) y dyddiad pryd y daw'r dirymiad yn effeithiol;
- (ch) enw, cyfeiriad, rhif ffôn a chyfeiriad e-bost-
- (i) yr awdurdod tai lleol a ddirymodd y dynodiad; a
 - (ii) y man(nau) lle gellir archwilio'r dirymiad.

Cofrestrau o drwyddedau

11.-(1) Mae'r manylion a ganlyn wedi eu rhagnodi ar gyfer pob cofnod mewn cofrestr a sefydlwyd ac sy'n cael ei chynnal o dan adran 232(1)(a) o'r Ddeddf o ran trwydded a roddir o dan Ran 2 (HMOs) neu 3 (trwyddedu dethol) o'r Ddeddf-

- (a) enw a chyfeiriad deiliad y drwydded;
- (b) enw a chyfeiriad y person sy'n rheoli'r HMO neu'r tŷ trwyddedig;
- (c) cyfeiriad yr HMO neu'r tŷ trwyddedig;
- (ch) disgrifiad byr o'r HMO neu'r tŷ trwyddedig;
- (d) crynodeb o amodau'r drwydded;
- (dd) dyddiad cychwyn y drwydded a chyfnod ei

- (d) a warning of the consequences of failing to licence a property which is required to be licensed, including the criminal sanctions.

Publication requirements relating to the revocation of designations made under Part 2 or 3 of the Act

10.-(1) A local housing authority which is required under section 60(6) or 84(6) of the Act to publish a notice of revocation of a designation of an area for the purposes of Part 2 or 3 of the Act, must do so in the manner prescribed by paragraph (2).

(2) Within 7 days after revoking a designation the local housing authority must-

- (a) place a notice on a public notice board at one or more municipal buildings within the designated area, or if there are no such buildings within the designated area, at the closest of such buildings situated outside the designated area;
- (b) publish the notice on the local housing authority's internet site; and
- (c) arrange for the publication of the notice in at least two local newspapers circulating in or around the designated area in the next edition of those newspapers.

(3) The notice must contain the following information-

- (a) a brief description of the area to which the designation being revoked relates;
- (b) a summary of the reasons for the revocation;
- (c) the date from which the revocation takes effect;
- (d) the name, address, telephone number and e-mail address-
- (i) of the local housing authority which revoked the designation; and
- (ii) where the revocation may be inspected.

Registers of licences

11.-(1) The following particulars are prescribed for each entry in a register established and maintained under section 232(1)(a) of the Act in respect of a licence granted under Part 2 (HMOs) or 3 (selective licensing) of the Act-

- (a) the name and address of the licence holder;
- (b) the name and address of the person managing the licensed HMO or house;
- (c) the address of the licensed HMO or house;
- (d) a short description of the licensed HMO or house;
- (e) a summary of the conditions of the licence;
- (f) the commencement date and duration of the

pharhâd;

- (e) gwybodaeth gryno ar unrhyw fater yn ymwneud â thrwyddedu'r HMO neu'r ty sydd wedi cael ei gyfeirio at dribiwnlys eiddo preswyl neu at y Tribiwnlys Tiroedd; a
- (f) gwybodaeth gryno ar unrhyw benderfyniad gan y tribiwnlysoedd y cyfeirir atynt yn is-baragraff (e) sy'n ymwneud â'r HMO neu'r tŷ trwyddedig, ynghyd â'r cyfeirnod a roddwyd i'r achos gan y tribiwnlys.

(2) Mae'r manylion ychwanegol a ganlyn wedi eu rhagnodi ar gyfer pob cofnod mewn cofrestr a sefydlwyd ac sy'n cael ei chynnal o dan adran 232(1)(a) o'r Ddeddf o ran trwydded a roddir o dan Ran 2 o'r Ddeddf-

- (a) nifer y lloriau sy'n ffurfio'r HMO;
- (b) nifer yr ystafelloedd yn yr HMO trwyddedig sy'n darparu-
 - (i) lle cysgu; a
 - (ii) lle byw;
- (c) yn achos HMO trwyddedig sydd yn fflatiau-
 - (i) nifer y fflatiau sy'n hunangynhaliol; a
 - (ii) nifer y fflatiau sydd heb fod yn hunangynhaliol;
- (ch) disgrifiad o amwynderau sy'n cael eu rhannu gan gynnwys nifer pob amwynder; a
- (d) uchafswm y nifer o bersonau neu o aelwydydd y caniateir iddynt feddiannu'r HMO trwyddedig o dan amodau'r drwydded.

Cofrestrau o hysbysiadau eithrio dros dro

12. Mae'r manylion a ganlyn wedi eu rhagnodi ar gyfer pob cofnod mewn cofrestr a sefydlwyd ac sy'n cael ei gynnal o dan adran 232(1)(b) o'r Ddeddf o ran hysbysiad eithrio dros dro a gyflwynwyd o dan adran 62 neu 86 o'r Ddeddf-

- (a) enw a chyfeiriad y person sy'n hysbysu'r awdurdod tai lleol o dan adran 62(1) neu 86(1) o'r Ddeddf;
- (b) cyfeiriad yr HMO neu'r tŷ y mae'r awdurdod tai lleol wedi cyflwyno'r hysbysiad eithrio dros dro mewn perthynas ag ef ac unrhyw gyfeirnod a roddwyd iddo gan yr awdurdod tai lleol;
- (c) crynodeb o effaith yr hysbysiad;
- (ch) manylion unrhyw hysbysiadau eithrio dros dro blaenorol a gafodd eu cyflwyno mewn perthynas â'r un HMO neu dy am gyfnod sy'n union cyn yr hysbysiad eithrio dros dro cyfredol;
- (d) datganiad o'r camau penodol y mae'r person y cyfeirir ato yn is-baragraff (a) yn bwriadu eu

licence;

- (g) summary information of any matter concerning the licensing of the HMO or house which has been referred to a residential property tribunal or to the Lands Tribunal; and
- (h) summary information of any decision of the tribunals referred to in sub-paragraph (g) which relates to the licensed HMO or house, together with the reference number allocated to the case by the tribunal.

(2) The following additional particulars are prescribed for each entry in a register established and maintained under section 232(1)(a) of the Act in respect of a licence granted under Part 2 of the Act-

- (a) the number of storeys comprising the licensed HMO;
- (b) the number of rooms in the licensed HMO providing-
 - (i) sleeping accommodation; and
 - (ii) living accommodation;
- (c) in the case of a licensed HMO consisting of flats-
 - (i) the number of flats that are self contained; and
 - (ii) the number of flats that are not self contained;
- (d) a description of shared amenities including the numbers of each amenity; and
- (e) the maximum number of persons or households permitted to occupy the licensed HMO under the conditions of the licence.

Registers of temporary exemption notices

12. The following particulars are prescribed for each entry in a register established and maintained under section 232(1)(b) of the Act in respect of a temporary exemption notice served under section 62 or 86 of the Act-

- (a) the name and address of the person notifying the local housing authority under section 62(1) or section 86(1) of the Act;
- (b) the address of the HMO or house in respect of which the local housing authority has served the temporary exemption notice and any reference number allocated to it by the local housing authority;
- (c) a summary of the effect of the notice;
- (d) details of any previous temporary exemption notices which have been served in relation to the same HMO or house for a period immediately preceding the current temporary exemption notice;
- (e) a statement of the particular steps that the person referred to in sub-paragraph (a) intends

cymryd gyda golwg ar sicrhau nad yw'n ofynnol bellach i drwyddedu'r HMO neu'r tŷ;

- (dd) y dyddiad pryd y cyflwynodd yr awdurdod tai lleol y rhybudd eithrio dros dro arno a'r dyddiad pan fydd y rhybudd yn peidio â bod mewn grym;
- (e) gwybodaeth gryno ar unrhyw fater yn ymwneud â thrwyddedu'r HMO neu'r tŷ sydd wedi cael ei gyfeirio at driwlynlys eiddo preswyl neu at y Tribiwnlys Tiroedd; ac
- (f) gwybodaeth gryno ar unrhyw benderfyniad gan y triwlynlysoedd y cyfeirir atynt yn is-baragraff (e) sy'n ymwneud â'r HMO neu'r tŷ trwyddedig, ynghyd â'r cyfeirnod a roddwyd i'r achos gan y triwlynlys.

Cofrestrau o orchmynion rheoli

13.-(1) Mae'r manylion a ganlyn wedi eu rhagnodi ar gyfer pob cofnod mewn cofrestr a sefydlwyd ac sy'n cael ei chynnal o dan adran 232(1)(c) o'r Ddeddf o ran gorchymyn rheoli a wneir o dan adran 102 neu 113 o'r Ddeddf-

- (a) cyfeiriad yr HMO neu'r tŷ y mae'r gorchymyn yn ymwneud ag ef ac unrhyw gyfeirnod a roddwyd iddo gan yr awdurdod tai lleol;
- (b) disgrifiad byr o'r HMO neu'r tŷ;
- (c) y dyddiad pryd y daw'r gorchymyn i rym;
- (ch) crynodeb o'r rhesymau dros wneud y gorchymyn;
- (d) crynodeb o delerau'r gorchymyn a'r math o orchymyn a wnaed;
- (dd) gwybodaeth gryno ar unrhyw gais yn ymwneud â'r HMO neu'r tŷ sydd wedi cael ei wneud i driwlynlys eiddo preswyl neu i'r Tribiwnlys Tiroedd; ac
- (e) gwybodaeth gryno ar unrhyw benderfyniad gan y triwlynlysoedd y cyfeirir atynt yn is-baragraff (dd) sy'n ymwneud â'r HMO neu'r tŷ trwyddedig, ynghyd â'r cyfeirnod a roddwyd i'r achos gan y triwlynlys.

(2) Mae'r manylion ychwanegol a ganlyn wedi eu rhagnodi ar gyfer pob cofnod mewn cofrestr a sefydlwyd ac sy'n cael ei chynnal o dan adran 232(1)(c) o'r Ddeddf o ran gorchymyn rheoli a wneir o dan adran 102 neu 113 o'r Ddeddf-

- (a) nifer y lloriau sy'n ffurfio'r HMO;
- (b) nifer yr ystafelloedd yn yr HMO sy'n darparu-
 - (i) lle cysgu; a
 - (ii) lle byw;
- (c) yn achos HMO sydd yn fflatiau-
 - (i) nifer y fflatiau sy'n hunangynhaliol;
 - (ii) nifer y fflatiau sydd heb fod yn hunangynhaliol;
 - (iii) disgrifiad o'r amwynderau sy'n cael eu

to take with a view to securing that the HMO or house is no longer required to be licensed;

- (f) the date on which the local housing authority served the temporary exemption notice and the date on which it ceases to be in force;
- (g) summary information of any matter concerning the HMO or house which has been referred to a residential property tribunal or to the Lands Tribunal; and
- (h) summary information of any decision of the tribunals referred to in sub-paragraph (g) that relates to the HMO or house together with the reference number allocated to the case by the tribunal.

Registers of management orders

13.-(1) The following particulars are prescribed for each entry in a register established and maintained under section 232(1)(c) of the Act in respect of a management order made under section 102 or 113 of the Act-

- (a) the address of the HMO or house to which the order relates and any reference number allocated to it by the local housing authority;
- (b) a short description of the HMO or house;
- (c) the date on which the order comes into force;
- (d) a summary of the reasons for making the order;
- (e) a summary of the terms of the order and the type of order made;
- (f) summary information of any application concerning the HMO or house that has been made to a residential property tribunal or to the Lands Tribunal; and
- (g) summary information of any decision of the tribunals referred to in sub-paragraph (f) that relates to the HMO or house, together with the reference number allocated to the case by the tribunal.

(2) The following additional particulars are prescribed for each entry in a register established and maintained under section 232(1)(c) of the Act in respect of a management order made under section 102 or 113 of the Act-

- (a) the number of storeys comprising the HMO;
- (b) the number of rooms in the HMO providing-
 - (i) sleeping accommodation; and
 - (ii) living accommodation;
- (c) in the case of an HMO consisting of flats-
 - (i) the number of flats that are self contained;
 - (ii) the number of flats that are not self contained;
 - (iii) a description of shared amenities including

- rhannu gan gynnwys nifer pob amwynder;
- (iv) uchafswm nifer yr aelwydydd y caniateir iddynt feddiannu'r HMO; ac
 - (v) uchafswm nifer y personau y caniateir iddynt feddiannu'r HMO.

(3) Mae'r manylion a ganlyn wedi eu rhagnodi ar gyfer pob cofnod mewn cofrestr a sefydlwyd ac sy'n cael ei chynnal o dan adran 232(1)(c) o'r Ddeddf o ran gorchymyn rheoli annedd wag a wneir o dan adran 113(1) neu 136(1) neu (2) o'r Ddeddf-

- (a) cyfeiriad yr annedd(1) y mae'r gorchymyn yn ymwneud ag ef ac unrhyw gyfeirnod a roddwyd iddo gan yr awdurdod tai lleol;
- (b) disgrifiad byr o'r annedd;
- (c) y dyddiad pryd y daw'r gorchymyn i rym;
- (ch) crynodeb o'r rhesymau dros wneud y gorchymyn;
- (d) crynodeb o delerau'r gorchymyn;
- (dd) gwybodaeth gryno ar unrhyw fater yn ymwneud â'r annedd sydd wedi cael ei wneud i driwlynlys eiddo preswyl neu i'r Tribiwnlys Tiroedd; ac
- (e) gwybodaeth gryno ar unrhyw benderfyniad gan y triwlynlysoedd y cyfeirir atynt yn is-baragraff (dd) sy'n ymwneud â'r annedd, ynghyd â'r cyfeirnod a roddwyd i'r achos gan y triwlynlys.

- the numbers of each amenity;
- (iv) the maximum number of households permitted to occupy the HMO; and
 - (v) the maximum number of persons permitted to occupy the HMO.

(3) The following particulars are prescribed for each entry in a register established and maintained under section 232(1)(c) of the Act in respect of an empty dwelling management order made under section 133(1) or 136(1) or (2) of the Act-

- (a) the address of the dwelling(1) to which the order relates and any reference number allocated to it by the local housing authority;
- (b) a short description of the dwelling;
- (c) the date on which the order comes into force;
- (d) a summary of the reasons for making the order;
- (e) a summary of the terms of the order;
- (f) summary information of any application concerning the dwelling that has been made to a residential property tribunal or to the Lands Tribunal; and
- (g) summary information of any decision of the tribunals referred to in sub-paragraph (f) that relates to the dwelling, together with the reference number allocated to the case by the tribunal.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(2)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2)

27 Mehefin 2006

27 June 2006

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(1) Am ystyr annedd ("dwelling") gweler adran 132(4)(a) a (b) o'r Ddeddf.

(2) 1998 c.38.

(1) For the meaning of dwelling ("annedd") see section 132(4)(a) and (b) of the Act.

(2) 1998 c.38.

Rheoliad 6(1)

Regulation 6(1)

ADEILADAU NAD YDYNT YN HMOS AT UNRHYW DDIBEN YN Y DDEDDF (AC EITHRIO RHAN 1)

BUILDINGS WHICH ARE NOT HMOS FOR ANY PURPOSE OF THE ACT (EXCLUDING PART 1)

Y deddfiadau y cyfeirir atynt yn rheoliad 6(1) yw-

The enactments referred to in regulation 6(1) are-

- (a) adrannau 87, 87A, 87B, 87C ac 87D o Ddeddf Plant 1989(1);
- (b) adran 43(4) o Ddeddf Carcharau 1952(2);
- (c) Adran 34 o Ddeddf Cenedligrwydd, Mewnfudo a Lloches 2002(3);
- (ch) Rheolau Canolfannau Hyfforddi Diogel 1998(4);
- (d) Rheolau Carcharau 1999(5);
- (dd) Rheolau Sefydliad Troseddwyr Ifanc 2000(6);
- (e) Rheolau Canolfan Gadw 2001(7);
- (f) Rheoliadau Deddf Cyfiawnder Troseddol a Gwasanaethau Llys (Mangreoddedd a Gymeradwyir) 2001 (8);
- (ff) Rheoliadau Cartrefi Gofal (Cymru) 2002(9);
- (g) Rheoliadau Cartrefi Plant (Cymru) 2002(10); ac
- (ng) Rheoliadau Canolfannau Preswyl i Deuluoedd (Cymru) 2003(11).

- (a) sections 87, 87A, 87B, 87C and 87D of the Children Act 1989(1);
- (b) section 43(4) of the Prison Act 1952(2);
- (c) section 34 of the Nationality, Immigration and Asylum Act 2002(3);
- (d) The Secure Training Centre Rules 1998(4);
- (e) The Prison Rules 1999(5);
- (f) The Young Offender Institution Rules 2000(6);
- (g) The Detention Centre Rules 2001(7);
- (h) The Criminal Justice and Court Services Act 2000 (Approved Premises) Regulations 2001(8);
- (i) The Care Homes (Wales) Regulations 2002(9);
- (j) The Children's Homes (Wales) Regulations 2002(10); and
- (k) The Residential Family Centres (Wales) Regulations 2003(11).

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- (1) 1989 p.41.
 - (2) 1952 p.52.
 - (3) 2002 p.41.
 - (4) O.S. 1998/472, a ddiwygiwyd gan O.S. 2003/3005.
 - (5) O.S. 1999/728, a ddiwygiwyd gan O.S. 2000/1794, 2000/2641, 2002/2116, 2003/3301, 2005/869 a 2005/3437.
 - (6) O.S. 2000/3371, a ddiwygiwyd gan O.S. 2002/2117, 2005/897 a 2005/3438.
 - (7) O.S. 2001/238. Mae adran 66(4) o Ddeddf Cenedligrwydd, Mewnfudo a Lloches 2002 yn darparu bod y cyfeiriad at ganolfan gadw i'w ddarllen fel cyfeiriad at ganolfan symud ymaith fel y'i diffinir yn Rhan VIII o Ddeddf Mewnfudo a Lloches 1999.
 - (8) O.S. 2001/850.
 - (9) O.S. 2002/324 (Cy.37) wedi'i ddiwygio gan O.S. 2002/2622 (Cy.254), 2002/2935 (Cy.277), 2003/947 (Cy.128), 2003/1004 (Cy.144), 2004/1016 (Cy.133), 2004/1314 (Cy.139), 2004/1756 (Cy.188), 2004/2414 (Cy.222), 2005/1541, 2005/2929 (Cy.214) a 2005/3302 (Cy.256).
 - (10) O.S. 2002/327 (Cy.40) wedi'i ddiwygio gan O.S. 2002/2622 (Cy.254), 2005/774 (Cy.64), 2005/1541 and 2005/2929 (Cy.214).
 - (11) O.S. 2003/781 (Cy.92) wedi'i ddiwygio gan O.S. 2004/1016 (Cy.113), 2005/1541 a 2005/2929 (Cy. 214).

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- (1) 1989 c.41.
 - (2) 1952 c.52.
 - (3) 2002 c.41.
 - (4) S.I. 1998/472 amended by S.I. 2003/3005.
 - (5) S.I. 1999/728 amended by S.I. 2000/1794, 2000/2641, 2002/2116, 2003/3301, 2005/869 and 2005/3437.
 - (6) S.I. 2000/3371 amended by S.I. 2002/2117, 2005/897 and 2005/3438.
 - (7) S.I. 2001/238. Section 66(4) of the Nationality, Immigration and Asylum Act 2002 provides that the reference to a detention centre is to be construed as a reference to a removal centre as defined in Part VIII of the Immigration and Asylum Act 1999.
 - (8) S.I. 2001/850.
 - (9) S.I. 2002/324 (W.37) amended by S.I. 2002/2622 (W.254), 2002/2935 (W.277), 2003/947 (W.128), 2003/1004 (W.144), 2004/1016 (W.133), 2004/1314 (W.139), 2004/1756 (W.188), 2004/2414 (W.222), 2005/1541, 2005/2929 (W.214) and 2005/3302 (W.256).
 - (10) S.I. 2002/327 (W.40) amended by S.I. 2002/2622 (W.254), 2005/774 (W.64), 2005/1541 and 2005/2929 (W.214).
 - (11) S.I. 2003/781 (W.92) amended by S.I. 2004/1016 (W.113), 2005/1541 and 2005/2929 (W.214).

Rheoliad 7(1), (2) a (3)

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

CYNNWYS CEISIADAU O DAN
ADRANNAU 63 AC 87 O'R DDEDDFCONTENT OF APPLICATIONS UNDER
SECTIONS 63 AND 87 OF THE ACT

1. Ffurf y datganiad a grybwyllir yn rheoliad 7(1) yw:

"Rhaid i chi roi gwybod yn ysgrifenedig i bersonau penodol eich bod wedi gwneud y cais hwn neu roi copi ohono iddynt. Y personau y mae'n angenrheidiol iddynt wybod amdano yw-

Unrhyw forgeisai ar yr eiddo sydd i'w drwyddedu

Unrhyw berchennog ar y tir y mae'r cais yn ymwneud ag ef (os nad chi yw hwnnw) h.y. y rhydd-ddeiliad ac unrhyw brif brydleswyr y gwyddoch amdanynt

Unrhyw berson arall sy'n denant neu'n ddeiliad prydles hir ar yr eiddo neu ar unrhyw ran ohono (gan gynnwys unrhyw fflat) y gwyddoch amdano ag eithrio tenant statudol neu denant arall sydd â'i brydles neu ei denantiaeth am lai na thair blynedd (gan gynnwys tenantiaeth cyfnod)

Deiliad arfaethedig y drwydded (os nad chi yw hwnnw)

Yr asiant rheoli arfaethedig (os oes un) (os nad chi yw hwnnw)

Unrhyw berson nad yw wedi cytuno i ymrwymo i unrhyw amodau mewn trwydded os rhoddir un.

Rhaid i chi ddweud wrth bob un o'r personau hyn-

Eich enw, eich cyfeiriad, eich rhif ffôn a'ch cyfeiriad e-bost neu'ch rhif ffacs (os oes gennych un)

Enw, cyfeiriad, rhif ffôn a chyfeiriad e-bost neu rif ffacs (os oes un) deiliad arfaethedig y drwydded (os nad chi fydd hwnnw)

P'un ai cais am drwydded HMO o dan Ran 2 yntau cais am drwydded tŷ o dan Ran 3 o Ddeddf Tai 2004 yw hwn

Cyfeiriad yr eiddo y mae'r cais yn ymwneud ag ef

Enw a chyfeiriad yr awdurdod tai lleol y bydd y cais yn cael ei wneud iddo

Y dyddiad y cyflwynir y cais arno."

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 to 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) Yr wybodaeth y cyfeirir ati yn rheoliad 7(2)(a) yw-

- (a) enw, cyfeiriad, rhif ffôn a chyfeiriad e-bost-
 - (i) y ceisydd;
 - (ii) deiliad arfaethedig y drwydded;
 - (iii) y person sy'n rheoli'r HMO neu'r tŷ;
 - (iv) y person sydd â rheolaeth o'r HMO neu'r tŷ; a
 - (v) unrhyw berson sydd wedi cytuno i ymrwymo i amod a geir yn y drwydded;
- (b) cyfeiriad yr HMO neu'r tŷ y gwneir y cais amdano;
- (c) brasamcan o gyfnod gwreiddiol adeiladu'r HMO neu'r tŷ (gan ddefnyddio'r categorïau cyn 1919, 1919-45, 1945-64, 1965-80 ac ar ôl 1980);
- (ch) math yr HMO neu'r tŷ y gwneir y cais amdano, gan gyfeirio at un o'r categorïau a ganlyn-
 - (i) tŷ mewn meddiannaeth unigol;
 - (ii) tŷ mewn amlfeddiannaeth;
 - (iii) fflat mewn meddiannaeth unigol;
 - (iv) fflat mewn amlfeddiannaeth;
 - (v) tŷ a droswyd yn fflatiau hunangynhaliol ac nad yw'n cynnwys dim ond fflatiau o'r fath;
 - (vi) bloc o fflatiau a adeiladwyd yn bwrpasol; neu
 - (vii) arall;
- (d) manylion HMOs eraill neu dai eraill sydd wedi eu trwyddedu o dan Ran 2 neu 3 o'r Ddeddf y mae deiliad arfaethedig y drwydded yn dal trwydded iddynt p'un ai a ydynt yn ardal yr awdurdod tai lleol y gwneir y cais iddo neu yn ardal unrhyw awdurdod tai lleol arall;
- (dd) yr wybodaeth a ganlyn ynglŷn â'r HMO neu'r tŷ y gwneir y cais amdano-
 - (i) nifer y lloriau sy'n ffurfio'r HMO neu'r tŷ ac ar ba lefelau y mae'r lloriau hynny;
 - (ii) nifer yr unedau gosod ar wahân;
 - (iii) nifer yr ystafelloedd preswyladwy (ac eithrio ceginau);
 - (iv) nifer yr ystafelloedd ymolchi a'r ystafelloedd cawod;
 - (v) nifer y toiledau a'r basynau ymolchi;
 - (vi) nifer y ceginau;
 - (vii) nifer y sinciau;
 - (viii) nifer yr aelwydydd sy'n meddiannu'r HMO neu'r tŷ;
 - (ix) nifer y bobl sy'n meddiannu'r HMO neu'r

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;
 - (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-
 - (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

tŷ;

- (x) manylion ynglŷn â'r offer diogelu rhag tân, gan gynnwys nifer a lleoliadau larymau tân;
- (xi) manylion ynglŷn â llwybrau dianc rhag tân a hyfforddiant arall diogelu rhag tân a roddir i feddiannwyr;
- (xii) datganiad bod y dodrefn a ddarperir o dan delerau unrhyw denantiaeth neu drwydded yn yr HMO neu'r tŷ yn cydymffurfio ag unrhyw ofynion diogelwch a geir mewn unrhyw ddeddfiad; ac
- (xiii) datganiad bod unrhyw offer nwy yn yr HMO neu'r tŷ yn cydymffurfio ag unrhyw ofynion diogelwch a geir mewn unrhyw ddeddfiad.

3.-(1) Yr wybodaeth a grybwyllir yn rheoliad 7(2)(b) yw-

- (a) manylion o unrhyw droseddau heb eu disbyddu a all fod yn berthnasol i ffitrwydd deiliad arfaethedig y drwydded i ddal trwydded, neu i ffitrwydd y rheolwr arfaethedig i reoli'r HMO neu'r tŷ, ac, yn benodol, unrhyw gollfarn o'r fath am unrhyw drosedd yn ymwneud â thwyll neu anonestrwydd o fath arall neu drais neu gyffuriau neu unrhyw drosedd a restrir yn Atodlen 3 i Ddeddf Troseddau Rhywiol 2003(1);
- (b) manylion o unrhyw ddyfarniad gan lys neu dribiwnlys o gamwahaniaethu anghyfreithlon gan ddeiliad arfaethedig y drwydded neu gan y rheolwr arfaethedig ar sail rhyw, lliw, hil, tras ethnig neu genedligol neu anabled wrth redeg unrhyw fusnes neu mewn cysylltiad ag ef;
- (c) manylion o unrhyw doriad gan ddeiliad arfaethedig y drwydded neu'r rheolwr arfaethedig o unrhyw ddarpariaeth mewn unrhyw ddeddfiad sy'n ymwneud â thai, iechyd y cyhoedd, iechyd yr amgylchedd neu gyfraith landlord a thenant sydd wedi arwain at achos sifil neu achos troseddol sydd wedi arwain at wneud dyfarniad yn erbyn deiliad arfaethedig y drwydded neu'r rheolwr arfaethedig;
- (ch) gwybodaeth am unrhyw HMO neu dŷ y mae deiliad arfaethedig y drwydded neu'r rheolwr arfaethedig yn berchen arno neu wedi bod yn berchen arno neu'n ei reoli neu wedi bod yn ei reoli ac sydd wedi bod yn ddarostyngedig i-
 - (i) gorchymyn rheolaeth dan adran 379 o Ddeddf Tai 1985(2) yn y pum mlynedd yn union cyn dyddiad y cais; neu
 - (ii) unrhyw weithredu gorfodaeth priodol a ddisgrifir yn adran 5(2) o'r Ddeddf;

or house;

- (x) details of fire precaution equipment, including the number and location of smoke alarms;
- (xi) details of fire escape routes and other fire safety training 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.

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(1);
- (b) details of any finding by a court or tribunal of unlawful discrimination on the part of the proposed licence holder or manager 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 judgment being made against the proposed licence holder or manager;
- (d) information about any HMO or house which the proposed licence holder or manager owns or manages or has owned or managed and which has been the subject of-
 - (i) a control order under section 379 of the Housing Act 1985(2) in the five years preceding the date of the application; or
 - (ii) any appropriate enforcement action described in section 5(2) of the Act;

(1) 2003 p.42.

(2) 1985 (p.68).

(1) 2003 c.42.

(2) 1985 (c.68).

(d) gwybodaeth am unrhyw HMO neu dŷ y mae deiliad arfaethedig y drwydded neu'r rheolwr arfaethedig yn berchen arno neu wedi bod yn berchen arno neu'n ei reoli neu wedi bod yn ei reoli y gwrthododd awdurdod tai lleol roi trwydded iddo o dan adran 2 neu 3 o'r Ddeddf, neu y dirymodd awdurdod tai lleol drwydded arno o ganlyniad i dorri amodau'r drwydded gan ddeiliad y drwydded; ac

(dd) gwybodaeth am unrhyw HMO neu dŷ y mae deiliad arfaethedig y drwydded neu'r rheolwr arfaethedig yn berchen arno neu wedi bod yn berchen arno neu'n ei reoli neu wedi bod yn ei reoli a fu'n ddarostyngedig i orchymyn rheoli terfynol o dan y Ddeddf.

4. Ffur y datganiad a grybwyllir yn rheoliad 7(3)(a) yw-

Yr wyf/yr ydym yn datgan bod yr wybodaeth a gynhwysir yn y cais hwn yn gywir hyd eithaf fy ngwybodaeth/ein gwybodaeth. Yr wyf/yr ydym yn deall fy mod/ein bod yn cyflawni trosedd os rhoddaf/os rhoddwn unrhyw wybodaeth i awdurdod tai lleol mewn cysylltiad ag unrhyw un o'i swyddogaethau o dan unrhyw un o Rannau 1 i 4 o Ddeddf Tai 2004 sydd yn anwir neu'n gamarweiniol ac y gwn/y gwyddom ei fod yn anwir neu'n gamarweiniol neu fy mod/ein bod yn ddi-hid p'un ai a yw'n anwir neu'n gamarweiniol ai peidio.

Llofnodwyd (pob ceisydd)

Dyddiedig

Yr wyf/yr ydym yn datgan fy mod/ein bod wedi cyflwyno hysbysiad o'r cais hwn i'r personau a ganlyn, sef yr unig bersonau y gwn/y gwyddom amdanynt ei bod yn ofynnol eu hysbysu fy mod/ein bod wedi gwneud y cais hwn:

Enw	Cyfeiriad	Disgrifiad o ddiddordeb y person yn yr eiddo neu yn y cais	Dyddiad cyflwyno

(e) information about any HMO or house which the proposed licence holder or manager owns or manages or has owned or managed and 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 the licence; and

(f) information about any HMO or house which the proposed licence holder or manager owns or manages or has owned or managed and which has been the subject of an interim or final management order under the Act.

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 who are required to be informed that I/we have made this application:

Name	Address	Description of the person's interest in the property or the application	Date of service

SAFONAU RHAGNODEDIG AR GYFER
PENDERFYNU AR ADDASRWYDD HMO
I'W FEDDIANNU GAN UCHAFSWM
NIFER PENODOL O AELWYDYDD NEU O
BERSONAU

Gwresogi

1. Rhaid i bob uned o lety byw mewn HMO gynnwys cyfarpar sy'n gallu cynhesu'r fan yn ddigonol.

Cyfleusterau ymolchi

2.-(1) Os nad yw'r cyfan neu rai o'r unedau yn y llety i fyw mewn HMO yn cynnwys cyfleusterau bathio a thoiled at ddefnydd unigol pob aelwyd unigol-

- (a) os oes pedwar neu lai o feddiannwyr yn rhannu'r cyfleusterau hynny mae'n rhaid bod yno o leiaf un ystafell ymolchi gyda bath sefydlog neu gawod a thoiled (a all fod wedi ei leoli yn yr ystafell ymolchi);
- (b) os oes pump neu fwy o feddiannwyr yn rhannu'r cyfleusterau hynny mae'n rhaid bod yno-
 - (i) un toiled ar wahân gyda basyn golchi dwylo gyda chefnfwrdd priodol ar gyfer pob pum meddiannydd sy'n rhannu; a
 - (ii) o leiaf un ystafell ymolchi (a gaiff gynnwys toiled) sydd â bath sefydlog neu gawod ar gyfer pob pum meddiannydd sy'n rhannu.

(2) Rhaid i bob bath, cawod a basynau golchi dwylo mewn HMO fod wedi ei gyfarparu â thapiau sy'n darparu cyflenwad digonol o ddŵr oer a dŵr poeth yn barhaus.

(3) Rhaid i bob ystafell ymolchi mewn HMO fod wedi ei chynhesu a'i hawyru yn ddigonol.

(4) Rhaid i bob ystafell ymolchi a thoiled mewn HMO fod o faint a dyluniad addas.

(5) Rhaid i bob bath, toiled a basyn golchi dwylo mewn HMO fod yn addas at y diben.

(6) Rhaid i bob ystafell ymolchi a thoiled mewn HMO fod wedi ei leoli'n addas yn y llety i fyw yn yr HMO neu mewn perthynas ag ef.

Ceginau

3. Pan fo'r cyfan neu rai o'r unedau byw o fewn yr HMO heb fod yn cynnwys unrhyw gyfleusterau ar gyfer coginio bwyd-

PRESCRIBED STANDARDS FOR
DECIDING ON THE SUITABILITY FOR
OCCUPATION OF AN HMO BY A
PARTICULAR MAXIMUM NUMBER OF
HOUSEHOLDS OR PERSONS

Heating

1. Each unit of living accommodation in an HMO must be equipped with adequate means of space heating.

Washing facilities

2.-(1) Where all or some of the units of living accommodation in an HMO do not contain bathing and toilet facilities for the exclusive use of each individual household-

- (a) where there are four or fewer occupiers sharing those facilities there must be at least one bathroom with a fixed bath or shower and a toilet (which may be situated in the bathroom);
- (b) where there are five or more occupiers sharing those facilities there must be -
 - (i) one separate toilet with wash hand basin with appropriate splash back for every five sharing occupiers; and
 - (ii) at least one bathroom (which may contain a toilet) with a fixed bath or shower for every five sharing occupiers.

(2) All baths, showers and wash hand basins in an HMO must be equipped with taps providing an adequate supply of cold and constant hot water.

(3) All bathrooms in an HMO must be suitably and adequately heated and ventilated.

(4) All bathrooms and toilets in an HMO must be of an adequate size and layout.

(5) All baths, toilets and wash hand basins in an HMO must be fit for the purpose.

(6) All bathrooms and toilets in an HMO must be suitably located in or in relation to the living accommodation in the HMO.

Kitchens

3. Where all or some of the units of accommodation within the HMO do not contain any facilities for the cooking of food-

- (a) mae'n rhaid bod yna gegin, mewn lleoliad addas mewn perthynas â'r llety i fyw, a bod ei dyluniad, ei maint a'r offer sydd ynddi yn gyfryw â'u bod yn ddigonol i alluogi'r rheini sy'n rhannu'r cyfleusterau i storio, i baratoi ac i goginio bwyd;
- (b) mae'n rhaid i'r offer a ganlyn fod yn y gegin, a rhaid iddo fod yn addas at y diben a rhaid bod digon ohono ar gyfer nifer y rhai sy'n rhannu'r cyfleusterau-
 - (i) sinciau â byrddau traenio;
 - (ii) cyflenwad digonol o ddŵr oer a dŵr poeth parhaus i bob sinc a gyflenwir;
 - (iii) gosodiadau neu offer ar gyfer coginio bwyd;
 - (iv) socedi trydan;
 - (v) arwynebeddau gwaith ar gyfer paratoi bwyd;
 - (vi) cypwrddau ar gyfer storio bwyd neu daclau cegin neu daclau coginio;
 - (vii) oergelloedd gydag adran rewi ddigonol (neu, os nad yw'r adran rewi yn ddigonol, digon o rewelloedd ar wahân);
 - (viii) cyfleusterau priodol i gael gwared â gwastraff; a
 - (ix) ffaniau echdynnu priodol, blancedi diffodd tân a drysau rhag tân.

Unedau o lefydd i fyw lle nad yw'r amwynderau sylfaenol yn cael eu rhannu

4.-(1) Pan fo uned o le i fyw yn cynnwys cyfleusterau cegin at ddefnydd aelwyd unigol yn unig, ac nad oes unrhyw gyfleusterau cegin eraill ar gael i'r aelwyd honno, mae'n rhaid darparu yn yr uned honno-

- (a) teclynnau ac offer digonol ar gyfer coginio bwyd;
- (b) sinc ag iddi gyflenwad digonol o ddŵr oer a dŵr poeth parhaus;
- (c) arwynebeddau gwaith ar gyfer paratoi bwyd;
- (ch) digon o socedi trydan;
- (d) cwpwrdd i storio taclau cegin a llestri; ac
- (dd) oergell.

(2) Os nad oes yna gyfleusterau ymolchi digonol sy'n cael eu rhannu yn cael eu darparu mewn uned o lety i fyw fel a ddisgrifir ym mharagraff 2, rhaid darparu ystafell wedi'i dylunio a'i hawyru'n ddigonol gyda tholed a bath neu gawod sefydlog sy'n cyflenwi digon o ddŵr oer a dŵr poeth parhaus at ddefnydd meddiannwyr yr uned honno'n unig naill ai-

- (a) there must be a kitchen, suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities, so as to adequately enable those sharing the facilities to store, prepare and cook food;
- (b) the kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in a sufficient quantity for the number of those sharing the facilities-
 - (i) sinks with draining boards;
 - (ii) an adequate supply of cold and constant hot water to each sink supplied;
 - (iii) installations or equipment for the cooking of food;
 - (iv) electrical sockets;
 - (v) worktops for the preparation of food;
 - (vi) cupboards for the storage of food or kitchen and cooking utensils;
 - (vii) refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezers);
 - (viii) appropriate refuse disposal facilities; and
 - (ix) appropriate extractor fans, fire blankets and fire doors.

Units of living accommodation without shared basic amenities

4.-(1) Where a unit of living accommodation contains kitchen facilities for the exclusive use of the individual household, and there are no other kitchen facilities available for that household, that unit must be provided with-

- (a) adequate appliances and equipment for the cooking of food;
- (b) a sink with an adequate supply of cold and constant hot water;
- (c) a work top for the preparation of food;
- (d) sufficient electrical sockets;
- (e) a cupboard for the storage of kitchen utensils and crockery; and
- (f) a refrigerator.

(2) Where no adequate shared washing facilities are provided for a unit of living accommodation as mentioned in paragraph 2, an enclosed and adequately laid out and ventilated room with a toilet and bath or fixed shower supplying adequate cold and constant hot water must be provided for the exclusive use of the occupiers of that unit either-

- (a) o fewn y llety i fyw; neu
- (b) yn rhesymol o agos i'r llety i fyw

Cyfleusterau rhagofalon tân

5. Rhaid darparu cyfleusterau ac offer rhagofalon tân priodol o'r math, o'r nifer ac yn y lleoliadau lle'r ystyrir bod eu hangen.

- (a) within the living accommodation; or
- (b) within reasonable proximity to the living accommodation.

Fire precautionary facilities

5. Appropriate fire precaution facilities and equipment must be provided of such type, number and location as is considered necessary.

2006 Rhif 1715 (Cy.177)

TAI, CYMRU

Rheoliadau Trwyddedu a Rheoli
Tai Amlfeddiannaeth a Thai Eraill
(Darpariaethau Amrywiol) (Cymru)
2006

2006 No. 1715 (W.177)

HOUSING, WALES

The Licensing and Management of
Houses in Multiple Occupation and
Other Houses (Miscellaneous
Provisions) (Wales) Regulations
2006

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