

PS9. Housing Roles & HMO Licensing

Further Reading Handout

This is not an exhaustive coverage of the subject, but just a reminder of some of the issues covered in the talks, to help as a mental checklist.

Legislation, guidance and online information is frequently updated, so links quickly become obsolete or broken. We recommend that you check and update these at regular intervals – as the general topics do not change, you may find that searching using the words in the topic headings may bring up new links. **Do NOT take any action based on these notes until you have checked and confirmed the current state and content of the legislation, guidance and local practice.**

1. What is an HMO?

[The definition of a HMO may be found in the Housing Act 2004](#) and [for certain buildings converted into Self-contained flats](#)

[When persons are considered to be a single household is defined](#)

2. HMO Licensing

Part 2 of the Housing Act 2004 sets out the [legislative framework for the mandatory licensing of HMOs](#)

[The prescribed descriptions of a HMO to be licensed](#) were changed by The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018.

The Licensing of Houses in Multiple Occupation ([Mandatory Conditions of Licences](#)) (England) Regulations 2018, extended the conditions which local housing authorities (LHAs) must include when granting new or renewal licences from commencement were brought in with these Regulations. The first specifies minimum sizes of rooms which may be occupied as sleeping accommodation and also requires the LHA to specify the maximum number of persons (if any) who may occupy a specified room for the purpose of sleeping accommodation in the licensed HMO. The second requires licence holders to comply with any [local authority scheme made in respect of refuse storage and disposal at the HMO](#).

[Houses in Multiple Occupation and residential property licensing reform](#)

At the same time the government brought out a general - [Landlord and tenant rights and responsibilities in the private rented sector Published 9 April 2019](#)

3. Fitness for Human Habitation

- a) [Legislation](#)
- b) [Guidance for Landlords](#)
- c) [Guidance for Tenants](#)
- d) [How to Rent a Safe Home](#)
- e) [Pre-Action Protocol for Housing Conditions Claims \(England\)](#)

4. Rent Repayment Orders

[The Housing and Planning Act 2016 extended rent repayment orders](#) to cover illegal eviction, breach of a banning order and certain other specified offences.

5. [Exeter Article 4 Area](#)

[Exeter City Council planning site](#) also provides access to the map and if in doubt regarding planning permission please call 01392 265223 between 1pm and 4pm should you wish to discuss further.