

Public Notice

DESIGNATION OF AN AREA FOR ADDITIONAL LICENSING OF HOUSES IN MULTIPLE OCCUPATION (HMOS)

Notice is hereby given that Charnwood Borough Council in exercise of its powers under section 56 of the Housing Act 2004 ("The Act") on the 10th March 2022 designated an additional licensing scheme in respect of Houses in Multiple Occupation (HMOs). The area affected covers the entire Borough of Charnwood. This scheme will be known as Charnwood Borough Council Additional HMO Scheme 2022 ("the Scheme").

The Scheme to which the designation applies has General Approval under section 58 of Housing Act 2004 by the Secretary of State under The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015. Therefore, the designation need not be confirmed and will come into force on 1st April 2023 and unless revoked beforehand or extended will cease to have effect on 31st March 2028.

The scheme applies to:

- all HMOs, irrespective of the number of stories that are occupied by 3 or 4 unrelated persons, and
- all Section 257 HMOs (buildings converted into self-contained flats) where the building is wholly occupied by tenants

Certain HMOs as specified in the relevant sections of the Housing Act 2004 (in both categories above) are exempted from the scheme.

A person having control of or managing a prescribed HMO must apply to Charnwood Borough Council for a licence. Failure to apply for a licence is an offence under Section 72(1) Housing Act 2004 punishable on conviction by payment of an unlimited fine or alternatively may be made subject to a financial penalty not exceeding £30,000. In addition, they may be required to repay up to 12 months' rent if the tenant or the Council, in the case of housing benefit payments, apply to the Residential Property Tribunal for a rent repayment order. Furthermore, no section 21 notice may be given in relation to a short hold tenancy of a part of an unlicensed HMO so long as it remains such an HMO.

Any landlord, managing agent or other person managing an HMO or any tenant within the Borough may seek advice as to whether their property is affected by the designation during normal office hours, which are: 9am to 5pm, Monday to Friday.

A copy of the designation may be inspected at Charnwood Borough Council office, Southfield Road, Loughborough LE11 2TN.

Online Applications for the licensing scheme will open from 1st February 2023. To obtain further information please visit www.charnwood.gov.uk/PropertyLicensing, call 01509 634651 or email: private.housing@charnwood.gov.uk.



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