



Aberdeen City Council
Civic Government (Scotland) Act 1982
HMO APPLICATION NOTES v1

Grant of Licence

For clarification, an HMO Licence is required if you are the owner of residential property and you give permission for that property to be occupied by three or more qualifying persons from three or more families as their only or principal residence. Please note that a principal residence is defined not simply by the number of days spent at the property but also by the quality of occupation.

If you consider that your property requires an HMO Licence, please submit a fully completed HMO Application Form and the relevant HMO Licence Fee. The submitted HMO Application Form must be the original and not a photocopy, and the appropriate HMO Licence Fee must be in the form of a cheque made payable to "Aberdeen City Council".

Once your fully completed HMO Application Form and HMO Licence Fee have been received, your HMO Application will be passed to the HMO Officer who will contact you shortly thereafter to arrange a first inspection of your property.

Depending on the size of your property, the HMO Officer will use the following guides which can be viewed on Aberdeen City Councils website to determine the standards required at your property before an HMO Licence can be granted:

1. Mandatory Licensing of Houses in Multiple Occupation: Guidance for Licensing Authorities.
2. Practical Fire Safety Guidance for Small Premises Providing Sleeping Accommodation.

Or

3. Practical Fire Safety Guidance for Medium and Large Premises Providing Sleeping Accommodation.

PETE LEONARD
CORPORATE DIRECTOR

The following documentation items are also required before an HMO Licence can be granted. However the HMO Officer will collect these documents from you during the first or subsequent inspections of your property:

1. A copy of the tenancy agreement you intend to utilise. An anti-social behaviour clause must be included in the tenancy agreement.
2. A copy of a Gas Safe certificate (if there are any gas appliances in the property), which must be completed by a GAS SAFE registered engineer.
3. A copy of the fire-detection and fire-alarm compliance certificate (The HMO Officer will advise you which system is required for your property).
4. A copy of the periodic inspection report for your property's electrical installations, which must be submitted on SELECT, ECA or NICEIC proformas.
5. A copy of the portable appliances test (PAT) certificate. (This is the safety certification for the electrical appliances you provide for your tenants).
6. A completed Certificate of Compliance, confirming the date of the 21-day period during which the Notice for Display was actually displayed outside your property.

With regard to the Notice for Display, you must display it in a public place outside your property in a position, where it is capable of being easily read by all neighbours and passers-by. This Notice must remain on display for 21 days starting on the day you submit your HMO Application Form and HMO Application Fee.

Should the Council receive any letter(s) of objection to your proposed HMO then your HMO Application will be referred to the Council's Licensing Committee. You and the objector(s) will be invited to the Licensing Committee where all parties will be given the opportunity to speak for/against the HMO application, following which the Committee will decide whether to grant an HMO Licence, subject to all requirements being met, or refuse your application.

You should also be aware that the Chief Constable of Grampian Police and the Chief Officer of Grampian Fire & Rescue Service are statutory consultees to every HMO application submitted to the Council. Should they submit any adverse comment to your HMO application, it will be referred to the Council's Licensing Committee where it will be dealt with in the same manner as any letter of objection.

In light of the possibility that the Council's Licensing Committee could refuse your HMO application, It is recommended that you do not consider commencing any upgrading work on your property, until you have confirmed whether or not the Council has received any letters of objection from neighbours, Grampian Police or Grampian Fire and Rescue Service.

In addition to an HMO Licence, you may also require a Local Authority Building Warrant and/or Planning Permission Change of Use. A Building Warrant may be required when internal alterations are proposed. Planning Permission Change of Use is required when the proposed HMO occupancy is 5 or more unrelated persons. It is your responsibility to determine whether or not Building Warrant and/or Planning Permission Change of Use are required, and if so to submit the necessary applications to the Council's Planning Service. For specialist advice, please contact Planning Enquiries on Tel: 01224 522289 or Email PI@aberdeencity.gov.uk.

Renewal of HMO Licence

If you are already an HMO Licence holder and your HMO Licence is about to expire, and you wish to continue operating your HMO, you must submit an HMO Licence Application Form and Licence Fee to the HMO Unit **prior** to the expiry date of your current HMO Licence. This will allow you to continue operating your HMO until your renewal application is determined. If, however, your renewal application is received by the HMO Unit after the expiry date of your current Licence, the HMO Unit must treat it as a fresh application, which means that your property cannot be operated as HMO until the application has been granted.

If you are submitting an HMO Licence renewal application, it would be helpful if the various safety certificates, tenancy agreement and Certificate of Compliance (referred to in 1-6 above) were available for the first on-site inspection of your property.

General

In conclusion, I trust that the above information explains the Council's position in relation to HMO Licensing, and will allow you to determine whether or not you require an HMO Licence. For your interest, it is a criminal offence to operate an HMO without being in possession of a current HMO Licence issued by the Local Authority. It is also a criminal offence for any person to act as an Agent for an owner of an HMO who does not hold a current HMO Licence.

If you are in any doubt regarding your requirement for HMO licensing, please do not hesitate to contact the HMO Unit for advice.

Table of HMO Licence Fees (Effective from 29th September 2010)

Number of Tenants	Cost of Initial Application	Cost of Application Renewal
3 - 5	£900	£700
6 – 10	£1,200	£900
11 – 20	£1,500	£1,200
21 – 50	£1,800	£1,400
51 plus	£2,100	£1,600



Aberdeen City Council
Civic Government (Scotland) Act 1982
HMO APPLICATION FORM v1

PLEASE ANSWER ALL QUESTIONS CAREFULLY AND COMPLETE IN BLOCK CAPITALS USING BLACK INK

1. This section is to be completed by the Owner of the premise. If a Company or Partnership owns the premise, go Directly To Section 2.	
Surname:	
Forename(s):	
Address:	
Post Code:	
Tel No:	
Date of Birth:	
Place of Birth (Town/City):	
Is applicant to carry out day to day supervision of the premises to be licensed?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If not, give full name, address, and contact number of any person/company so engaged.	Name: Address: Post Code: Tel No: Fax No: Email:

2. To be completed by a Company or Partnership.	
Full Name of Company or Partnership:	
Full Address of Principal or Registered Office:	
Tel No:	
Full names, addresses, telephone numbers, dates of birth and Places of birth of directors, partners etc. (if more than 2 directors/partners etc. please use separate sheet).	Name: Position: Address: Tel No: Date of Birth: Place of Birth:
	Name: Position: Address: Tel No: Date of Birth: Place of Birth:
Contact details of person within Company/Partnership appointed to deal with the Premises.	Name: Tel No:

3. Details of "The Premises"

Name (if any) and address of premises for which an HMO Licence is required (hereinafter called 'the Premises').	
Post Code:	
If a house, number of floor	
Number of bathrooms	
Number of kitchens	
If flat, which floor level ie. Ground, 1st etc. attic	
Number of Occupants	
a) Total number of residents who can be accommodated at any one time.	
b) Total number of owner/s family or family of person/s managing Premises, normally resident at one time.	
Number of Rooms	
a) Total number of habitable rooms in house (include kitchen).	
b) Total number of letting bedrooms.	
c) Total number of floors used ie, maisonette	
b) Total number of public rooms available for use by resident's i.e. lounge, dining room etc.	
c) Total number of rooms used for private accommodation. ie landlord living in same accommodation	

<p>Residents <i>Please tick where appropriate</i></p> <p>a) Do you intend to cater for short term residents only e.g.: tourists, commercial travellers etc whose stay will be of no more than three weeks duration at any one time?</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>b) Do you intend to cater for long term residents including students who will occupy the premises as their main home whilst resident in Aberdeen?</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>Catering Arrangements <i>Please tick where appropriate</i></p> <p>a) Do you offer Bed and Breakfast accommodation?</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>b) Do you offer Full Board accommodation?</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>c) Do you offer self-catering accommodation?</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>d) Do you offer self-contained accommodation?</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>e) Do you offer Bed Only accommodation?</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>
<p>Has/Have the applicant(s) or any other person named in this application ever been convicted of any crime or offence, (including any spent convictions as defined in the Rehabilitation of Offenders Act 1974)?</p> <p>(Enter Yes or No only)</p>		
<p>Have you enclosed the correct Licence Fee? This fee is non-refundable!</p>		

4. Declaration (Delete A or B as appropriate)

***A)** I/we declare that I/we shall, for a period of 21 days commencing with the date hereof, display at or near the premises mentioned at Question 3 so that it can conveniently be read by the public, a notice complying with the requirements of Paragraph 2(3) of Schedule 1 of the Civic Government (Scotland) Act 1982. A form, which should be used for this purpose, is attached (green 'Notice of Display' form).

OR

B) I/we declare that I am/we are unable to display a notice of this application at or near the premises because I/we have no rights of access or other rights enabling me/us to do so, but that I/we have taken the following steps to acquire the necessary rights namely: (specify steps taken). But have been unable to acquire those rights.

*** Where declaration A is made, there must be produced in due course a Certificate of Compliance with Paragraph 2(2) of Schedule 1 to the Civic Government (Scotland) Act 1982.**

NB: Any person who, or in connection with, the making of this application makes any statement which he/she knows to be false or recklessly makes any statement which is false, may be guilty of an offence and liable, on summary conviction, to a fine not exceeding £500.

Where applicants do not comply with the conditions of licence, attract local objections to the grant of the licence, and the police submit adverse comments as to the applicants' being "a fit and proper person", the application is submitted to the Licensing Committee to consider the application. The Licensing Committee can grant the licence, refuse the licence or revoke an existing licence. The appeal procedure is to a Sheriff.

Data Protection Act 1998

The information collected on this form is recorded [*1], stored securely and processed for the purpose of [*2]. Aberdeen City Council (ACC) will process your information fairly and lawfully and in accordance with the principles of the Data Protection Act 1998. [*3] For the purpose of processing your personal information, ACC is the Data Controller. The nominated representative of the Data Controller is the City Solicitor. You have a right to obtain details of the personal information, which ACC holds about you. Such a request should be made in writing to:

Housing & Environment
Aberdeen City Council
4th Floor
St. Nicholas House
Broad Street
Aberdeen AB10 1BY

I declare that the particulars given by me on this form are correct to the best of my knowledge and belief.

Signature of Applicant: _____

Position of Applicant in Company/Partnership: _____

Date: _____



Aberdeen City Council
Housing (Scotland) Act 2006
**NOTICE OF APPLICATION FOR A LICENCE FOR A
HOUSE IN MULTIPLE OCCUPATION**

NOTICE IS HEREBY GIVEN that an application has been submitted to Aberdeen City Council for a licence to operate a **House in Multiple Occupation (HMO)** in respect of accommodation at:

HMO ADDRESS			
		POSTCODE	

1. NAME & ADDRESS OF APPLICANT ¹

NAME			
ADDRESS			
		POSTCODE	

NAME & ADDRESS OF AGENT (WHERE APPLICABLE) ²

NAME			
ADDRESS			
		POSTCODE	

DATE APPLICATION MADE		/		/	
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Representations

Representations about the application must -

(a) be in writing, (b) set out the name and address of the person making it, (c) be signed by that person or on their behalf and (d) be submitted to the HMO Unit, Housing and Environment, Business Hub 1, Lower Ground Floor West, Marischal College, Broad Street, Aberdeen, AB10 1AB, **no later than 21 days** from the date on which the application was made.

A copy of the representation will be given to the applicant, it will also be considered by the Council's Licensing Committee and will form part of the agenda.

¹ Where the applicant is an individual this is their name and address, where the applicant is a body (e.g. company or partnership) then it is the name of the body and the address of the principal office.

² Where the agent is an individual this is their name and address, where the agent is a body (e.g. company or partnership) it is the name of the body and the address of the principal office.



Aberdeen City Council
Housing (Scotland) Act 2006
CERTIFICATE OF COMPLIANCE

I being the applicant for a House in Multiple Occupation (HMO) Licence, hereby certify that a Notice of HMO Application has been posted at or near the premises at:

HMO ADDRESS			
		POSTCODE	

from (date):..... to (date):.....

Where the said Notice was removed, obscured or defaced during the above mentioned period, I took reasonable steps for its protection and replacement as follows: (give details and circumstances)

SIGNATURE: _____

DATE: _____

To be completed and returned to the HMO Unit, Housing & Environment, Business Hub 1, Lower Ground Floor West, Marischal College, Broad Street, Aberdeen, AB10 1AB, after the Notice has been displayed for 21 days.

1. On the date that you submit the application for an HMO licence to the Council, please complete the “Notice of Application for a Licence for a House in Multiple Occupation” form and display it on or near the premises for a period of 21 days, so that it can conveniently be read by the public (e.g. attached to a tree or lamp-post on the public pavement as close to the premises as possible). You should also weather-proof the Notice by either laminating it or inserting it into a clear plastic envelope.
2. At the end of the 21 day period, please complete the Certificate of Compliance, and return it to the HMO Unit, Housing & Environment, Business Hub 1, Lower Ground Floor West, Marischal College, Broad Street, Aberdeen, AB10 1AB. The actual Notice should be retained by you.
3. If, for any reason you are unable to display the Notice for a continuous 21-day period, a declaration to this effect must be made on the Certificate of Compliance.
4. Should you have any queries about the Notice or Certificate of Compliance, please telephone the HMO Unit on 01224 522299 or e-mail HMOUnit@aberdeencity.gov.uk