



PROPOSAL FOR A VARIATION

of existing HMO Licence Conditions by consent

Please read the Notes on page 4 and give the information required in all three Parts of this form.
Please PRINT clearly within the boxes using only

black or blue ink. Tick boxes as appropriate.
If you do not complete in full all relevant items your proposal may be declined.

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1.1	To: HMO Licensing Officer Oxford City Council St Aldate's Chambers 109-113 St Aldates Oxford OX1 1DS	I HEREBY PROPOSE that the existing HMO Licence Conditions for the house in multiple occupation at
	Address of the HMO for which a Variation of Licence Conditions is proposed:	
		Oxford Postcode:
	Signature:	be varied to take account of the change of circumstances that has occurred since the Licence was granted. I DECLARE that the information contained in this proposal is correct to the best of my knowledge. I understand that I commit an offence if I supply any information to a local housing authority in connection with any of their functions of any of Parts 1 to 4 of the Housing Act 2004 that is false or misleading and which I know is false or misleading or am reckless as to whether it is false or misleading. No application fee is due.
Date:		

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Part Two: DETAILS OF THE PERSON making this proposal

2.1	Title:	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr <input type="checkbox"/> Other:
	Full legal name:	Given Names:
	<i>[Do not give initials]</i>	Surname:
	Residential address:	
	<i>[Essential – you must provide this information]</i>	
		Postcode:
	Business Address	
	<i>[If applicable]</i>	
	Preferred address for correspondence <input type="checkbox"/>	Postcode:
	Home Telephone:	
Work Telephone:		
Mobile:		
Fax:		
Email address:	@	

2.2	Please select one category to indicate your legal status in this matter	
		I am the Licence Holder <input type="checkbox"/>
		<i>or</i>
		I have an estate or interest in this HMO <input type="checkbox"/>
		<i>or</i>
	I manage or have control of this HMO <input type="checkbox"/>	
	<i>or</i>	
	I am a person on whom a restriction or obligation is imposed by the Licence in accordance with s 67(5) of the Act <input type="checkbox"/>	

Guidance Notes

Your proposal to change the conditions of an HMO Licence is made under section 69(1)(a) of the Housing Act 2004. (see below) That section allows for the Licence Holder and the Council to agree to changes to HMO Licence Conditions already granted.

Apart from the Conditions required by statute, there is no limit to what can be changed provided both parties consent to the changes. The purpose of making changes is to relieve or remove a legal obligation on the Licence Holder. Typically, the changes may involve an extension of the time allowed to carry out works or to permit a change in occupancy rates.

Your proposal will be considered and, if necessary, we may seek further information from you. The case officer may visit the house and discuss alternatives with you.

When an informal agreement has been reached a new set of Conditions will be sent to the Licence Holder. We will include a schedule to show how the old Conditions have been varied. Also included with that letter will be an Acceptance Note that must be signed and returned to show that the Licence Holder has consented to the new Conditions.

The varied Conditions will take effect only when we have received the Acceptance Note.

Fee

There is no application fee for this proposal.

Public Register

Each Licence must be listed in the Register of HMO Licences, which is available for inspection by the public at all reasonable times. It includes your name and address.

Do you need more help?

If you need help with your proposal please contact:

HMO Licensing Officer
Environmental Development
Oxford City Council
St Aldate's Chambers
109-113 St Aldates
Oxford OX1 1DS
Telephone: 01865 252307

Email: hmos@oxford.gov.uk

Translations are available

অনুবাদের ব্যবস্থা আছে
提供有翻譯本
तरजमे उपलब्ध हैं
उत्तममे मिल सकते हन
ترجمہ دستیاب ہے

If you need a translation, a larger print version, or a copy of this publication in another format, please contact the HMO Licensing Officer at the address given under 'Do you need more help?' opposite.

Independent Legal Advice

These Notes are for guidance only. You should ask your solicitor or independent legal advisor to explain the law and what you are required to do under the Housing Act, 2004.

Extract from the Housing Act 2004:

69 Variation of licences

- (1) The local housing authority may vary a licence—
- if they do so with the agreement of the licence holder, or
 - if they consider that there has been a change of circumstances since the time when the licence was granted.

For this purpose "change of circumstances" includes any discovery of new information.

- (2) Subsection (3) applies where the authority—
- are considering whether to vary a licence under subsection (1)(b); and
 - are considering—
 - what number of households or persons is appropriate as the maximum number authorised to occupy the HMO to which the licence relates, or
 - the standards applicable to occupation by a particular number of households or persons.

(3) The authority must apply the same standards in relation to the circumstances existing at the time when they are considering whether to vary the licence as were applicable at the time when it was granted.

This is subject to subsection (4).

- (4) If the standards—
- prescribed under section 65, and

(b) applicable at the time when the licence was granted, have subsequently been revised or superseded by provisions of regulations under that section, the authority may apply the new standards.

(5) A variation made with the agreement of the licence holder takes effect at the time when it is made.

(6) Otherwise, a variation does not come into force until such time, if any, as is the operative time for the purposes of this subsection under paragraph 35 of Schedule 5 (time when period for appealing expires without an appeal being made or when decision to vary is confirmed on appeal).

(7) The power to vary a licence under this section is exercisable by the authority either—

- on an application made by the licence holder or a relevant person, or
- on the authority's own initiative.

(8) In subsection (7) "relevant person" means any person (other than the licence holder)—

- who has an estate or interest in the HMO concerned (but is not a tenant under a lease with an unexpired term of 3 years or less), or
- who is a person managing or having control of the house (and does not fall within paragraph (a)), or
- on whom any restriction or obligation is imposed by the licence in accordance with section 67(5)