



LICENCE REFERENCE: XXXX

PROPERTY LICENCE

Under Section 88 of the Housing Act 2004

I hereby certify that the property situated at XXXXX has been licensed with Oxford City Council under the above legislation and is subject to the attached conditions.

Licence Holder: XXXX

Managing Agent: XXXX

Valid from: XXXX

Expiry date: XXXX

Occupation: This property is licensed for a maximum of X people living as 1 household or 2 persons living as 2 households Note: Children under one year old are not included in when counting number of persons.

Date: XXXX

Signature:

Ian Wright

Head of Regulatory Services and Community Services

A copy of this licence must be displayed in a prominent and accessible position within the above property at all times. Please note: This licence is non-transferable, and does not guarantee that the property has been inspected and approved as being of an acceptable standard. If you have any queries or complaints about the standard of the property please contact the Council.

Property Licence Conditions

Property Address: XXXX

Permitted Occupation

1. OCCUPATION

The house is to be occupied as a non-HMO property.

This property is licensed for a maximum of

X people living as 1 household

or

2 persons living as 2 households

Note: Children under one year old are not included in when counting number of persons.

A household is defined as persons:

- married or living together - including people in same-sex relationships
- children - including fostered or adopted
- relatives or half-relatives, e.g. grandparents, aunts, uncles, siblings
- step-parents and step-children

The licence specifies the maximum permitted number of persons that may occupy the property.

At the time the licence is granted, if the current number of occupants is greater than the maximum permitted number stated on the licence, the household living there at the time the licence is issued would not be required to leave.

Where the number of occupants increases due to new child(ren) within the household and this causes the maximum permitted number to be exceeded, the household will not be required to leave.

Gas Safety and Carbon Monoxide

2. LANDLORD'S GAS SAFETY CERTIFICATE

If gas is supplied to the house, the licence holder must produce to the local housing authority annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months*. The gas safety certificate must be issued by a recognised engineer approved under Regulation 3 of the Gas Safety (Installation and Use) Regulations 1998.

Ensure that a valid gas safety certificate is in place for the property for the duration of the licence (there should be no gaps in between certificate dates unless there was no requirement for a certificate at that time) and copies of all gas safety certificates obtained whilst the licence is in force must be kept by the Licence Holder for the duration of the licence and, on demand, supplied to the Council. This does not apply to any appliance purchased by the occupying tenant.

3. CARBON MONOXIDE ALARMS

Ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains fixed combustion appliances such as solid fuel burning appliances, gas boilers or gas fires (although not for gas cookers). A 'room' includes a hall or landing and 'living accommodation' includes bathrooms and lavatories. The Licence Holder must keep all alarms in proper working order and supply the Council, on demand, with a declaration by him as to the condition and positioning of any such alarm.*.

Government guidance on the Smoke and Carbon Monoxide (England) Regulations 2015 states: Landlords should follow the individual manufacturer's instructions when installing the alarms. Oxford City Council will accept that for bathrooms and lavatories, the alarm can be fitted immediately outside the room.

If, on the day the licence is granted there are no such appliances and subsequently new fixed combustion appliances are installed then at this point, the carbon monoxide alarm must be fitted

Electrical Safety

4. ELECTRICAL SAFETY CERTIFICATE

The Licence Holder must ensure that every electrical installation in the house is in proper working order and safe for continued use and supply, on demand, with a declaration as to the safety of such installations*.

The Licence Holder must ensure that an electrical condition report dated within the last five (5) years is submitted, on demand, to the Council. A valid electrical condition report must be in place for the property for the duration of the licence (there should be no gaps in between certificate dates unless there was no requirement to have a certificate during at that time).

The report must detail the condition of the fixed electrical installation of the property. Carry out any remedial works identified on the report and, on demand, submit evidence to the Council upon completion. The report must be issued in accordance with the latest edition of the BS7671 Regulations for Electrical Installations, as issued by the Institute of Electrical Engineers. The inspection, report and all electrical work must be undertaken by qualified electricians registered and assessed by a UKAS accredited Certification Body to A1.2 of the IET Electrotechnical Assessment Scheme. The register of competent persons is available from: www.competentperson.co.uk

5. ELECTRICAL APPLIANCE SAFETY*

The Licence Holder must ensure all electrical appliances made available to the occupants are kept in a safe condition. On demand, the Licence Holder must submit to the Council a declaration by him as to the safety of such appliances.

Fire Safety

6. SMOKE ALARMS*

The Licence Holder must ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation.

The Licence Holder must keep all alarms in proper working order and supply the Council, on demand, with a declaration by him as to the condition and positioning of any such alarm.

When informed, or if on testing by the Licence Holder / agent, any such alarm(s) are found to be faulty then any such alarm must be replaced.

7. FURNITURE SAFETY*

The Licence Holder must ensure all furniture made available to the occupants of the house must be kept in a safe condition and must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988. On demand, the Licence Holder must submit a declaration concerning the safety of the furniture to the Council.

Tenancy Management

8 WRITTEN TERMS OF OCCUPANCY

The Licence Holder must supply the occupiers of the house / rooms, on commencement of their occupancy, with a written statement of the terms in which they occupy the house (i.e. a tenancy agreement). The Licence Holder must, on demand, provide the Council with a copy of the written statement*.

The Licence Holder must make a copy of the tenancy agreement available before the house is let so that tenants can read it before being asked to sign. It also gives the tenants the opportunity to get independent advice before signing.

9 REFERENCES

The Licence Holder must demand that references are requested from persons who wish to occupy the house.*

When referencing, consideration must be given to the tenant's history, credit and right to rent checks.

The Licence Holder must, on demand, ensure that the Council is provided with a copy of any such references and records.

10 RENT RECEIPTS

The Licence Holder must ensure there is a record of all rent payments received in respect of the property. The record must cover the duration of the licence.

Where rent is paid in cash or cheque, the occupant(s) must be given a written receipt for the rental payment stating the date of payment, amount paid and the name of the person who collected the payment.

Where rent is paid via BACs, this will count as the record of rental payment.

The Licence Holder must, on demand, ensure that the Council is provided with a copy of rent payment records.

11 INVENTORY

The Licence Holder must ensure that an inventory is provided to the occupants.

The Licence Holder must, on demand, ensure that the Authority is provided with a copy of the inventory/ies.

12 UTILITIES AND APPLIANCES

The Licence Holder must ensure that, where tenants are to pay the bills, they are provided with details of the utility provider and billing information within 14 days of occupation of the house.

The Licence Holder must ensure that the tenants are provided with a user manual or written instructions for the correct operation and setting of the fixed form of heating system in the

property.

Waste disposal and refuse

13 WASTE DISPOSAL AND RECYCLING REQUIREMENTS

Properties with blue / green bin collection:

Oxford City Council policy is to collect no greater quantity of domestic waste from refuse bins (green bins) than from recycling bins (blue bins). Oxford City Council will not collect recycling or refuse material unless correctly presented in a receptacle meeting the Council's specification.

Properties with sack collection or block of flats:

Where a property has waste collection via sacks or is within a block of flats, then the Licence Holder must comply with the information on the council website www.oxford.gov.uk/recycling

All properties:

The Licence Holder must give new tenants information, in writing, on disposing of all rubbish / recycling in an appropriate manner and at the appropriate time including:

- The collection days for the refuse and recycling
- Details on what they can and cannot recycle
- How they can dispose of bulky waste and the penalties for fly tipping

The Licence Holder must ensure suitable and adequate provision is made available at the start of a tenancy for storage of refuse generated in the house.

The Licence Holder must make supplementary arrangements for the disposal of refuse from the house as may be necessary.

The Licence Holder must ensure that at the end of each tenancy any rubbish or unwanted household goods left behind are removed and disposed of appropriately before the start of the next tenancy. In particular any rubbish or goods left in the front or back garden or the pavement in front of the property should be removed.

Property Management, Inspections and Emergency Arrangements

14 PROVISION OF CONTACT DETAILS TO TENANTS

The Licence Holder must give the tenants, in writing, the name, address and telephone contact number of the person who manages the house.

The Licence Holder must provide to the tenants, in writing within 7 days of their occupation, details of who to contact to report repairs, including out of hours emergency contact details.

15 DIS-REPAIR / PESTS

The Licence Holder must ensure that, if they are informed, in writing, by email or other form of communication, about a complaint of disrepair or pest infestation in the property from the occupiers, the Council or a third party, they take action to investigate and if necessary remedy the disrepair and/or infestation within a reasonable period of time. The Licence Holder shall respond, preferably in writing to any such complaint, within 14 days of receipt of the complaint, stating what action they have taken or intend to take.

Where an emergency issue is reported to the licence holder or their managing agent (e.g. loss of heating, hot water, issues relating to security), it should be responded to within 24 hours. This includes undertaking a temporary measure before the full repair can be undertaken.

Where a pest problem is identified following a complaint, the Licence Holder must employ a suitably qualified pest control company to investigate the problem and undertake all action needed to remove pests (this includes baiting and any structural repairs to prevent pest access).

16 PROPERTY INSPECTION

The Licence Holder must ensure that inspections of the house are carried out at least every six months to identify any problems relating to the condition and management of the house. The records of such inspections must be kept for the last year. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of inspection any issues found and actions(s) taken. Copies of these must be provided to the council within 28 days of demand. In the event that an inspection is not possible then it is acceptable for the Licence Holder to fulfil this in alternative ways (e.g. zoom call with tenants who show the house and landlord takes notes or written confirmation from tenants there are no problems).

17 EMERGENCY ARRANGEMENTS

There must be emergency arrangements in place for the tenants to be able to arrange emergency repairs. These arrangements must be provided, in writing, to the tenant.

Energy Performance Certificate

18 ENERGY PERFORMANCE CERTIFICATE (EPC)

Where an EPC is required for the property, on demand submit to the Council an energy performance certificate stating the property has a minimum energy efficiency standard of an E-rating. The person issuing the certificate must be an Approved Energy Assessor qualified to undertake such inspection and testing.

If the property is exempt from the Minimum Energy Efficiency Standard, on demand provide details of the registered exemption.

Notification of changes

20 CHANGES TO CONTACT DETAILS

The Licence Holder must advise the Customer Services Applications Team in writing of any permanent change to the address or contact details of each person (except any mortgage provider) named on the licence application form as soon as reasonably practicable.

21 CHANGES WITHIN THE HOUSE

The Licence Holder must advise the Customer Services Applications Team in writing of any change in the house (apart from the change of occupants) that is likely to affect the operation or management of the house as soon as reasonably practicable.

22 CHANGES TO FIT AND PROPER PERSON STATUS

The Licence Holder must advise the Customer Services Applications Team in writing of any changes to the Licence Holder, the Manager's or any associate's circumstances which could affect their fit and proper person status, i.e. any cautions or convictions for any offence involving fraud, dishonesty, violence, drugs, sexual offences (under Sexual Offences Act, schedule 3) discrimination or breach of housing or landlord / tenant law or convicted of a banning order offence or issued with a banning order. The Licence Holder to inform the Council within 14 days of becoming aware of the change to fit and proper person status.

23 SALE OF PROPERTY

Where the property is sold and the owner is the Licence Holder, the Licence Holder must request that the licence is revoked. Licences cannot be transferred.

Where the property is sold and the Licence Holder remains the same (for example, the agent is the Licence Holder), then the Licence Holder must inform the Customer Services Applications Team in writing with the new ownership details.

Property or Licence Holder Specific Conditions

Any specific conditions to the property and / or licence holder will appear here. If this section is blank, then at the time the licence was granted there were no known additional conditions required.

NOTES

Below is an explanation of some of the definitions used to grant a licence in respect of a *part 3 house*.

1. Part 3 house.

A *part 3 house* is a *house* to which part 3 of the Housing Act 2004 applies (selective licensing of other residential accommodation). *House* means a building or part of a building consisting of one or more dwellings and references to house include (where the context permits) any yard, garden, outhouses and appurtenances belonging to, or usually enjoyed with it, (or any part of it).

2. The most appropriate person.

The most appropriate person to hold the licence is normally the owner, as they will receive the rent either directly from the tenant(s) or through another person. If another person (i.e. managing agent) has financial control of the house they may be a more appropriate person hold the licence.

Protected tenants or leaseholders with an un-expired rental period of less than three (3) years may wish to make comments about whether the licence should be issued to the applicant and/or about conditions being placed on the licence.

3. Fit and proper persons

The proposed licence holder and any proposed manager of the property must be "fit and proper" persons. The Council will consider any evidence of offences committed/malpractice in deciding whether the proposed licence holder and/or manager are "fit and proper".

Offences to be considered include:

- Offences involving fraud/dishonesty/violence/drugs or certain sexual offences.
- Unlawful discrimination on the grounds of sex/colour/race/ethnic or national origins/disability, in, or in connection with, the carrying out of any business.
- Contravention of any Housing/Landlord and Tenant/Planning legislation.

4. Management Arrangements

The Council will ensure that management arrangements are satisfactory, and in deciding this must consider the following:

- Anyone involved in the management of the property must have a sufficient level of competence and be a fit and proper person.
- Management structures and funding arrangements must be suitable.

Conditions on the licence may be applied to ensure management arrangements are satisfactory.

5. Right of Appeal

The applicant or any 'relevant person' may appeal against the licence approval or terms of the licence to a Residential Property Tribunal within 28 days from the date the decision to grant the licence was made. (Schedule 5, section 31)

The 'relevant person' means any person having an interest or estate, managing or having control, of the *house*. It can also mean any person on whom any restriction or obligation is or is to be imposed by the licence.

An appeal can be made to the Residential Property Tribunal at:

First-tier tribunal – Property Chamber (Residential Property): Eastern Region

Cambridge County Court
197 East Road
Cambridge
CB1 1BA
United Kingdom

Tel: 01223 841 524
Fax: 01264 785 129

Email: rpeastern@justice.gov.uk

DX number: 97650 Cambridge 3

6. Penalties

A person having control or managing a house which is required to be licensed under part 3 of the Housing Act 2004 which is not so licensed commits an offence and is liable on summary conviction to an unlimited fine (section 95) or may be subject to a penalty notice of up to £30,000.

A licence holder or a person on whom restrictions or obligations under a licence are imposed in accordance with section 90(6) of the Housing Act 2004 fails to comply with any conditions of the licence commits an offence and is liable on summary conviction to a fine (section 95) or may be subject to a penalty notice of up to £30,000. The Licence may also be revoked.

7. Advice

If you do not understand this licence or wish to know more about it, you can contact the Council. If you want independent advice about your rights and obligations, you should go to a Citizens Advice Bureau, Housing Aid Centre, Law Centre or a solicitor.

8. Further Guidance

Any reference to "on demand" means to provide, to the Council officer, the document within 14 days of the demand.

The grant of a licence does not give planning permission for use.

The grant of licence does not give the necessary approval from Building Control and Planning, including Listed Building Consent, for any work to the property.

Further information and guidance documents are available from www.oxford.gov.uk/selectivelicensing and see the landlord resources section.

9. Reason for licence conditions

The following information is provided to explain the reasons for licence conditions.

MANDATORY LICENCE CONDITIONS

The Housing Act 2004 s90(4) states that all licences include the conditions required by Schedule 4 of the Housing Act 2004. The authority has no discretion on these conditions. These licence conditions are denoted by the *by the condition title or in the text.

DISCRETIONARY LICENCE CONDITIONS

The Housing Act 2004 s90(1) permits the authority to include conditions that the authority consider appropriate to regulate the management, use and occupation of the house concerned and under s90(2): Those conditions may, in particular, include (so far as appropriate in the circumstances)—

(a) conditions imposing restrictions or prohibitions on the use or occupation of particular parts of the house by persons occupying it

(b) conditions requiring the taking of reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house;

All Selective Licences have conditions numbers 1 through 23. Oxford City Council considers it necessary to add these conditions to all selective licences either as a mandatory condition to regulate the management, use and occupation of the house concerned.