

## Proposed Selective Licensing Conditions

### Permitted Occupation

1. A new resident must not be permitted to occupy the house or any part of the house if that occupation:
  - \* exceeds the maximum permitted number of persons for the house as detailed in the schedule of permitted occupation below
  - \* exceeds the maximum permitted number of households for the house as detailed in the schedule of permitted occupation below
  - \* exceeds the maximum permitted number of persons for any letting as detailed in the schedule of permitted occupation below

A new resident means a person who was not an occupier of the house and/or the specific room at the date of the issue of the licence
2. If gas is supplied to the house, produce to the local housing authority annually a gas safety certificate obtained in respect of the house within the last 12 months.
3. Keep electrical appliances and furniture made available in the house in a safe condition.
  - \* Supply to the authority, on demand, with a declaration as to the safety of such appliances and furniture.
4. 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, (including a bathroom or a lavatory).
  - \* keep each such alarm(s) in proper working order.
  - \* supply the authority, on demand, with a declaration as to the condition and positioning of such alarms.
5. Ensure that a carbon monoxide alarm is installed in any room in the house (including a hall or landing) which is used wholly or partly as living accommodation (including a bathroom or a lavatory, hall or landing) and contains a solid fuel burning combustion appliance
  - \* Keep any such alarm in proper working order.
  - \* supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm
6. Supply all occupants of the property with a written statement of the terms under which they occupy it.

### Property management

7. Ensure that inspections of the property are carried at least every 6 months to identify any problems relating to the condition and management of the property. The records of such inspections should include details of who did the inspection, the date, and any issues raised and then kept for the duration of the licence. In the event a payment of rent is missed, a visit must be made to the property no later than one month from the date the payment was due, to ensure that the property is secure and has not been abandoned.

8. Ensure that any complaint made in writing about disrepair or pest infestation is actioned and any necessary works carried out. As far as is reasonably practical, emergency works required to protect the security of the property should be carried out within 24 hours. Ensure that all repairs to the house or any installations, facilities or equipment within it are to be carried out by competent and reputable persons and that they are completed to a reasonable standard.
9. The property must have an EPC certificate with a minimum E rating for energy efficiency. If a rating of E or above is not possible, a valid exemption must be registered. The Licence Holder must ensure that all such tenants are provided with a copy of the EPC and that the Authority is provided with a copy of the same on demand.
10. If the Authority has reasonable grounds for believing the electrical installation may need repair or upgrading it may demand a Periodic Electrical Report carried out by a suitably qualified electrical contractor who must be registered/member of an approved body such as NICEIC, NAPIT, etc. or registered to undertake electrical works in accordance with Part P of the Building Regulations. This report must be no more than 5 years old and deem the electrical installation to be in at least a satisfactory condition.
11. Ensure the fire detection system is tested and maintained in accordance with manufacturer's instructions and BS 5839-6:2019.
12. Ensure, as far as is reasonably practical:
  - \* the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.
  - \* all outbuildings, yards, forecourts and gardens surrounding the house are maintained, in repair and kept in a clean, tidy and safe condition and free from infestations.
  - \* No refuse shall be kept in the front or rear garden or yard other than in an approved storage container for that purpose
13. Ensure that the Authority is informed in writing, within 14 days, the following changes:
  - \* Any change in ownership or management of the property
  - \* Any change in the licence holder or management contact details
14. Ensure that all monies in respect of the licence fee are paid to the Council within 28 days of a licence being issued.

## Tenancy Management

15. Ensure tenants are provided with:
  - \* A copy of the licence and conditions
  - \* Written information about arrangements in place to deal with repair issues and emergencies should they arise, including name of the licence holder or managing agent with contact details (include an emergency contact telephone number) and the expected timescales for a response.

- \* Written information on arrangements for the storage and disposal of waste to include specific detail about bins, collection days and information about the disposal of bulky items such as furniture.
  - \* Copies of manuals/instructions for installations and equipment provided including any burglar alarm.
  - \* Copies of the gas and electrical safety certificates and the EPC
16. Demand references from persons who wish to occupy the house before entering into any tenancy, licence or other agreement. The reference must be kept for the duration of the licence.
  17. Ensure that the tenants right to quiet enjoyment of the property is respected. If entry is required to the property, the tenant should receive at least 24 hours' notice in writing explaining why the entry is required.
  18. The licence holder shall protect any deposit taken under an assured short hold tenancy by placing it in a statutory tenancy deposit scheme. The tenant must be given prescribed information about the scheme being used at a time when the deposit is taken.

### **Managing anti-social 19. behaviour (ASB)**

19. Take all reasonable and practicable steps for preventing and dealing effectively with antisocial behaviour, including ensuring that any future written statement of the terms and conditions on which the house is occupied contains a clause holding the occupants responsible for any anti-social behaviour by themselves and/or their visitors. The Licence Holder must ensure that all occupants are aware of the existence of this clause.
20. The Licence Holder and/or his manager are required to undertake an incremental process of investigation of any complaints which have been made either directly to them, or via the Local Authority, regarding their occupiers. For the purposes of these conditions, anti-social behaviour is taken to comprise behaviour by the occupants of the house and/or their visitors, which causes or is likely to cause harassment, alarm, distress, nuisance or annoyance to other occupants of the house, to anyone who visits the house, including communal areas, or to persons residing in, visiting or working in the locality of the house.
21. Copies of warning letters sent / notices of seeking possession served on the tenants of the property for breaching tenancy agreements and causing anti-social behaviour should be kept for the duration of the licence.
22. The Licence Holder must have written, detailed, tenancy management arrangements in place to prevent or reduce anti-social behaviour by persons occupying or visiting the property.
23. If the licence holder or agent has reason to believe that the ASB involves criminal behaviour, they shall ensure the appropriate authorities are informed.
24. Where the licence holder is specifically invited, they should attend any case conferences or multiagency meetings arranged the Council or the Police.

## Fit and proper persons – licence holders and managing agents

25. The Licence Holder and his managing agent must inform the licensing team of the authority within 7 days of any changes in their circumstances as follows:

- \* Details of any unspent convictions not previously disclosed to the Local Authority that may be relevant to the Licence Holder and/or the property manager and their fit and proper person status and in particular any such conviction in respect of any offence involving fraud or dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003;
- \* Details of any finding by a court or tribunal against the Licence Holder and /or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business;
- \* Details of any contravention on the part of the Licence Holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her;
- \* Information about any property the Licence Holder or manager owns or manages or has owned or managed which has been the subject of a control order under section 379 of the Housing Act 1985 in the five years preceding the date of the application; or any appropriate enforcement action described in section 5(2) of the Act;
- \* Information about any property the Licence Holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the Licence Holder breaching the conditions of his/her licence;
- \* Information about any property the Licence Holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004;

26. The licence holder must improve and maintain their knowledge and competency by keeping up to date with current housing issues and regulation to enable the effective management of their property and tenants. It is expected that licence holders will complete at least five hours training per year. Evidence of this must be available to the Authority upon request and could include attendance at:

### Notes

"Authority" refers to the local housing authority, namely Newcastle City Council.

All records referred to in the conditions must be provided to the Authority on demand within 28 days.