



**Selective Licensing Scheme Conditions
Housing Act 2004**

The following licence conditions detail what the licence holder must adhere throughout the duration of the licence (or their nominated agent where specified) as required by section 90 and Schedule 4, Housing Act 2004. If you do not understand the requirements, please contact the Environmental Health Team who will be able to help you.

Failure to adhere to one or more of these licence conditions could result in formal proceedings against you, with a maximum penalty of an unlimited fine and/or the loss of your licence.

Mandatory Conditions.

1. If gas is supplied to the house, the licence holder must produce an annual gas safety certificate to East Staffordshire Borough Council in respect of the house within the last 12 months.
2. The licence holder must:
 - a. keep electrical appliances and furniture provided by her/him in a safe condition
 - b. supply the authority with a declaration by him, as to the safety of such appliances and furniture.
3. The licence holder must:
 - a. ensure that smoke alarms are installed in the house and must keep them in proper working order
 - b. supply the authority with declaration by him as to the condition and positioning of such alarms.
4. The licence holder must provide each tenant with a written statement of the conditions of the terms on which they occupy the house.
5. The Licence Holder must obtain references from persons who wish to occupy the house.

Conditions relating to the property

6. The licence holder must allow officers of the council access to the licensed property for the purpose of carrying out inspections at all reasonable times or on receipt of 24 hours' notice of their intention to inspect, whichever the sooner.
7. The licence holder must cooperate with environmental health staff in circumstances where complaints of alleged breaches of licence conditions have been made in respect of the licensed property.
8. The licence holder will ensure that any furniture supplied at the start of a tenancy or licence is in safe and good condition and maintained or replaced as far as it is the landlord's responsibility throughout the tenancy.
9. All repairs to the property are to be carried out by competent and reputable persons and as far as practicable; the licence holder will ensure all works are carried out to a reasonable standard.
10. If the property is a HMO, licence holder must ensure that the house is compliant with the council's approved standards for houses in multiple occupation, according to the type of accommodation offered. These standards will be reviewed periodically to ensure that they remain appropriate to the type of multi-occupied housing within the council's area and needs of residents.

11. The licence holder must provide the tenants of the licensed property and the occupiers of any adjoining properties, with details of the following:
 - a. name of the licence holder or managing agent
 - b. a contact address and daytime telephone number
 - c. an emergency contact telephone number.
 - d. standard reporting procedures for disrepairThis information must be supplied within 28 days of receipt of the licence document and should be clearly displayed in a prominent position within the licensable property. An emergency contact telephone number for the licence holder and/or management agency shall also be available and notified to the council.
12. Where major works are required during the period of the tenancy, the licence holder will provide suitable alternative accommodation for the period during which works are carried out. The licence holder must also notify the local authority to provide details of the works to be carried out, the timescale for completion and the accommodation arrangements made for the tenant.
13. The licence holder, when providing the utilities to the property, will set reasonable market rates for all utility supplies that are no greater than the rate at which they are charged by the energy supplier.
14. The licence holder will not attempt to end a tenancy or licence in order to avoid carrying out repairs.
15. The licence holder will provide the tenant with copies of user manuals for any equipment provided as part of the agreement.

Tenancy Arrangements

16. The licence holder will arrange to undertake a detailed inventory to be agreed with all new tenants and kept on file at the onset of each new tenancy.
17. The number of persons residing in the premises at any one time shall not exceed the maximum number of occupants stated on the licence.
18. The Licence Holder must make use of an approved tenancy deposit scheme.
19. In circumstances where the licence holder seeks repossession of the property, this must be done using lawful means.
20. Where there are alley gates installed to the rear of the licensed property, the licence holder must:
 - a. take responsibility for holding a key for any alley gates which are in place or which are installed provide all new tenants with a copy of the key at the time of letting
 - b. issue any new tenants with a copy of any key holding agreement which is in place for the alley gate scheme to the rear of the licensed property.
21. The Licence Holder must ensure their property is inspected on an annual basis by the Licence Holder or their managing agent if the tenant has been living at the property for more than two years. If the tenant has been living in the property for less than two years the Licence Holder must ensure their property is inspected at least once every six months by the Licence Holder or their managing agent. The findings of the visit must be recorded.

Environmental Management

22. The Licence Holder must ensure that the property and 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.
23. The licence holder must provide adequate facilities for the storage and disposal of refuse and must outline to the tenants their responsibilities in this respect.

Local Authority cooperation

24. The Licence Holder and any other relevant person involved with managing the property must inform the local authority within 14 working days of any changes in their circumstances not previously disclosed to East Staffordshire Borough Council as follows:-
 - a. Details of any unspent convictions that may be relevant to the Licence Holder and/or their managing agent in relation to 'fit and proper person'. This is in particular in relation to any such conviction in relation to fraud or dishonesty, violence or drugs or any offence listed in Schedule 3 of the Sexual Offences Act 2003
 - b. details of any finding by a court or tribunal against the Licence Holder and/or the manager that they have practiced unlawful discrimination on grounds of sex, sexuality, race, ethnic or national origin or disability against a tenant;
 - c. details of any contravention by the Licence Holder or managing agent of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to criminal or civil proceedings resulting in a judgement or finding being made against them;
 - d. Information about any property the Licence Holder or managing agent owns or manages or has owned or managed which has been the subject of a:
 - i. Control order under S. 379 of the Housing Act 1985;
 - ii. or any appropriate enforcement action described in Part 1 Chapter 1 (5) of the Housing Act 2004;
 - e. Information about any property the Licence Holder or manager owns or manages, or has owned or managed, for which a local housing authority has:-
 - i. refused to grant a licence under Part 2 or Part 3 of the Housing Act 2004; or
 - ii. Has revoked a licence in consequence of the Licence Holder breaching the conditions of their licence.
 - f. Information about any proper property the Licence Holder or managing agent owns or manages or has owned or managed which has been the subject of an Interim or Final Management Order under Part 4 Chapter 1 of the Housing Act 2004;
 - g. The owner of the property has secured a sale of the property in a designated selective licensing area;
 - h. Any change in managing agent or the instruction of a management agent;

Anti-Social Behaviour

25. The licence holder must take reasonable and practicable steps for tackling antisocial behaviour. The licence holder and/or his nominated managing agent are required to undertake an incremental process of investigation of any complaints which have been made either directly to them, or via the council, regarding their tenants. This process of investigation may involve one or more of the following.

- Appropriate response to a complaint from a member of the community, neighbour or another person regarding the conduct of the licence holders' tenant(s) and/or the behaviour of their children or visitors.
 - Sending of appropriate and proportionate warning letter(s).
 - Conduct of a tenancy warning interview.
 - Attendance at a case conference or any other appropriate multi agency meeting arranged by the council or other relevant agency.
 - Engagement with the council, the police or any other agency involved in the case. This may involve providing supporting information or evidence where an appropriate authority seeks a legal remedy to the antisocial behaviour such as an Anti Social Behaviour Order.
 - Serving of a relevant notice to seek possession where all other interventions have failed and that all parties agree that this would be the most appropriate course of action.
 - The Licence Holder and/or managing agent co-operating with any relevant and reasonable advice given by a relevant and appropriate service such as Staffordshire Police and Staffordshire Fire and Rescue Service.
26. The Licence Holder and/or managing agent will provide upon request to the local authority any information demonstrating all reasonable action is being taken to deal with anti-social behaviour arising at or related to their property such as warnings or any other appropriate legal action has been taken.
27. The licence holder will ensure that tenants are aware of the services available to them and how they can report nuisance and anti-social behaviour.