

Edlington Selective Licensing Conditions

In these conditions 'house' refers to the building or part of a building, which is licensed in accordance with Part 3 of the Housing Act 2004. "Authority" is meant to refer to the local housing authority, namely Doncaster Metropolitan Borough Council.

Mandatory Licence Conditions (Housing Act 2004, s.90(4) and Sch.4)

Throughout these conditions, reference to 'the authority' means the Enforcement Team at Doncaster Metropolitan Borough Council

1	<p>Gas</p> <p>If gas is supplied to the house, the Licence Holder must produce annually, to the authority, a gas safety certificate obtained in respect of the house within the last 12 months.</p> <p>Reason: Mandatory condition required in the Housing Act 2004, Schedule 4</p>
2	<p>Electrical Appliances</p> <p>The Licence Holder must keep electrical appliances and furniture made available by him in the house in a safe condition and must supply the authority, on demand, with a declaration by him as to the safety of such appliances and furniture.</p> <p>Reason: Mandatory condition required in the Housing Act 2004, Schedule 4</p>
3	<p>Smoke Alarms</p> <p>The Licence Holder must ensure that smoke alarms are installed in the house, must keep them in proper working order and must supply the authority, on demand, a declaration by him as to the condition and positioning of such alarms.</p> <p>Reason: Mandatory condition required in the Housing Act 2004, Schedule 4</p>
4	<p>Terms of Occupation</p> <p>The Licence Holder must supply the occupiers of the house with a written statement of the terms on which they occupy the house.</p> <p>Reason: Mandatory condition required in the Housing Act 2004, Schedule 4</p>
5	<p>Tenant References</p> <p>The Licence Holder must obtain references from all persons who wish to occupy the house.</p> <p>Reason: Mandatory condition required in the Housing Act 2004, Schedule 4</p>

Additional Conditions of Licence imposed by Doncaster Council

The Licence Holder must ensure that the premises fully comply with the conditions set out below unless notified otherwise.

Throughout these conditions, reference to 'the authority' means the Enforcement Team at Doncaster Metropolitan Borough Council

6	<p>Management of Anti-social behaviour</p> <p>The Licence Holder must take all reasonable and all practicable steps for preventing and dealing effectively with anti-social behaviour by persons occupying or visiting the house and the use of premises for illegal purposes.</p> <p>For the purposes of these conditions, anti-social behaviour is taken to comprise behaviour by the occupants of the property and/or their visitors, which causes or is likely to cause harassment, alarm, distress, nuisance or annoyance to other occupants of the property, to anyone who visits the property, including communal areas, or to persons residing in, visiting or working in the locality of the property.</p> <p>The Licence holder must:</p> <ul style="list-style-type: none">i) Obtain valid pre-let references in relation to persons who wish to occupy the property, in order to make an informed decision regarding their occupancy of the property. References are to include details of previous housing history and tenancy conduct, including behaviour of the proposed occupier. Credit references in isolation are not adequate. Evidence of these references and checks must be made available to the authority upon request.ii) Provide upon request to the authority information regarding the full names and dates of birth of each occupant.iii) Respond to reference requests within a reasonable timescale and provide an honest and accurate reference relating to existing or past tenants.iv) Ensure that all named tenants are issued with a copy of the 'Anti-Social Behaviour- Terms and Responsibilities' leaflet upon commencement of their tenancy and that the named tenant and licence holder understand their responsibilities outlined within the leaflet. The Licence holder should retain a copy of the information provided, signed by the tenant acknowledging receipt and produce this on request to the authority.
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Note: A written leaflet with the necessary information to comply with the above condition can be provided free of charge on request from the authority and is available in several different languages.

v) Ensure that any future written statement of the terms and conditions on which the property is occupied contains a clause holding the named tenant/s responsible for any anti-social behaviour by themselves and/or their visitors. The Licence Holder must ensure that all named tenants are aware of the existence of this clause by advising them upon taking up residence.

vi) Undertake a process of investigation of any ASB complaints which have been made either directly to them, or via the Local Authority, regarding their occupiers. This is to include:

- a) Inform the tenant within 7 days of a complaint being received, in writing, of the allegations of ASB made against them and the consequences of its continuation,
- b) Monitor the allegations following receipt of a complaint of ASB and take all reasonable steps to establish if the ASB is continuing,
- c) Keep written notes of all meetings, telephone conversations and investigation activities regarding ASB and provide the authority with a copy within 7 days on demand,
- d) If after 14 days of the tenant receiving the letter required in a) the anti-social behaviour continues, the licence holder, or managing agent, must take appropriate formal steps to enforce the terms of the tenancy agreement or to terminate it, including legal proceedings against the tenant if necessary, and
- e) Where an obligation under d) has occurred, the licence holder will provide to the authority a written plan setting out the proposed steps and estimated timescales for taking those steps in order to resolve the anti-social behaviour.

vii) Engage with the authority, the police or any other agency involved with investigation of anti-social behaviour relating to the property or tenants of the property. This may involve providing supporting information or evidence where an appropriate authority seeks a legal remedy to the antisocial behaviour.

viii) Ensure that the named tenant/s of the house is aware of the services available to them and how they can report nuisance and anti-social behaviour to the authority.

Reason: to reduce the risk to occupants, person visiting the premises and persons in the immediate locality of exposure to Antisocial behaviour.

7	<p>Terms of Occupation The Licence Holder must provide a copy of the terms of occupation to the authority upon request.</p>
8	<p>Tenant References</p> <ul style="list-style-type: none"> i) The Licence Holder must provide a copy of the pre-let references to the authority upon request. ii) The licence holder must produce sufficient evidence of the pre-let Right to Rent Check carried out for all new tenancies during the licence period.
9	<p>Electrical System/Appliances</p> <p>The Licence Holder must ensure that:-</p> <ul style="list-style-type: none"> i) An Electrical Installation Condition Report (EICR) of the property has been completed, by a suitably qualified electrical contractor, within the last 5 years. A copy of this report must be supplied to the authority either at the application stage or within the first six months of the licence period. ii) Any works specified on the EICR making the installation unsatisfactory, are completed no later than 28 days, following the date of the report, and the authority are notified on completion of these works. iii) If the EICR becomes more than 5 years old during the Licence period, a new EICR is completed, by a suitably qualified electrical contractor, and a copy supplied to the authority within 1 month of the report becoming 5 years old. iv) If the property is provided on a furnished basis, which includes electrical appliances, annual checks are completed and documented on all electrical equipment. All necessary steps are taken to ensure the electrical equipment supplied is maintained to prevent a danger. <p>Reason: to safeguard the health, safety and wellbeing of occupants and persons visiting the premises.</p>
10	<p>Furniture and furnishings</p> <p>The Licence Holder must ensure that:-</p> <ul style="list-style-type: none"> i) 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.

	<p>ii) Furniture and furnishings supplied by them are compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended 1989, 1993 and 2010) and must provide a declaration as to their safety at the time of application and thereafter on demand.</p> <p>Reason: to safeguard the health, safety and wellbeing of occupants and persons visiting the premises.</p>
11	<p>Fire Safety</p> <p>The Licence Holder must ensure that:-</p> <p>i) Either hard wired or ten-year battery operated smoke alarms are installed in suitable locations and kept in proper working order.</p> <p><i>If the property is a House in Multiple Occupation it is strongly recommended that the fire detection system installed follows the guidance detailed in the Doncaster Housing Standards for Houses in Multiple Occupation – HMOs.</i></p> <p>ii) The Licence holder must test all detectors in the property at least once a year to ensure that they respond to smoke. Tests should not involve the use of open flame or any form of smoke or non-specific aerosol that could contaminate the detection chamber or the electronics of the detector. Suitable specific test aerosols are available. The test of a Grade A system must be carried out by a specialist alarm engineer and an annual inspection and test certificate issued. Tests of all other systems must be documented annually in a log book.</p> <p>iii) Such certificates or log books must be available for review by the authority on demand.</p> <p>i) Doncaster Council is informed as to any changes to the positioning or type of smoke alarm fitted in the property.</p> <p>Reason: to safeguard the health, safety and wellbeing of occupants and persons visiting the premises.</p>
12	<p>Terms of occupation</p> <p>The Licence Holder must:-</p> <p>i) Provide all future tenants, whose tenancy starts on or after the operative date of the licence, with:</p> <ol style="list-style-type: none"> a) a written tenancy agreement, confirming the terms on which they occupy the property, b) a copy of a valid Gas Safety Certificate, c) a copy of a valid Energy Performance Certificate, d) a copy of the current DCLG How to Rent leaflet, and e) the prescribed scheme information in relation to the deposit protection (if applicable).

ii) Provide all tenants, whose tenancy started on or after the 1st October 2016, with:

- a) a written tenancy agreement, confirming the terms on which they occupy the property,
- b) a copy of a valid Gas Safety Certificate,
- c) a copy of a valid Energy Performance Certificate,
- d) a copy of the current DCLG How to Rent leaflet, and
- e) the prescribed scheme information in relation to the deposit protection (if applicable).

iii) Where the property is a House in Multiple Occupation, display at all times it is in force, a copy of the licence certificate and licence conditions in a prominent position inside the house where all occupiers will be able to view the said documents. Where the property is occupied by a single household, the tenants must be provided with a copy of the licence certificate and licence conditions which is in force.

iv) Provide the occupiers of the house 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 of the licence holder or managing agent;
- c. An emergency contact telephone number of the licence holder or managing agent.
- d. Details of standard reporting procedures and the anticipated timescales for undertaking repairs.

This information must be supplied within 28 days and if the property is a HMO it should be clearly displayed in a prominent position within the house. An emergency contact telephone number for the licence holder and/or management agency shall also be available and notified to the authority. Any changes in contact and/or telephone number details should be provided to the tenants and the authority within 7 days of the changes being made.

v) Set reasonable market rates for all utility supplies if providing utilities to the property.

vi) Undertake a detailed inventory in agreement with the named tenant/s upon commencement of their occupation of the house. The inventory must be initialled on all pages by both parties and signed and dated by them on the last page. A copy should be provided to the tenant and the Licence holder should retain a copy for his own records. The above procedure must be repeated at the end of the tenancy.

Note: Draft Inventory forms are available from Doncaster Council.

	<p>vii) Ensure that all information and documents that are provided by the landlord to their tenants are in a language/form that they can understand.</p> <p>viii) Act lawfully and reasonably in requiring any advanced payments from occupiers and in handling rents. The Licence Holder will provide any named tenant/prospective named tenant with the following information:</p> <ul style="list-style-type: none"> a. The amount of rent payable; b. The details of any deposit required; c. Details of what the deposit covers and arrangements for return; d. The frequency of payments; e. The details of any utilities or other charges included in the rent; f. The responsibility for payment of Council Tax; g. The responsibility for payment of utilities and arranging provision of such. h. The obligation of the tenant in ending the tenancy including condition of the property and payment of any utility bills at the end of the tenancy. <p>ix) Not discriminate against prospective occupiers of the house on the grounds of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation.</p> <p>x) Ensure that their property is inspected at least once every six months and the findings of such visits are documented. 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. Records of visits should be documented and available for inspection by the authority if requested.</p> <p>Reason: to safeguard the wellbeing of occupants and to ensure that the condition of the Licenced property is maintained.</p>
13	<p>Property Repairs</p> <p>The Licence Holder must ensure that:-</p> <ul style="list-style-type: none"> i) The named tenant/s of the house receives written confirmation detailing arrangements in place to deal with repair issues and emergencies, should they arise. ii) The water supply and drainage system serving the house is maintained in good, clean and working order.

	<ul style="list-style-type: none"> iii) The water supply or drainage system that is used by the occupiers of the house is not unreasonably interrupted. iv) The gas or electricity supply that is used by occupiers of the house is not unreasonably interrupted. v) Reasonable steps are taken to protect occupants from injury especially in relation to: <ul style="list-style-type: none"> a. Any roof or balcony that is unsafe - ensuring that it is either made safe or access to it restricted. b. Any windowsill that is less than 1000mm above floor level - ensuring that bars or other such safeguards are fitted as necessary to protect occupants from falling out. vi) All common parts and fixtures are maintained and in a safe condition including handrails, windows, stair coverings, fixtures, fittings and appliances. vii) All repairs to the house or any installations, facilities or equipment, that are the responsibility or duty of the landlord, within it is to be carried out by competent and reputable persons and that they are completed to a reasonable standard within a reasonable time. viii) Where major works are required during the period of the tenancy, that are not as a result of the tenant/s misuse or failure to live in a tenant like manner, suitable alternative accommodation is provided for the period during which works are undertaken. ix) If accommodation is provided on a furnished basis, a named tenant of the house is provided with copies of user manuals for any installations or equipment provided as part of the agreement for the occupation of the house. <p>Reason: to safeguard the health, safety and wellbeing of occupants.</p>
14	<p>Energy Efficiency</p> <p>The Licence Holder is required upon request by the authority, to produce an Energy Performance Certificate completed by a suitably qualified person.</p> <p>Reason: To safeguard the health and wellbeing of the occupants with regards to the reduction of fuel poverty and national energy efficiency measures.</p>

15	<p>Number of Occupiers</p> <p>The Licence Holder must ensure that:-</p> <ul style="list-style-type: none"> i) The type of occupancy of each unit of accommodation is not changed without the prior written approval of the authority, e.g. from single family dwelling to House in Multiple Occupation. ii) Rooms other than bedrooms are not used for sleeping purposes. iii) The house is not overcrowded. If the licence holder becomes aware of overcrowding at the property, they must take all reasonable steps to deal with the issue and advise the authority of the actions taken. <p>Reason: to comply with space standards and to safeguard the wellbeing of occupants, persons visiting the premises and persons in the immediate locality.</p>
16	<p>Security</p> <p>The Licence Holder must ensure that:-</p> <ul style="list-style-type: none"> i) Where window locks are fitted, keys are provided to the named tenant/s. ii) Where an intruder alarm is fitted to the house, the named tenant/s are informed in writing as to how it is operated, what the code is to activate and deactivate the system, how the code may be changed and in what circumstances they are allowed to do so. iii) All final exit doors are fitting with a mortice deadlock with at least 5 levers or with a lock conforming to BS3621 or to a higher specification, throughout the period of the license. iv) Where a tenant has vacated the property and not surrendered all the keys allocated to them, the locks to all affected doors are changed prior to a new tenant occupying the property, to meet with the requirements of iii) above. <p>Reason: to safeguard the health, safety and wellbeing of occupants in the event of fire and entry by intruders.</p>

17	<p>Alley gates</p> <p>Where there are alley-gates installed to the rear of the Licenced property, the Licence Holder must:</p> <ul style="list-style-type: none"> i) Take responsibility for holding a key for any alley-gates which are in place or which are installed. ii) At the time of letting, issue the named tenant/s with at least one alley gate key for the household and instructions on how to obtain any further keys. iii) Ensure that all new named tenants are advised of the need to keep the alley gates locked. iv) Complete and return any correspondence from Doncaster Council regarding the closure of rear alleyways using gating in the vicinity of the house. Such correspondence must be returned as requested in the correspondence supplied. <p>Reason: to safeguard the wellbeing of occupants, person visiting the premises and persons in the immediate locality and reduce the risk of exposure to Antisocial behaviour.</p>
18	<p>External Areas</p> <p>The Licence Holder must ensure that:-</p> <ul style="list-style-type: none"> i) The exterior of the house is maintained in reasonable decorative order and in reasonable repair. ii) All outbuildings, yards and forecourts are maintained in good repair. iii) Gardens are kept in a clean, tidy and safe condition and free from infestations during any period the property is unoccupied. iv) Take necessary steps to ensure the named tenant/s maintains the garden and any other land within the curtilage of the property, free of refuse, litter and excess vegetation when the property is occupied. v) Access is available at all times for adequate, external, refuse storage. vi) The rear boundary of the property is designed, constructed and maintained in a manner to ensure security of the property as well as providing a strong deterrent for fly tipping within the whole curtilage of the property. Provide tenants with a suitable locking mechanism to the gate. If the garden of the property

adjoins an alleyway, there is a suitably constructed boundary. *It is considered that erecting a boundary wall of minimum height 1.8m, adequately secured against theft and/or unauthorised removal, would be sufficient to meet the requirements of this condition. Any alternative measures must be agreed with the authority in writing to ensure compliance.*

Reason: to safeguard the health, safety and wellbeing of occupants, person visiting the premises and persons in the immediate locality, reduce the risk of exposure to Antisocial behaviour and to ensure that the domestic hygiene and condition of the Licensed property is maintained.

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Refuse and Waste

The Licence Holder must ensure that:-

i) Suitable and adequate provision for refuse storage and collection is made at the property and that Doncaster Council's arrangements for refuse collection, including recycling, are adhered to. This shall include the provision of closable bins and recycling boxes of suitable capacity and type as specified by the Council's refuse collection scheme.

ii) At the beginning of each new tenancy, named tenant/s must be informed in writing of proper refuse management, in a language they understand. This must include information covering the usual days of refuse and recycling collections by the authority, how to present their waste for collection, their duty to return refuse containers within the curtilage of the property on the same day that they are emptied and the contact details for refuse/bulky item collections undertaken by Doncaster Council. The Licence holder should retain a copy of the information provided, signed by the tenant acknowledging receipt and produce this on request to the authority.

Note: A written notice detailing the necessary information to comply with the above condition can be provided free of charge on request from the authority and is available in several different languages.

iii) Arrangements are made immediately for the proper collection and disposal of any rubbish additional to that within the bins and such rubbish shall be stored within the curtilage of the property at the rear if feasible.

Reason: to safeguard the health, safety and wellbeing of occupants, person visiting the premises and persons in the immediate locality and to ensure that the domestic hygiene and condition of the Licensed property is maintained.

20	<p>Competency of Licence Holder</p> <p>The Licence Holder must ensure that any persons involved with the management of the house are to the best of their knowledge “fit and proper persons” for the purposes of the Housing Act 2004.</p> <p>The Licence Holder and/or his manager shall undertake property and/or tenancy management training courses where required to do so by the authority, or otherwise demonstrate competency in relation to all aspects of tenancy and property management.</p> <p>Reason: to safeguard the health, safety and wellbeing of occupants, raise housing standards and to ensure that the condition of the Licensed property is maintained.</p>
21	<p>Absence</p> <p>The licence holder is required to have in place suitable emergency and other management arrangements in the event of their absence. The name and contact details of the licence holder and/or manager must be supplied to each named tenant and must also be on display in a prominent place if the property is occupied as a House in Multiple Occupation.</p> <p>Reason: to safeguard the health, safety and wellbeing of occupiers in the event of temporary absence of persons in control.</p>
22	<p>Compliance and cooperation with the Authority</p> <p>The Licence Holder must:</p> <ul style="list-style-type: none"> i) Allow officers of the authority, upon production by such officer’s identification, access to the house for the purpose of carrying out inspections of the house at all reasonable times. ii) Cooperate with Council staff in circumstances where complaints of alleged breaches of licensing conditions have been made in respect of the licensed property. iii) Ensure that all monies in respect of the licence fee are paid by the due date. <p>Reason: to ensure that the property complies with the Housing Act 2004 and licensing conditions.</p>

Disclosure and Notification/consultation of changes

The Licence Holder and his managing agent must disclose to the authority, within ten working days, of any changes in their circumstances, from those detailed in the application, as follows:

- i) Details of any unspent convictions not previously disclosed to the 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, violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003;
- ii) 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 Age, Disability, Gender reassignment, Pregnancy and maternity, Race, Religion or belief and Sex or Sexual orientation and any other protected characteristic in subsequent Acts to the Equality Act 2010, in, or in connection with, the carrying on of any business;
- iii) 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;
- iv) Information about any property the Licence Holder or manager owns or manages or has owned or managed which has been the subject of:
 - a. A control order under section 379 of the Housing Act 1985 in the five years preceding the date of the application; or
 - b. Any appropriate enforcement action described in section 5(2) of the Act;
- v) 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;
- vi) 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;

	<ul style="list-style-type: none"> vii) Successful claims against the licence holder for default of tenancy deposits; viii) The property becoming empty; ix) Advertising of the property for sale or taking any steps to sell; x) Notification of repossession/foreclosure; xi) Change in managing agent or the instruction of a managing agent; xii) Change of address of Licence Holder or Landlord; xiii) The undertaking of any substantial works to the property including conversions and modernisations or emergency problems relating to fire, flood or disaster and the tenants are made temporarily homeless. <p>Reason: to safeguard the health, safety and wellbeing of occupiers in the event of changes during the period of the licence.</p>
24	<p>Removal from the Home Safe Scheme</p> <p>Any licence, that has been granted based on membership with the Home Safe Scheme, will be revoked should the Licence Holder lose or fail to maintain their membership within the scheme.</p> <p>Reason: To ensure all licence holders are compliant members of the Home Safe Scheme or hold a licence direct with the licensing authority.</p>