

Changes to the existing scheme

HMO standards

The Council already has a set of standards that apply to HMOs. These mainly relate to room sizes, kitchen and bathroom facilities, fire safety, heating and sufficient electrical sockets. To provide increased clarity on the requirements, the Council is introducing separate standards for a) shared flats and houses and b) self-contained flats within HMOs. We will continue to have separate standard for hostels. The new standards can be found on the Council's HMO webpages at <https://www.camden.gov.uk/renewal-hmo-licensing>.

Shorter licences

The Council will issue shorter licences (one year) to landlords or agents where there are serious concerns about the management of their properties. This will be in circumstances where landlords have not met their statutory and contractual obligations, such as avoiding or being slow to licence, not complying with licence conditions which have put the health and safety of the tenant at risk, failing to pay relevant charges, fines or penalties, not obtaining relevant permissions from other council services (e.g. planning, building control or leaseholder services) etc. The fee for the shorter licence will be the same as a five year licence.

Fees

Licence applicants apply and also pay the fee online. The fee must be split into two parts, part 1 for the application processing, administration and validation and part 2 for operational and enforcement costs. Legal advice received as a result of the case of *Gaskin v Richmond*, suggests that this should be charged separately, part 1 on application and part 2 on the issue of the licence. In addition, the fee will be simplified and a flat rate will be applied to all HMOs to avoid costs associated with chasing under/overpayments (the current fee is based on the size of the property (building fee plus a fee for each bedroom/let)). This new fee will apply to both mandatory and additional HMO licensing. The fees will be reviewed on an annual basis to ensure that income derived does not exceed/fall short of full cost recovery.

- The proposed fee for new applications is £1,300 comprised of application fee (£1,100) and enforcement fee (£200)
- The proposed fee for renewal applications is £1,130 comprised of application fee (£930) and enforcement fee (£200).
- Discounts:
 - A discount of £100 will be given to accredited landlords.
 - Purpose built student accommodation (PBSA) will be given a discount of £150.

Note: The reduced fee for renewal applications will only apply if the renewal application is made within the term of the licence. If the application is made after the licence has expired, then a new application will have to be made (and a higher fee paid).

New definition of licensable section 257 HMO

This applies to certain converted blocks of flats (certain converted blocks of flats which do not meet the standards of the 1991 Building Regulations or later). The definition is being changed from '*half or more of the flats being tenanted*' to '*less than half of the flats being owner-occupied*'. This change is more closely aligned to the definition in section 257 which refers to occupation by owner-occupiers as opposed to tenants, and Government guidance which states schemes should only apply to HMOs mainly or wholly tenanted.