

Licensing of Houses In Multiple Occupation Guidance Notes

- The Housing (Scotland) Act 2006 requires houses in multiple occupation (HMOs) to be licensed by the local authority. Failure to be licensed is an offence under the Housing (Scotland) Act 2006.
- A licensable HMO is essentially a shared property, providing accommodation for 3 or more people from more than 2 different families and being used as their main residence.
- It is the **owner** of the building who is required to apply for a licence.
- Applications require to be made to the Head of Protective Services and Waste Management (Environmental Health), Gordon House, Blackhall Road, Inverurie, AB51 3WA.
- The following items require to be submitted with the application form:
 - Electrical Certificates (PAT) Certificate & Periodical Installation Report (PIR) Certificate
 - Gas Certificate to be provided by a Gas Safe Registered installer (if relevant)
 - Public Liability Insurance (cover to minimum of £5m)
 - Tenancy Agreement
 - Correct Fee
- An application will only be considered as valid if the correct fee is enclosed.
- The Environmental Health Service will inspect the premises to ensure that they comply or can be made to comply with the standards issued by the Scottish Government, copies of which can be viewed online at www.scotland.gov.uk or on the Council's website at www.aberdeenshire.gov.uk/Private Housing. Paper copies are available on request.
- The Environmental Health Service will request Grampian Fire & Rescue Service to undertake a fire safety inspection.
- A Fire Risk Assessment must be completed and retained for inspection by Grampian Fire and Rescue Service. Please see the document at the end of these Guidance Notes. Further information and guidance is available at www.firelawscotland.org.
- The Environmental Health Service will contact Grampian Police to obtain details of (a) any convictions that the owner, manager or any other person named on the application form may have and (b) any information regarding the premises.
- The Notice titled 'Notice for Display at Premises' must be displayed for at least 21 days (from the date the valid application is received by the Environmental Health Service) in a prominent position on the premises where it can be clearly read by members of the public. The Notice must be removed after 21 days and the 'Certificate' completed and returned to Environmental Health at the above address.
- In accordance with the Housing (Scotland) Act 2006, details of the application and subsequent decisions will be detailed in a public register.
- Should objections or representations be received regarding an application, or if it is minded to refuse the application, a report will be submitted to the Licensing Sub-Committee for a decision. The applicant will require to attend or be attended at the Sub-Committee.
- An HMO licence is normally valid for 3 years. If the Licensing Sub-Committee are asked to consider an application, they can reduce the length of the licence. A further grant application requires to be submitted before the expiry date of the existing licence. If an application is submitted after the expiry date the application will be treated as a new application and subject to the appropriate fee.
- Should ownership of the HMO change, a new application will require to be submitted. Other changes in circumstances, such as a change in the person with day to day responsibility, requires to be approved by Aberdeenshire Council; an application and fee may be required depending upon the circumstances.

LICENCE APPLICATION FEES (from 1 April 2011)

HMO Licences	First Application	Further Application
No of Persons		
25 and over	£1,250.00	£1,125.00
15 -25	£1,100.00	£990.00
10-14	£900.00	£810.00
5-9	£750.00	£675.00
3-4	£600.00	£540.00
Application for change in Circumstances	£150.00	

CONTACT DETAILS

Environmental Health

Advice on Houses in Multiple Occupation can be obtained from the HMO Officer, Tel 01779 483875.

Planning & Building Standards

The Building Standards Service of Aberdeenshire Council are responsible for ensuring that buildings meet the statutory requirements for health, safety and comfort of all persons who may use it. New buildings or conversions/change of use to an HMO may require Building Warrant and Planning. If you are the owner of an existing HMO and are proposing any alteration or extension to your premises, your local Building Standards Surveyor will offer advice as to whether or not you require a Building Warrant. You are also advised to check with the Planning Service to clarify if Planning Permission is required for any alteration, extension or change of use.

Contact details are as follows:

Area	Telephone No	Address
Banff & Buchan	01261 813202	The Town House, Low Street, Banff, AB45 1AY
Buchan	01779 477363	Arbuthnott House, Broad Street, Peterhead, AB43 6DA
Garioch	01467 620981	Gordon House, Blackhall Road, Inverurie, AB51 3WA
Formartine	01358 726429	45 Bridge Street, Ellon, AB41 9AA
Marr	01330 822878	Banchory Area Office, The Square, Banchory, AB39 5RW
Kincardine & Mearns	01569 762001	Viewmount, Arduthie Road, Stonehaven, AB39 2DQ

Grampian Fire and Rescue Service

A joint inspection of the property may be carried out by Grampian Fire and Rescue Service along with Environmental Health. For information in relation to fire safety in HMO's contact 01224 621021.

Landlord Registration

On 30th April 2006, it became law for all private landlords letting property in Scotland to have applied for registration in the Register of Landlords. As part of the HMO Licence process, your details will automatically be passed to the Landlord Registration section for insertion into the register. Any additional properties which may be rented out will require to be added to the landlord's portfolio and the appropriate fee paid. For further information on Landlord Registration, please contact 01261 813254.