

Report on	The application of The Houses in Multiple Occupation Act (Northern Ireland) 2016
Date of Meeting	5 th July 2021
Reporting Officer	Fiona McClements

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	The purpose of the report is to provide an update on the implementation of the Houses in Multiple Occupation Act (Northern Ireland) 2016 "2016 Act" within Mid Ulster District Council.
2.0	Background
2.1	Members will be aware that responsibility for HMO's was transferred to local Councils in April 2019 with the introduction of a new licensing regime. Any existing registrations under the old NIHE Registration Scheme were deemed to be licenced at the point of transfer. Licences are issued for a 5-year period with standard conditions.
2.2	Belfast City Council's HMO Unit administer the licensing scheme on behalf of all 11 Northern Ireland Councils.
3.0	Main Report
	<u>HMO Licences</u>
3.1	<p>Pursuant to the 2016 Act, the Council may only grant a licence if it is satisfied that:</p> <ul style="list-style-type: none"> a) the occupation of the living accommodation as an HMO would not constitute a breach of planning control; b) the owner, and any managing agent of it, are fit and proper persons; c) the proposed management arrangements are satisfactory; d) the granting of the licence will not result in overprovision of HMOs in the locality; e) the living accommodation is fit for human habitation and - <ul style="list-style-type: none"> (i) is suitable for occupation as an HMO by the number of persons to be specified in the licence, or (ii) can be made so suitable by including conditions in the licence.
3.2	Section 20 of the 2016 Act states where the holder of a HMO licence makes an application for renewal, the council must apply the above provisions except for (a) and (d); namely whether the use is a breach of planning control or would result in overprovision.

3.3	When considering the fitness of an applicant the Council must have regard to any offences concerning fraud / dishonesty, violence, drugs, human trafficking, firearms, sexual offences, unlawful discrimination in, or in connection with, the carrying on of any business; or any provision of the law relating to housing or of landlord and tenant law. It also permits the Council to take into account any other matter which the council considers to be relevant.						
3.4	Appendix 1 details those properties currently licenced as HMOs within Mid Ulster District Council area.						
3.5	The HMO Unit has rejected two new licence applications pursuant to Sections 8(2)(a) and Section 9 "Breach of planning control".						
	<u>Inspections</u>						
3.6	Table 1 below details the number of inspections undertaken by the HMO.						
	<p><i>Table 1</i></p> <table> <tr> <th>Year</th><th>Number of inspections</th></tr> <tr> <td>2019/2020</td><td>20</td></tr> <tr> <td>2020/2021</td><td>27</td></tr> </table>	Year	Number of inspections	2019/2020	20	2020/2021	27
Year	Number of inspections						
2019/2020	20						
2020/2021	27						
4.0	Other Considerations						
4.1	Financial, Human Resources & Risk Implications						
	Financial: None. The cost of assessing licence application and officer inspections are provided for via the licence fee. The licensing scheme is operated on a cost neutral basis.						
	Human: No issues associated with this report.						
	Risk Management: N/a						
4.2	Screening & Impact Assessments						
	Equality & Good Relations Implications: N/a						
	Rural Needs Implications: N/a						
5.0	Recommendation(s)						
5.1	Members to note the content of the report and be advised that the HMO manager from Belfast CC will be providing an update at the meeting on the roll out of HMO licensing within Mid Ulster District council area.						
6.0	Documents Attached & References						
6.1	Appendix 1 – List of licenced HMO properties within Mid Ulster District Council area.						