

# Houses in Multiple Occupation Act (Northern Ireland) 2016

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# “What is an HMO?”

4 components

## a) Accommodation

- separate dwelling (house or flat) or
- single ownership, and share basic amenities

## b) Persons

- 3 or more persons, and
- only or main residence

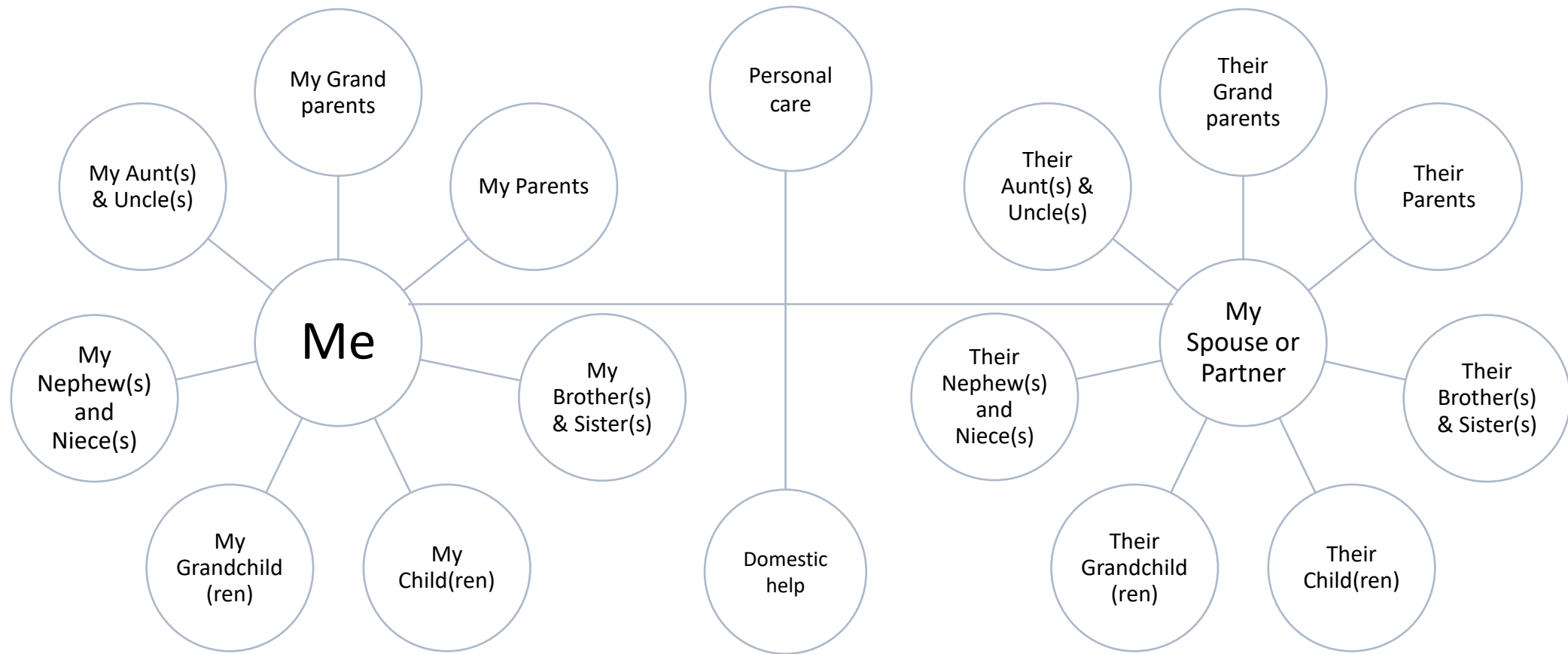
## c) Households

- 3 or more households (family and providing domestic help or personal care)

## a) Rents

- Rents or other considerations is to be provided in respect to the occupation of at least one occupant

# “My household”



# “What’s not an HMO?”

## Not HMOs

- Buildings controlled or managed by public sector bodies etc.
- Establishments regulated by the Regulation and Quality Improvement Authority
- Buildings occupied by students and managed by educational establishment (Accreditation scheme)
- Buildings occupied by religious communities
- Buildings occupied by members of the armed forces
- Prisons etc
- Buildings occupied by owners (or members of the owners family)
- Converted flats (an individual flat may be an HMO if it is occupied by 3 or more persons from more than 2 households)

# “ Requirement for HMOs to be licensed ”

*“An HMO licence must specify*

- a) the HMO to which it relates,*
- b) the council which issued it,*
- c) The number of persons who are authorised by the licence to occupy the HMO as their only or main residence*
- d) The owner of the HMO,*
- e) Any managing agent of the HMO, and*
- f) Any conditions which the council has decided to include in the licence under section 14*

*Every house in multiple occupation (“HMO”) must be licensed under this Act (unless a temporary exemption notice under section 15 is in effect in respect of it)*

# “ Granting an HMO licence ”

## Section 8 - HMO Act (NI) 2016

\*see Section 20(4)

The council may grant the licence only if it is satisfied that –	New applications	Renewal Applications
would not constitute a breach of planning control	Yes	Does not apply*
fit & proper persons	Yes	Yes
would not result in overprovision	Yes	Does not apply*
proposed management arrangements are satisfactory	Yes	Yes
fit for human habitation and is suitable for occupation as an HMO	Yes	Yes

# “Fit & Proper Person”

Disqualification Order under Section 38 – Not Fit & Proper Person

Regard to offence involving -

- i. Fraud or other dishonesty,
- ii. Violence,
- iii. Drugs,
- iv. Human trafficking,
- v. A firearm Article 2 of the Firearms (NI) Order 2004.
- vi. Offence listed in schedule 3 of the Sexual Offences Act 2003.
- vii. Unlawful discrimination.
- viii. Housing law or of landlord and tenant law.
- ix. Acted otherwise than in accordance with a code of practice approved under section 63.
- x. Regard to ASB engaged in by the owner/manager and/or how they deal with ASB engaged in by the occupants of the HMO.

# “Checklist of required documentation”

- ✓ Online application form
- ✓ Application fee
- ✓ Electrical installation condition report
- ✓ Fire alarm & detection system installation or servicing certificate
- ✓ Emergency lighting system installation or servicing certificate (if applicable)
- ✓ Current portable appliance test (PAT) certificate
- ✓ Energy performance certificate with a minimum E rating for energy efficiency.
- ✓ Gas safety certificate (if applicable)
- ✓ Date of CO detector installation (if applicable)
- ✓ A declaration as to the condition of any chimneys/flues and date they were last cleaned (if applicable)
- ✓ Fire risk assessment (benchmark to the “HMO Fire Safety Guide” – Recommended standard PAS79)
- ✓ Personal emergency evacuation plans (Peeps) for any disabled or vulnerable occupants
- ✓ Proof of sufficient funding arrangements
- ✓ Anti-social behaviour plan
- ✓ Publication of notice of application



# “Standard Licensing Conditions”

for Houses in Multiple Occupation (HMOs) in Northern Ireland

- Section 1** Introduction
- Section 2** Permitted Occupancy
- Section 3** Safety Certification and Declarations Confirming Compliance
- Section 4** Adequate Security Arrangements
- Section 5** Heating and Energy Performance
- Section 6** Physical Standards
- Section 7** Satisfactory Management Arrangements
- Section 8** Rubbish and Environmental Considerations
- Section 9** Anti-Social Behaviour
- Section 10** Variation of a Licence or Change of Details or Circumstances
- Section 11** Competency Training
- Section 12** Legislative Authority

# “Licensed HMOs”

31 March 2019 (Old definition) = **85**

1 July 2021 = **24<sup>#</sup>**(which includes 6\* renewal application pending determination)

# 3 issued from 1 April 2019

\* Where an application to renew a licence is made before the existing licence expires, the existing licence has effect until the application is determined.

# “Inspections”

Year	Number of inspections
2019/2020	20
2020/2021	27

# “Statutory Notices”

Notice type	Number of notices
Section 5(2) Evidence of Household Notice	2*
Section 44(2): Overcrowding Notice	1
Section 50(2): Suitability Notice with Works	1
Section 78: Powers of Entry (without warrant)	3

\*Response pending in one case