

PUBLIC NOTICE

Notice of Designation of an Area for Additional Licensing of Houses in Multiple Occupation (HMOs)

This notice is published in accordance with Sections 56 to 60 of the Housing Act 2004 and Regulation 9 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions)(England) Regulations 2006.

The London Borough of Barnet Council in exercise of their powers under section 56 of the Housing Act 2004 ("the Act") gives notice that it has designated for additional licensing of Houses in Multiple Occupation ("HMOs") the area described in paragraph 4.

1. The designation may be cited as the London Borough of Barnet Council Designation for an Area for Additional Licensing of Houses in Multiple Occupation 2016.
2. The designation was made on **4th of April 2016** and shall come into force on the **5th of July 2016**.
3. The designation shall cease to have effect on the **4th of July 2021** or earlier if the Council revokes the scheme under section 60 of the Act.
4. The designation shall apply to the whole area of the district of the London Borough of Barnet.
5. The designation applies to

Any HMO as defined by section 254 of the Housing Act 2004 falling in to the following categories:

- a. Any HMO of two or more storeys, occupied by four or more persons in two or more households and where some or all facilities are shared or missing.
- b. Any flat occupied by four or more persons in two or more households and where some or all facilities are shared or missing, where the flat is on the second storey or higher.
- c. Any HMO of two or more storeys, with a resident owner and occupied by four or more other persons in two or more households and where some or all facilities are shared or missing.
- d. Any house of two or more storeys comprised of both self-contained and non-self-contained units of accommodation occupied in aggregate by four or more persons in two or more households (not including a resident owner), some of whom share or lack one or more basic amenities such as a bathroom, toilet or cooking facilities.

Any HMO as defined by section 257 of the Housing Act 2004 which consists of: -

- e. Three or more storeys that have been converted into and consist of four or more self-contained flats and where both the building and self-contained flats it contains are owned by the same person (none of the individual flats within the building being under separate ownership).

within the area described in paragraph 4 unless –

- (a) the building is of a description specified in Annex C (Buildings that are not HMOs for the purpose of the Act - other than Part 1);
 - (b) the HMO is subject to an Interim or Final Management Order under Part 4 of the Act;
 - (c) the HMO is subject to a temporary exemption under section 62 of the Act; or
 - (d) the HMO is required to be licensed under section 55 (2) (a) of the Act (mandatory licensing).
6. Subject to sub paragraphs 5(a) to (d) above, every HMO of the description specified in that paragraph in the area specified in paragraph 4 shall be required to be licensed under section 61 of the Act.
 7. The London Borough of Barnet Council will comply with the notification requirements contained in section 59 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.

The designation was given general approval by the Commissioning Director (Growth and Development) under a delegated authority of the London Borough of Barnet Council. The designation falls within a description of designations in relation to which the Secretary of State has given a general approval under section 58 of the Housing Act 2004, namely The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 which came into force on the 01st April 2015.

A person having control of or managing a prescribed HMO must apply to the London Borough of Barnet for a licence. Failure to apply for a licence in the designated area is an offence under Section 72(1) of the Housing Act 2004, punishable on conviction by payment of an unlimited fine. In addition they may be required to repay up to 12 months' rent if the tenant or the Council, in the case of housing benefit payments, apply to the First-tier Tribunal (Residential Tribunal) under the provisions of section 73 and section 74 of the Housing Act 2004 for a rent repayment order.

Any landlord, managing agent or other person managing a HMO or any tenant within the Borough may seek advice as to whether their property is affected by the designation from the Council's website, www.barnet.gov.uk/citizen-home/housing-and-community/private-housing.html , or by emailing hmos@barnet.gov.uk or by telephoning 020 8359 7454 during normal office hours (9am to 5pm, Monday to Friday).

Once the designation is in force, an application form and general advice may be obtained from the Council's website, www.barnet.gov.uk/hmos or by emailing hmos@barnet.gov.uk or by telephoning 020 8359 7454 during normal office hours (9am to 5pm, Monday to Friday) or 9th Floor, Barnet House, 1255 High Road, London N20 0EJ.

If you wish to inspect the designation in respect of additional licensing of HMOs in the London Borough of Barnet it may be viewed at www.barnet.gov.uk/citizen-home/housing-and-community/private-housing.html or inspected at:

The London Borough of Barnet
Barnet House
1255 High Road
Whetstone
N20 0EJ
hmos@barnet.gov.uk
020 8359 7454