

Draft Conditions for Selective Licensing of the Private Rented Sector in Melcombe Regis

The following are the licence conditions to which the licence holder (or their nominated agent where specified) must adhere, as required by section 90 and Schedule 4, Housing Act 2004. If you do not understand the requirements, please contact the Council who will be able to help you.

In these conditions, "house" is meant to refer to the building or part of a building, which is licensed under Part 3 of the Housing Act 2004.

"Authority" is meant to refer to the local housing authority, namely Weymouth and Portland Borough Council.

Item	Condition
	<u>Housing Act 2004 Prescribed Conditions:</u>
Gas	If gas is supplied to the house, the Licence Holder must produce to the council annually for their inspection, a gas safety certificate obtained in respect of the house within the last 12 months.
Electrical Appliances and furniture	The Licence Holder must keep all electrical appliances and furniture supplied in a safe condition and must supply the Council, on demand, a declaration as to their safety of such appliances and furniture.
Smoke Alarms	The Licence Holder must ensure that smoke alarms are installed on each storey of the house on which there is a room used wholly or partly as living accommodation; keep them in proper working order; and must supply the authority, on demand, with a declaration by him as to the condition and positioning of such alarms.
Carbon Monoxide Alarms	The Licence Holder must ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; keep any such alarm in proper working order; and supply the Council, on demand, with a declaration by him as to the condition and positioning of any such alarm. N.B Reference to a room includes a hall or landing.
Tenant References	The Licence Holder must obtain references from all persons who wish to occupy the house. The Licence Holder shall provide a copy of the said references to the Council on demand.
Terms of Occupation	The Licence Holder must provide each occupier of the house with a written statement of the conditions of the terms on which they occupy the house. The Licence Holder shall provide a copy of the said terms to the authority on demand.

	<u>Scheme specific conditions</u>

Property Management	<p>The Licence Holder must provide every tenant with information relating to their occupation of the property. The statement should include information relating to:</p> <ul style="list-style-type: none">• The management of deposits by the Licence Holder;• Details of any deposit required, what it covers and arrangements for return;• An inventory of contents; (See below)• Details of rent payable and payment dates;• Details of any utilities (gas,electric,water) and any other payments included in the rent;• The responsibility for payment of Council Tax;• Refuse disposal arrangements (See below); and• Contact details for reporting faults. <p>The Licence Holder shall provide a copy of the information to the Council on demand.</p> <p>The Licence Holder must ensure that the occupiers of the house are provided with written details of the following on commencement of the tenancy;</p> <ul style="list-style-type: none">• Name and address of the licence holder or managing agent• A contact address, daytime telephone number• An emergency contact telephone number <p>In multiply occupied property this information must be clearly displayed within the house. Where the property is occupied by a single household, the licence holder shall provide the tenants with a copy of the licence certificate and conditions which is in force.</p> <p>The emergency number for the licence holder/agent or representative shall also be made available and must be notified to the Council.</p> <p>The Licence Holder must ensure:</p> <p>a) All occupants of the house receive written confirmation detailing arrangements in place to deal with repairs and emergencies and to report nuisance and anti-social behaviour.</p> <p>b) If accommodation is provided on a furnished basis and includes electrical appliances, the Licence Holder must provide the occupier copies of user manuals for equipment provided as part of the agreement for the occupation of the house.</p> <p>c) Throughout the period of the licence, that the electrical appliances provided by the landlord are covered by a valid portable appliance test (PAT) certificate. Where a PAT certificate expires during the term of the licence, an up-to-date certificate must be provided to the Council within 28 days of the expiry date.</p>
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- d) A detailed inventory (including waste and recycling containers) is agreed with each occupant upon commencement of their occupation of the house and kept on file by the licence holder at their business address. The Council's Housing team may be able to assist with this condition.
- e) Where the property is a house in multiple occupation the Licence Holder must produce to the council annually for their inspection, a Fire Detection & Alarm System Certificate (in accordance with BS5839) obtained in respect of the house within the last 12 months.
- f) All occupiers are made aware of the licence and conditions.
- g) The water supply or drainage system, or the gas or electricity supply that is used by the occupiers of the house is not unreasonably interrupted.
- h) The Licence Holder and/or his manager must ensure that the property is inspected at regular intervals, of at least once every 12 months, to ensure that the conditions of the tenancy agreement are being adhered to. Should the Licence Holder receive a complaint about the property or tenancy, the Licence Holder and/or his manager must ensure that the property is inspected to investigate such complaint. For example, if a complaint was made with regards to the accumulation of rubbish in the garden of the property. Similarly in the event that payments of two months' rent are missed, a visit must be made to the property to advise of debt counselling services, or to ensure that the property is secure, tidy and has not been abandoned.

Security /
Crime

The Licence Holder must ensure that:-

- a) Where a burglar alarm is fitted to the house, the occupant must be informed in writing the circumstances under which the code for the alarm can be changed, and provide details when required on how this can be arranged.
- b) Where lockable alley gates are installed to the rear of the licensed property, the licence holder must take responsibility for holding a key and make satisfactory arrangements for the occupiers' access.
- c) All new occupants must be provided with appropriate crime prevention information including written information advising how they can reduce the likelihood of being a victim of burglary by ensuring that all reasonable steps are taken to secure the house e.g., by locking external doors, closing and locking windows, security marking personal belongings.
- d) All new occupants must be provided with details of the Neighbourhood Police Team.

The team can be contacted by phoning 101, via an Online Form at the Dorset Police Website, or email to force.control@dorset.pnn.police.uk

	<p>Further useful information can be found on the ASK NED section of the Dorset Police Website.</p>
<p>External areas, Refuse and Waste</p>	<p>The Licence Holder must ensure that:-</p> <ul style="list-style-type: none"> a) The exterior of the property is maintained in a reasonable decorative order and state of repair; b) All outbuildings, yards, forecourts and gardens surrounding the house are maintained, in repair and kept in a clean, tidy and safe condition, free of graffiti, accumulations of waste, fly tipping deposits and infestations. c) Any tenant likely to qualify for an assisted collection service from DWP is signposted to that service and arrangements made for the collection of waste from the property. An application can be made online at dorsetforyou.com or by phone on 01305 221040. d) All tenants have access to waste and recycling containers sufficient for the number of occupants, and that these containers provide adequate means of separation of waste and recycling by type, as per the guidance issued by the Dorset Waste Partnership on. https://www.dorsetforyou.gov.uk/bins-recycling-and-litter/about-the-dorset-waste-partnership-and-recycle-for-dorset.aspx . e) Where necessary for the emptying of waste and recycling containers from secure areas, the Council has the required access key / code or specific arrangements are made with the Dorset Waste Partnership. f) All refuse containers are returned within the curtilage of the property on the same day that they are emptied by the Council. g) Arrangements are made immediately for the proper collection and disposal of any rubbish additional to that within the bins and such rubbish is stored within the curtilage of the property, at the rear if feasible. h) Any kind of refuse which the Council will not ordinarily collect (e.g. large items, hazardous waste) is disposed of responsibly and appropriately. i) Tenants are provided with, at the commencement of the tenancy, information packs regarding waste and recycling services including collection dates and how to present their waste for collection, including the requirement to return the refuse containers to the property on the same day they are emptied by the Dorset Waste Partnership. <p>DWP contact details are:</p> <p>On-line: dorsetforyou.com/recycle Tel: (01305) 221040 Twitter: @recycle4Dorset</p>

Management/
Anti-social
behaviour

The Licence Holder must take reasonable and practical steps to reduce or prevent Anti-Social Behaviour or criminal activity by persons occupying or visiting the house and the use of premises for illegal purposes, including making an informed choice on letting a property.

In particular the Licence holder shall:

- a) Produce a written action plan detailing procedures for investigating and resolving complaints of Anti-Social Behaviour or criminal activity associated with the property. The action plan shall incorporate an incremental process of investigation of any complaints which have been made either directly to them, or via the Council, regarding their occupiers, or visitors to the property, and include the name, address, telephone number, mobile telephone number and email address of the person(s) responsible for responding to such complaints or any emergency at the property.
- b) Submit the action plan to the council within 28 days of the issue of this licence.
- c) Provide a copy of the action plan to each tenant on the date they first occupy the house and require said tenants to sign a declaration that they have received a copy.
(Appendix A);
- d) Retain a copy of all declarations signed by tenants for the duration of this licence.
- e) Ensure that an up to date register is maintained of all complaints of Anti-Social Behaviour or criminal activity associated with the property and retain the register for the duration of this licence **(Appendix B);**
- f) Use all reasonable endeavours to investigate and resolve complaints of Anti-Social Behaviour or criminal activity associated with the property in accordance with the action plan including taking a range of appropriate actions including the taking of legal advice, issuing formal written warnings to tenants and / or possession proceedings and provide on demand, written records of any such investigation to the Council.
- g) Ensure that all new tenants receive a written statement of the terms and conditions on which the house is occupied which contains a clause holding the occupants responsible for any Anti-Social Behaviour or criminal activity by themselves and/or their visitors.
- h) Ensure that the occupants of the house are aware of the services available to them and how they can report nuisance and Anti-Social Behaviour to the Council.
- i) Ensure that tenant references obtained prior to granting a tenancy refer to previous tenancy conduct, including behaviour of the proposed tenant and household. The Licence Holder needs to have due regard to what the reference says and be satisfied that the

	<p>tenant is not likely to cause any Anti-Social Behaviour, or take part in criminal activities.</p> <p>j) Upon receipt of a reference request for a current or former tenant for the purposes of an application to rent a property from another Licence Holder, respond to the request in writing within a reasonable period.</p> <p>k) Make regular inspections of the property to ensure that the property is in a decent state of repair and that the occupiers are not in breach of tenancy terms and conditions.</p> <p>l) Provide upon request to the Council information regarding the full names and dates of birth of each occupant.</p>
<p>Energy Efficiency and Affordable occupation</p>	<p>The Licence Holder must provide the occupier with a copy of the operating manual for any boiler or other heating appliance provided within the property and advise the occupier of the most efficient use of any such appliance.</p> <p>The Licence Holder must not unreasonably restrict the occupier from changing energy supplier or tariff should such a change be considered to be economically advantageous to the occupier.</p> <p>The Licence Holder must not unreasonably refuse the provision of affordable energy efficiency improvements that have either been recommended in an EPC report, or independent surveyors report.</p> <p>The Licence Holder must not unreasonably refuse permission for the occupier to elect to have a water meter installed, should such an installation be considered economically advantageous to the occupier.</p> <p>The Licence Holder must ensure that all tenants are signposted to appropriate support services available from both statutory agencies and the voluntary sector. The council currently lists services available on https://www.dorsetforyou.gov.uk/housing/pdfs/weymouth-and-portland-directory-of-services.pdf</p>
<p>Occupation</p>	<p>The Licence Holder must ensure that rooms other than bedrooms are not used for sleeping purposes</p>

Notification/ Consultation of Changes	<p>The Licence Holder and his managing agent must inform the licensing team of the authority within ten working days of any changes in their circumstances as follows:</p> <ul style="list-style-type: none"> a) Details of any unspent convictions not previously disclosed to the Local Authority that may be relevant to the Licence Holder and/or the property manager and their fit and proper person status and in particular any such conviction in respect of any offence involving fraud or dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003; b) Details of any finding by a court or tribunal against the Licence Holder and /or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business; c) Details of any contravention on the part of the Licence Holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her; d) Information about any property the Licence Holder or manager owns or manages or has owned or managed which has been the subject of any appropriate enforcement action described in section 5(2) of the Housing Act 2004; e) Information about any property the Licence Holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the Licence Holder breaching the conditions of his/her licence; f) Information about any property the Licence Holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004; g) Change in managing agent or the instruction of a managing agent; h) Change of address of Licence Holder or Landlord i) The undertaking of any substantial works to the property including conversions and modernisations.
Absence	<p>The Licence Holder is required to have in place suitable emergency and other management arrangements in the event of their absence.</p> <p>The name and contact details of the licence holder and/or manager must be supplied to each occupier; must also be on display in a prominent place, and updated immediately any changes are made..</p>

Contact Information

Should residents, tenants or the licence holder wish to make a complaint or discuss a situation involving anti-social behaviour please contact:

Dorset Councils Partnership

<https://www.dorsetforyou.gov.uk/asb>

General 01305 251010
Out of Office Hours 01305 838427
Anti-Social Behaviour Team 01202 226570

Dorset Police

www.dorset.police.uk/contact-us/
101 for non-emergency calls
999 for emergency calls

Appendix B
Anti – Social Behaviour Complainants Register

<u>Date and time complaint</u>	<u>Name & Address of complainant</u>	<u>Date & time of incident</u>	<u>Location of incident</u>	<u>Details of incident (what exactly happened)</u>	<u>Details of any other witnesses (Yes/No)</u>	<u>Name & Address of the alleged perpetrator</u>	<u>Action Licence Holder has taken to resolve the problem</u>

Licence holder signature:.....Date: