

Clifford Sinclair Limited
Sovereign Offices
40 Craven Street
London
WC2N 5NG

Your contact is:

Alex Winter - Private Sector Housing - HMO

Dear Sirs/ Madam,

Housing Act 2004 - Mandatory Licensing of Houses in Multiple Occupation (HMO)
Re: 50 Cressingham Road, Reading, RG2 7JR

I write further to my letter of 5th November 2019 notifying you that the Council intends to grant you a licence.

Please find enclosed your HMO licence; you must display the front page in the property. This licence lasts for a period of 5 years, at which time an application must be made to re-license the property if it remains a licensable HMO.

Please note the expiry date on the front page of the licence.

An application to re-license the property should be submitted one month prior to that date.

If you fail to comply with the licence conditions, your licence may be revoked and you may also be prosecuted.

Notification of changes to the licence details

If, at any time during the period of the licence, the details change, you (or any subsequent owner or manager) must apply to the Council to change or 'vary' the details for the house.

A failure to notify the Council of such a change would constitute an offence. Examples of changes that would require a variation include the appointment of a new managing agent or the installation of additional amenities. However, you do not need to notify the Council where there is a change in the numbers of persons or households actually occupying the house, unless this results in the number stated in the licence being exceeded. The Council does not need to be kept up to date with the names of individuals who occupy the premises, where there is no overall increase in the specified number of households or individuals in the house, under the scheme provisions.

If you need to apply to vary the details for the premises, you can request an application form from the Council.

Licences are not transferable, so if you are no longer the licence holder, the new proposed licensee must submit a new application.

I have also written to any relevant persons of the outcome in a separate letter. Should you have any further queries, please do not hesitate to contact me.

Yours Sincerely,

A handwritten signature in black ink, appearing to be 'Alex Winter', with a stylized flourish at the end.

Alex Winter
Private Sector Housing - HMO

Enc. HMO Licence

**READING BOROUGH COUNCIL
HOUSING ACT 2004, PART 2 and SCHEDULE 5
NOTICE OF THE COUNCIL'S DECISION TO ISSUE A LICENCE
FOR A HOUSE IN MULTIPLE OCCUPATION**

To: Clifford Sinclair Limited
Of: Sovereign Offices, 40 Craven Street, London, WC2N 5NG

Being the manager of the house in multiple occupation known as:

50 Cressingham Road, Reading, RG2 7JR

- 1) The Reading Borough Council under Part 2 of the Housing Act 2004 have considered an application for a HMO licence received on 5th October 2018 in relation to the above premises and considered any representations made to the notice of the Council's intention to issue a licence.
- 2) The Council decided on 16 JAN 2020 to grant a licence for the above premises for the following reasons:
The house is a house in multiple occupation requiring a licence under Part 2 of the Housing Act 2004.
The Council are satisfied, from the information available;
 - (a) that the house is reasonably suitable for occupation by not more than the maximum number of households or persons mentioned in the licence or that it can be made so suitable by the imposition of conditions under section 67;
 - (b) that the proposed licence holder-
 - (i) is a fit and proper person to be the licence holder, and
 - (ii) is, out of all the persons reasonably available to be the licence holder in respect of the house, the most appropriate person to be the licence holder;
 - (c) that the proposed manager of the house is either-
 - (i) the person having control of the house, or
 - (ii) a person who is an agent or employee of the person having control of the house;
 - (d) that the proposed manager of the house is a fit and proper person to be the manager of the house; and
 - (e) that the proposed management arrangements for the house are otherwise satisfactory.

Your attention is drawn to the right of appeal to the Council's decision, attached to this notice.

Date: 17 JAN 2020

Signed



Giorgio Framalicco
Deputy Director of Planning, Transport and Regulatory Services
(authorised officer on behalf of the Council)

Contact officer: Alex Winter
Office address: Reading Borough Council, Civic Offices, Bridge St, Reading, RG1 2LU
Telephone: 0118 937 3813
E-mail: alexandra.winter@reading.gov.uk

Right to appeal against refusal or grant of licence

(1) The applicant or any relevant person may appeal to a First Tier Tribunal Property Chamber (Residential Property) against a decision by the local housing authority on an application for a licence-

- (a) to refuse to grant the licence, or
- (b) to grant the licence.

(2) An appeal under sub-paragraph (1)(b) may, in particular, relate to any of the terms of the licence.

Housing Act 2004 Schedule 5 paragraph 31

Time limits for appeals

(1) Any appeal under paragraph 31 against a decision to grant, or (as the case may be) to refuse to grant, a licence must be made within the period of 28 days beginning with the date specified in the notice under paragraph 7 or 8 as the date on which the decision was made.

(2) Any appeal under paragraph 32 against a decision to vary or revoke, or (as the case may be) to refuse to vary or revoke, a licence must be made within the period of 28 days beginning with the date specified in the notice under paragraph 16, 21, 24 or 28 as the date on which the decision was made.

(3) A residential property tribunal may allow an appeal to be made to it after the end of the period mentioned in sub-paragraph (1) or (2) if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay since then in applying for permission to appeal out of time).

Housing Act 2004 Schedule 5 paragraph 33

Powers of residential property tribunal hearing appeal

(1) This paragraph applies to appeals to a First Tier Tribunal Property Chamber (Residential Property) under paragraph 31 or 32.

(2) An appeal-

- (a) is to be by way of a re-hearing, but
- (b) may be determined having regard to matters of which the authority were unaware.

(3) The tribunal may confirm, reverse or vary the decision of the local housing authority.

(4) On an appeal under paragraph 31 the tribunal may direct the authority to grant a licence to the applicant for the licence on such terms as the tribunal may direct.

Housing Act 2004 Schedule 5 paragraph 34

The First Tier Tribunal Property Chamber (Residential Property) can be contacted at:

<u>Cambridge - Eastern Region</u> First-tier Tribunal (Property Chamber) Residential Property HMCTS Cambridge County Court 197 East Road Cambridge CB1 1BA (Administers decisions relating to this region)	 Tel: 01223 841 524 Fax: 01264 785 129 Email: rpeastern@hmcts.gsi.gov.uk
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MANDATORY LICENSING OF HOUSES IN MULTIPLE OCCUPATION LICENCE

HOUSING ACT 2004, PART 2

This Licence relates to: **50 Cressingham Road, Reading, RG2 7JR**

Licence Reference Number: **647366**

Licence start date: **17 JAN 2020** Licence expiry date: **16 JAN 2025**

Licence Holder: **Clifford Sinclair Limited**

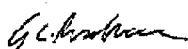
Address: **Sovereign Offices, 40 Craven Street, London, WC2N 5NG**

The total permitted occupancy of this property is up to **11** people.
The maximum permitted number and ages of occupiers for each room/letting are shown in the table below.

Room/letting	Maximum number of occupiers permitted	Room(s) permitted for occupation by people under the age of 10 years only
Ground Floor Front Right room, Ground Floor Rear Right room, Ground Floor Middle room and Ground Floor Front Left room	2 people per room	Not applicable
Ground Floor Rear Left room	1 person	Not applicable
First Floor Front Right room, First Floor Rear Right room and First Floor Rear Left room	2 people per room	Not applicable
First Floor Middle room and First Floor Front Left room	1 person per room	Not applicable
All other areas in the property	Not permitted as sleeping accommodation	

Further details of this scheme are available from:
Private Sector Housing, Environmental Health
Reading Borough Council
Civic Offices
Bridge Street
Reading, RG1 2LU
0118 9372151

Signed



Giorgio Framalicco, Assistant Director of Planning, Transport and Regulatory Services
(authorised on behalf of the Council)

Licence Conditions

For any timescales listed below that set a deadline for compliance with a licence condition, the starting date is the date of the 'Notice of the Council's Decision to Serve a Licence'.

1	Facilities	Time Period for compliance	Date Completed
1.1	All wash hand basins shall be connected with continuous hot and cold water supplies and the foul water drainage system. Toilets shall be connected to the cold water supply and the foul water drainage system.	On-going requirement	
1.2	Each kitchen shall be provided with a fire blanket compliant with BS EN 1869: 1997. The base of the fire blanket shall be approximately 1.5 m above floor level. The fire blanket shall not be placed directly above the cooker.	On-going requirement	
1.3	Maintain the existing food preparation and storage amenities that were found during the inspection carried out on 22 nd July 2019, notwithstanding the changes required by the conditions of this licence. In addition to the above: -Install an additional cooking appliance with four rings or burners, oven and grill.	Within 12 months and then an On-going requirement	
1.4	The existing microwave oven in the kitchen shall be replaced with a microwave oven with grill/convection cooking options.	When the existing microwave oven fails or by the expiry of this licence (whichever occurs first)	
1.5	The Council shall be contacted before any changes are made to the numbers of showers, baths, wash hand basins and toilets within the property or to the number of rooms containing these fittings. Work shall not commence until written approval has been obtained from the Council. This condition does not apply to 'like-for-like' replacements or maintenance of existing fittings.	On-going requirement	
1.6	Each room in the property in which a fuel-burning appliance is located shall contain a carbon monoxide detector. The detector should have a BS EN 50291 or CE mark and must be installed and maintained in strict accordance with the manufacturer's instructions.	On-going requirement	
1.7	A visual inspection of the property, to include all	On-going	

	furniture and electrical appliances made available within the house, shall be carried out at maximum intervals of 3 months. Ensure that all electrical equipment and furniture provided within the property is kept in safe condition. Any damaged or defunct equipment shall be replaced within 14 days. A written record of these inspections and any defects found, together with remedial action taken, must be kept for the duration of the licence and submitted to the Council within 14 days of a written request.	requirement	
1.8	The licence holder must notify the Council of any room in the property with a floor area of less than 4.64 square metres	On-going requirement	
1.9	The licence holder shall comply with any scheme provided by the Council that relates to the storage and disposal of household waste at the property.	On-going requirement	

2	Management	Time Period for compliance	Date Completed
2.1	Display a copy of a valid gas safety certificate in a communal area of the property.	On-going requirement	
2.2	A copy of the front page of this licence shall be displayed in the common parts of the property, securely fixed in a position readily visible to all occupiers.	On-going requirement	
2.3	Annually provide to the Council a copy of a gas safety certificate for the HMO obtained within the previous twelve months from a Gas Safe registered operative qualified in the inspection of gas appliances in domestic premises.	Annual requirement	
2.4	Ensure smoke alarms are installed in the property and keep fire detection equipment in working order. Test the smoke/heat alarms at least once a month by operating all alarm sounders in the property using the test button or switch.	On-going requirement	
2.5	The fire detection system's ability to detect smoke/heat should be tested at least once every year to ensure that they respond to smoke/heat and cleaned at least once a year in accordance with the manufacturer's instructions. Detector heads on the system shall be changed in accordance with the manufacturer's instructions and/or any expiry dates displayed on the detector heads.	A copy of the log shall be provided to the Council within 14 days of a written request	

	A log must be kept of:- • all tests and checks; • any remedial work required; and • the replacement of any equipment Any necessary servicing or remedial work shall be carried out by a competent person. Obtain a certificate from the competent person to show the fire alarm system is in proper working order and complies with the relevant parts of BS 5839.		
2.6	Provide a declaration stating the position of fire detectors in the house to the Council upon request.	Within 14 days of a written request by the Council	
2.7	The licence holder of the property must hold a management folder which contains information on the management procedures in place for the property. The folder should include, as applicable: a) Contact details; b) Fire risk assessment(s); c) Test log(s); d) Annual test reports/safety certificates; e) Energy Performance Certificate; f) Details of any HMO management training that has been completed; g) Complaints procedure. This folder may be in a digital format.	On-going requirement Folder shall be available for inspection by the Council within 14 days of a written request.	

3	Tenancy	Time Period for compliance	Date Completed
3.1	Provide tenants with a written tenancy agreement or if the occupants are not tenants (e.g. licensees), a written statement of terms on which they occupy the property.	Within 3 months of the start date of this licence	
3.2	Tenancy agreements or written statement of terms must set out how occupants are to report any damage to the property and/or contents to the licence holder and/or manager.	This applies to all new tenancies created once the licence is in force	
3.3	Tenancy agreements or written statement of terms must set out how the licence holder and/or manager intend to deal with antisocial behaviour from tenants or visitors including behaviour affecting other occupants and neighbours.	This applies to all new tenancies created once the licence is in force	
3.4	Any anti-social behaviour arising in the property	On-going	

	shall be dealt with under the terms of any tenancy agreement.	requirement	
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4 General Conditions

- 4.1 This licence is subject to the provisions of the Housing Act 2004 Part 2 - Mandatory Licensing of Houses in Multiple Occupation.
- 4.2 The possession of this document is not definitive evidence that a licence is in force for the property identified on the front page, as the Council has powers to vary or revoke licences. This document's validity may be established by contacting the Council's Private Sector Housing team.
- 4.3 This licence is not transferable.
- 4.4 Any changes in the personal details of the licence holder must be notified to the Council within 28 days.
- 4.5 Any changes in the management of the licensed property (e.g. new manager or management company appointed or a new type of lease arrangement) must be notified to the Council in writing within 28 days from the date the change occurs.
- 4.6 The licence holder must notify the Council in writing if they will be away from the United Kingdom for longer than one month. In the notification, the licence holder must provide details made for the management of the property in their absence, including the contact details for the person who will manage the property in their absence.
- 4.7 The licence holder must notify Reading Borough Council of the following matters within 28 days:
- (a) If any relevant person receives a criminal conviction or civil penalty for an offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (c. 42) (offences attracting notification requirements);
 - (b) Any court or tribunal finding that a relevant person has practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business;
 - (c) If any relevant person received a criminal conviction or civil penalty for contravening any provision of the law relating to housing or of landlord and tenant law; or
 - (d) If any relevant person acted otherwise than in accordance with any applicable code of practice approved under section 233 of the Housing Act 2004.

For the purposes of this paragraph, a relevant person is a licence holder, manager or someone associated with them.

- 4.8 Application to renew this licence should be made to Reading Borough Council as the issuing Authority **before** the expiry of this licence.
- 4.9 It must be emphasised that the work specified on this licence may require approval under the requirements of planning and/or building regulations and you are advised to seek advice from the relevant department(s) before works commence.

Revocation, Enforcement, Offences and other Sanctions

This licence may be revoked under the following circumstances:-

- a) with the agreement of the licence holder;
- b) there has been serious or repeated breaches of a licence condition;
- c) the licence holder is no longer a fit and proper person to hold the licence;
- d) the management of the property is no longer being carried out by persons who are fit and proper persons to be involved in its management;
- e) in respect of a property subject to selective licensing, a HMO licence has been granted (allowing for the selective licence to be revoked);
- f) the property ceases to fall within the mandatory licensing regime defined in Part 2 of the Housing Act 2004 and subordinate regulations;
- g) the Council considers, were a new application to be made for a licence, the structure of the property is such that a new licence would not be granted.

The Council can arrange for an authorised officer to enter any premises at a reasonable time for the purpose of ascertaining if an offence has been committed. Where entry is refused the Council may apply to the court for a warrant authorising entry by force if necessary.

A person commits an offence if they manage or control a property which is required to be licensed but is not so licensed. Any person who manages or controls a property who knowingly permits another person to occupy the house, which results in the house being occupied by more households or persons than authorised by the licence, commits an offence. Upon conviction an unlimited fine can be imposed for each of these offences, or a civil penalty of up to £30,000 may be issued.

A licence holder or other person on whom restrictions or obligations are made in the licence under section 67(5) of the Act commits an offence if he fails to comply with any condition of the licence. Upon conviction of this offence an unlimited fine can be imposed, or a civil penalty of up to £30,000 may be issued.

Where a property is unlicensed, the Council or any occupier may apply to the First-tier Tribunal for an order that the persons receiving rent payments repay a sum equivalent to the rent or benefit paid.

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Where a property is unlicensed and has no prospect of becoming so the Council may apply to the Residential Property Tribunal for a Management Order. No notice under Section 21 of the Housing Act 1988 can be served on an assured shorthold tenant of an unlicensed property.

Death of Licence Holder

This Licence shall cease to be in force upon the death of the Licence Holder. However from a period of 3 months from the date of the Licence Holder's death, the property shall be treated as if, on the date of death, a Temporary Exemption Notice (TEN) has been served under the provisions of Section 62 of the Housing Act 2004.

Sale of the Property

If the property is sold and the Licence Holder is no longer the landlord or manager of the property, then this licence is no longer effective. The new owner will need to make arrangements to either apply for a new licence or a Temporary Exemption Notice (TEN) as appropriate.

Register of Licences

Under section 232 of the Housing Act 2004 the Council is obliged to establish and maintain a register of licences granted. The particulars of the register are prescribed by The Licensing (HMOs and Other Houses) (Applications, Standards, Publications of Designations and Keeping of Registers) Regulations 2006.

The contents of the register are to be available for inspection by members of the public at all reasonable times.