

Standard Conditions for the Selective Landlord licensing Scheme in Tower Hamlets

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 authority, namely the London Borough of Tower Hamlets

1. Mandatory Management conditions

1.1. The licence holder shall supply the occupiers of the property with a tenancy agreement/written statement detailing the terms of which they occupy it.

1.2. If gas is supplied to the property, the licence holder shall ensure that all gas installations and appliances are in a safe condition at all times. The licence holder must on request, provide the Council within 14 days, a valid gas safety certificate obtained in respect of the property within the last 12 months.

1.3. The licence holder shall ensure all works in relation to the gas appliances / installations are carried out by a Gas Safe registered engineer. Details of registered Gas Safe engineers can be found at www.gassaferegister.co.uk

1.4. The licence holder shall ensure that all electrical appliances provided in the property are in a safe condition.

1.5. The licence holder shall submit to the council on demand an electrical appliance test report in respect of any electrical appliances supplied by them. This report must be made available to the Council within 14 days.

1.6. The licence holder shall ensure that smoke alarms are installed in the property and keep them in proper working order. The licence holder will supply the Council, on application, with a declaration as to the condition and positioning of such alarms.

1.7. The licence holder shall ensure that any fire-fighting equipment and fire alarms are maintained in good working order. The licence holder must submit to the Council, for their inspection, a copy of all periodic inspection report/test certificates for any automatic fire alarm system, emergency lighting and fire-fighting equipment provided in the property. These must be provided to the Council within 14 days on demand.

1.8. The licence holder shall ensure that all furniture supplied by them in the property is in a safe condition. All upholstered furniture and covers and fillings of cushions and pillows should comply with current fire safety legislation. A declaration as to the safety of such furniture must be provided to the Council within 14 days on demand.

1.9. The licence holder must be a fit and proper person as per the definition under section 88 (3)(a) or (c) of the Housing Act 2004.

1.10. The licence holder shall obtain references from persons who wish to occupy a letting in the property before entering into any tenancy, licence or other agreement

with them to occupy the accommodation. No new occupiers shall be allowed to occupy the accommodation if they are unable to provide a reference.

2. Tenancy Management

2.1 The licence holder will provide their tenant(s) with written information, including any contact details, explaining how the tenant can make a complaint in relation to matters concerning their tenancy and how the licence holder will deal with such complaints, including the timescales for completion of repair works.

2.2 Details of the arrangements in place to deal with any complaints, repair issues and emergency issues and copies of the tenancy agreement shall be provided to the Council for inspection within 14 days upon demand.

2.3 The licence holder must protect any deposit taken under an assured short-hold tenancy scheme and provide the tenant with the relevant details regarding the statutory tenancy deposit scheme.

2.4 The licence holder and his representatives will ensure that the tenant's right to quiet enjoyment of the property is respected. Where entry is required to the property for the purpose of undertaking landlord duties and responsibilities, the licence holder will ensure that the tenant receives at least 24 hours written notice of intention to enter the property specifying the reason entry is required. Only in emergency situations such as flood, fire or potential threat to life should these requirements be waived.

2.5 The licence holder shall retain all references obtained for occupiers for the duration of this licence and provide copies to the Council within 14 days on demand.

2.6 Where window locks are fitted, the licence holder will ensure that keys capable of locking/unlocking the windows are provided.

3 Fit and proper person

3.1 The licence holder must ensure that any persons involved with the management of the house must be a fit and proper person as per the definition under section 88 (3)(a) or (c) of the Housing Act 2004.

3.2 The Licence Holder or their Managing Agent must inform the Council within 14 days of any changes in their circumstances as follows:

- i) Details of any unspent convictions not previously disclosed to the local Council 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;

- ii) Details of any finding by a court or tribunal against the licence holder and/or the manager that he 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;
- iii) 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 have led to civil or criminal proceedings resulting in a judgement or finding being made against him;
- iv) Information about any property the Licence Holder or manager owns or manages or has owned or managed which has been made subject to:
 - i. A control order under section 379 of the Housing Act 1985 in the five years preceding the date of the application; or
 - ii. Any enforcement action described under Part 1, Sections 5(2) or 7(2) of the Housing Act 2004 concerning Category 1 and Category 2 housing conditions hazards;
- v) Information about any property the Licence Holder or Manager owns or manages or has owned or managed in relation to which a Local Housing Authority has either refused to grant a licence under Parts 2 or 3 of the Act, or has revoked a licence;
- vi) 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;

4 Anti-Social Behaviour

4.1 The following arrangements shall be implemented to prevent or reduce anti-social behaviour.

The licence holder will provide their tenant(s) with written information, including the following;

- Name of the licence holder and manager,
- A contact address and daytime telephone number
- A 24 hour emergency contact telephone, number which should include out of hours response arrangement.
- Details for the disposal of rubbish and bulky waste.
- Any change in contact and/or telephone number details should be provided to tenants within 7 days of the changes being made.

4.2 The licence holder shall effectively address problems of anti-social behaviour resulting from the conduct on the part of occupiers of, or visitors to the premises by complying with the requirements of paragraphs (a) to (i) below:

- (a) The Licence holder must not ignore or fail to take action, if he has received complaints of anti-social behaviour (ASB) that concern the visitors to or occupiers of the premises.
- (b) Any letters, relating to anti-social behaviour, sent or received by the licence holder, or agent of the licence holder, must be kept for 3 years by the licence holder.
- (c) The licence holder must ensure that written notes are kept of any meetings or telephone conversations or investigations regarding anti-social behaviour for 3 years.
- (d) If a complaint is received, or anti-social behaviour is discovered, the licence holder must contact the tenant within 14 days. The tenant must be informed of the allegations of the anti-social behaviour in writing and of the consequences of its continuation.
- (e) The licence holder shall from the date of receipt of the complaint of anti-social behaviour, monitor any allegations of anti-social behaviour and whether it is continuing.
- (f) Where the anti-social behaviour is continuing after 28 days from receipt of the complaint, the licence holder, or his agent must within 7 days visit the premises and provide the tenant with a warning letter advising them of the possibility of eviction.
- (g) Where the licence holder or his agent has reason to believe that the anti-social behaviour involves criminal activity the licence holder shall ensure that the appropriate authorities are informed.
- (h) If after 14 days of giving a warning letter the tenant has taken no steps to address the anti-social behaviour and it is continuing the licence holder shall take formal steps under the written statement of terms for occupation, e.g. the tenancy agreement or licence and which shall include promptly taking any legal proceedings to address the anti-social behaviour
- (i) Where the licence holder is specifically invited they shall attend any case conferences or multiagency meetings arranged by the Council or police.

Any correspondence, letters and records referred to in (a) to (i) above must be provided to the Council within 14 days on demand.

5 Property Management

5.1. The licence holder must provide on demand to the Council an Electrical Installation Report or electrical installation certificate carried out by a suitably qualified electrical contractor who should be registered/member of an approved body such as NICEIC, NAPIT etc. or registered to undertake electrical works in accordance with Part P of the Building Regulations. Such reports should not be more than 5 years old. Electrical contractors that are on a relevant competent person scheme can be found at www.competentperson.co.uk

5.2 Should the electrical Installation report specify the installation to be unsatisfactory then the licence holder must ensure that the works deemed requiring urgent attention to bring the installation up to a satisfactory condition are completed within 28 days.

5.3 Where the licence holder becomes aware of a pest problem or infestation at the property he shall take steps to ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs and these must be provided to the Council within 14 days on demand.

5.4 The licence holder shall ensure that inspections of the property are carried out a minimum of every 6 months to identify any problems relating to the condition and management of the property. The records of such inspections shall be kept for the duration of this licence. The records must contain a log of who carried out the inspection, date and time of inspection and issues found and action(s) taken. Copies of these must be provided to the Council within 14 days on demand

5.5 The licence holder must be resident in the United Kingdom.

5.6 The licence holder shall ensure that, as far as is reasonably practicable, the exterior of the property and boundary walls, fences and gates are kept free from graffiti.

6. General

6.1 The licence holder shall arrange for access to be granted at any reasonable time and must not obstruct any Council Officer(s) carrying out their statutory duties including the surveying of the property to ensure compliance with licence conditions and any relevant legislation.

6.2 The licence holder shall, if required, by written notice within 14 days provide the Council with following particulars as may be specified in the notice with respect to the occupancy of the house:

- i) The names and numbers of individuals/households accommodated specifying the rooms they occupy within the property.
- ii) Number of individuals in each household.

6.3 The licence holder shall inform the Council of any change in ownership or management of the house and

- i) Change in Manager, address and contact telephone number
- ii) Change of address of Licence Holder or Landlord and contact telephone number;
- iii) An appointment of a manager, their address and contact number

The undertaking of any substantial works to the property including conversions and modernisations that would affect the licence or licence conditions

6.4 The licence holder shall ensure that whilst any alteration or construction works are in progress, the work is carried out to ensure the safety to all persons occupying or visiting the premises.

6.5 The licence holder must advise the Council's Property Licensing Team in writing of any proposed changes to the construction, layout or amenity provision of the house that would affect the licence or licence conditions.

6.6 The licence holder and/or manager may be required to attend an accredited property management training course. One such course is run by the London Landlord Accreditation Scheme and for information on this scheme refer to: www.londonlandlords.org.uk