

# Agents forum

**04<sup>th</sup> July 2022**

**(updated slides 01.08.2022 with updates in  
red font)**



# Agenda

- **Property Licensing overview**
- **Selective Licensing**
  - Area covered
  - Included tenancies / licences
  - Excluded tenancies / licences
  - Who should apply for the licence?
  - Who should be licence holder?
  - Fees
  - Documentation
  - Accreditation
  - Phasing Agreements
  - Short break (5 mins)
  - Information needed for applications & payment
- **Feedback from agents**



# Property Licensing

**In Oxford, from 01 September 2022 every private rented property will need a property licence**

- **HMO licensing**

- Mandatory licensing – 5 or more persons
- Additional HMO – Since 2011, Oxford City has required all other HMOs to have an HMO licence

- **Selective licensing**

- Councils can “select” part / all of their area to be subject to licensing
- Oxford has done this because of high level of private rented home in poor condition

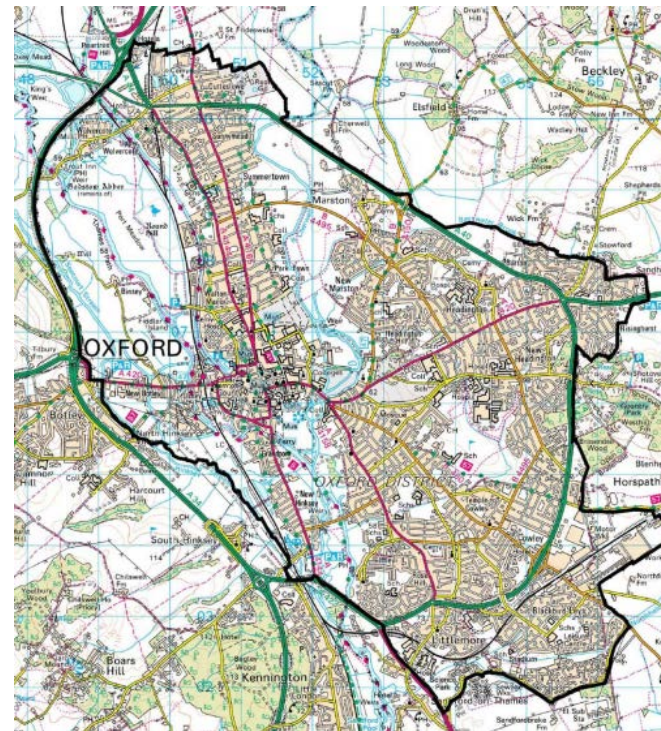
**If the property has an HMO licence, it does not need a selective licence.**

**However, you cannot “switch” between the types of occupation under the licence e.g. if a property is an HMO and then becomes a family house – in this situation you need to revoke (cancel) the HMO licence and apply for a selective licence**



# Selective Licensing

- Government approval was given to start the scheme on 01 September 2022 to last to 31 August 2027
- Covers the whole city (two designations made)
- If council tax is paid to Oxford city then the property is in our boundary
- <https://www.oxfordshire.gov.uk/council/about-your-council/government-oxfordshire/district-councils>



# Selective Licences – included tenancies or licences

- Tenancies unless exempt
  - Majority of ASTs will be included
- Licences to occupy

Updated 01.08.2022

- Pre 1985 Housing Act tenancies – these are included
- Common law tenancies – these are included



# Selective Licences – excluded tenancies or licences (1)

- Tenancy granted by a non-profit registered provider of social housing, profit-making registered provider of social housing in respect of social housing or by a body which is registered as a social landlord under Part 1 of the Housing Act 1996
- Tenancy of agricultural land or agricultural holdings & “tied accommodation”
  - e.g. house let to minister / clergy
  - e.g. house let to professor / employee of college
- a tenancy or licence of a house or a dwelling that is managed or controlled by —
  - (i) a local housing authority;
  - (ii) a police authority
  - (iii) the Metropolitan Police Authority
  - (iv) a fire and rescue authority; or
  - (v) a health service body within the meaning of section 4 of the National Health Service and Community Care Act 1990;



# Selective Licences – excluded tenancies or licences (2)

- Holiday accommodation – the person occupying clearly needs to be on holiday and is not an AST in disguise
- Up to Two Lodgers – where the accommodation is shared with the landlord or members of landlords family. Three or more lodgers becomes an HMO.
- A tenancy or licence of a house or a dwelling granted by a person to a person who is a member of his family where—
  - (i) the person to whom the tenancy or licence is granted occupies the house or dwelling as his only or main residence;
  - (ii) the person granting the tenancy or licence is the freeholder or the holder of a lease of the house or dwelling the full term of which is more than 21 years; and
  - (iii) the lease referred to in sub-paragraph (ii) does not contain a provision enabling the landlord to determine the tenancy, other than by forfeiture, earlier than at end of the term;
- Shared ownership - would be owner occupied



# Selective Licences – excluded tenancies or licences (2)

- a tenancy of a house or a dwelling where—
  - (i) the full term of the tenancy is more than 21 years;
  - (ii) the lease does not contain a provision enabling the landlord to determine the tenancy, other than by forfeiture, earlier than at end of the term; and
  - (iii) the house or dwelling is occupied by a person to whom the tenancy was granted or his successor in title or any members of such person's family;





# Questions – added 01/08/2022

- **What about “Homechoice” properties where the Council finds the tenants**
  - These are excluded because the council is not in overall control or managing the property
- **What if the tenant has been in the property for 21 years on a rolling AST?**
  - This is not exempt. The exemption is only where the fixed term is for more than 21 years.



# Questions



- **Why is Holywell Ward separated on the designation?**

In the consultation, we proposed two schemes.

1. A donut shaped scheme where the centre of the city, known as Holywell ward (i.e. Holywell is the hole in the donut), was excluded because this had a lower % of hazards and is mainly college owned or
  2. The whole city
- The consultation showed the whole city was preferable.
  - The council made two designations for selective licensing, sent to government to approve
    1. Designation one is the donut shape – i.e. Holywell excluded
    2. Designation two was only Holywell ward
  - This meant the government could approve designation one only – the majority of the city – or approve both, to cover the whole city. The government approved both designations so the whole city is covered. Both designations were approved



## Questions (2)



- **How many properties do you expect to licence in the city?**
  - The current private rented stock is estimated to be in the order of 49% (30,508 properties) of the total number of residential properties (61,896 properties) in the city including 5240 Houses in Multiple Occupation (HMOs)
  - The “private rented sector” includes properties owned by housing associations, universities and other bodies
  - Excluding exempt properties and HMOs, the scheme is estimated to apply to 12,000 properties
  - Based on the experience of other councils operating large scale licensing schemes, we estimate to have licensed 80% by the end of the scheme.
  - Other schemes have found it is not realistic to expect to licence all applicable properties in the scheme



# Who should apply?

- A person commits an offence if he is a person having control of or managing a house which is required to be licensed under this Part (see section 85(1)) but is not so licensed.
- In control – in receipt of rent, whether on own account or as agent or trustee of another person
- Person managing – the person who, being an owner or lessee of the premises—
  - (a) receives (whether directly or through an agent or trustee) rents or other payments or
  - (b) would so receive those rents or other payments but for having entered into an arrangement (whether in pursuance of a court order or otherwise) with another person who is not an owner or lessee of the premises by virtue of which that other person receives the rents or other payments;
- **If you receive the rent, either in full management or rent collection, then you need to ensure an application is made**



# Consequences of not applying

- Commit offence for failing to licence – financial penalty of up to £30,000 from Oxford CC or unlimited fine on prosecution
- If found guilty at court, the council can then apply for banning order. A banning order will prevent letting across England.
- Tenants can apply for a rent repayment order to claim back rent paid from 01 September 2022 for up to 12 months – regardless of whether the council has taken action (tenants do have to demonstrate they paid the rent)
- Cannot serve s21 notice to end tenancy



# Who should be the licence holder?

- The Licence Holder is legally obliged to comply with the conditions on the licence
  - The “applicant” is the person completing the form – they can be different to the licence holder. If you are submitting an application on behalf of your client then you are the applicant and name who is the proposed licence holder.
- Licence holder must be a “person in law” so
  - An actual person
  - A registered company or charity
  - Other lawful entity e.g. Oxford Colleges
- Must be resident in UK
  - Serving members armed forces accepted, BFPO as address
  - **Classed as “resident” for Tax Purposes (added 01/05/2022)**
- Must be “in control” – they receive the rent whether on their own account or as an agent or trustee of another person
- Must be “Fit and Proper Person”
- Must be the "most appropriate person" which means a person in control is more appropriate than a person not in control



# Who should be the licence holder? (2)

- Selective Licensing has been introduced because of a high level of Category One and Two hazards in properties
- Properties will be inspected – either as proactive inspection or through report of disrepair
- If hazards are found, the Council can serve an Improvement notice to require repair (or other notices or orders). Under the Housing Act 2004 regulations, the notices or order must be served on the licence holder.
- The licence holder then has the liability to comply with the notice. Oxford City Council charge for service of notice and serve demand for payment on the person on whom notice was served.
- Failing to comply with licence conditions or notices is an offence, liable to a fine of up to £30,000 or unlimited on prosecution.



# Questions (1)



- **Agent- collects first months' rent only. Are they are “person managing” or “in control”?**
  - For that 1<sup>st</sup> month, you would be a person managing and advised to check a licence has been granted (or applied for) before collecting the rent
- **What should an agent do to check the house has a licence? (added 01/08/2022)**
  - Ask the landlord for confirmation an application has been submitted (they will get an auto-email). Once issued, check the public register.
  - Advised to check before they advertise, although the offence would rely on collection of rent (other legal requirements may apply around advertising)
- **Tenant RRO from 1/9/22- early bird system- how we will defend an RRO in this period?**
  - OCC would be able to provide proof/ give details to FTT of early bird and phasing agreement if requested
  - OCC will not be looking for unlicensed properties until 2023 and publicity to tenants will start later





## Questions (2)



- **How would it work if a tenant were given permission to sublet the property? (rent to rent etc.)**
  - The agent and the **tenant** would be persons in control / persons managing. All have obligation to ensure an application is made.
- **If the LL lives overseas, would we as their managing agent need to be the licence holder?**
  - Yes



# Fees

- **Standard fee £480 for five years**
- **Early bird £400 for five years providing:**
  - Valid application made by 30 Nov 2022 and
  - All documentation provided with application (we will not send reminders or chase)
- **Accreditation £280 providing:**
  - Application made by 30 Nov 2022 and
  - All documentation provided with application (we will not send reminders or chase) and
  - Proposed Licence holder or managing agent (full management) is accredited
- **Valid application:**
  - Application form
  - Declaration
  - Stage one fee paid

If you don't submit the documents, then the standard fee is applied. We will not remind you if something is missing.

If you don't make the application valid then the house is classed as "unlicensed"



# Documentation

- **Current gas safety certificate (if gas in property)**
  - Or new installation certificate if installed in last 12 months
- **Current electrical inspection certificate to show installation is satisfactory – dated within 5 years**
  - If C1/C2 then either a new certificate after work is completed or written evidence to confirm work completed
  - Or new installation certificate, covering the whole installation dated within last five years
- **EPC at Band E – dated within last 10 years**
  - Or registered exemption
  - If the EPC has expired and the property has not be advertised for let since expiry, this is acceptable
  - e.g. tenant moved in on 01 January 2018, EPC expired Jan 2022 and same tenant still in residence – this is acceptable



# Accreditation: Landlords

Landlords (licence holder) – either they manage their own properties or use a managing agent

- [National Residential Landlord Association \(NRLA\)](#)
- [Guild of Residential Landlords](#)
- [Oxford City Council Landlord Accreditation Scheme \(OCLAS\)](#)
- National code for student accommodation not managed by university
- We also accept membership of the following schemes, however you need to have a property in their area to join
  - [ATLAS Accreditation & Training for Landlords and Agents](#) Service (includes London Landlord Accreditation Scheme and other local authority schemes in the south east)
  - [DASH](#) (East Midlands area)
  - [Midlands accreditation scheme](#)



# Accreditation Agents

Where the managing agent has full management control, then either

- the landlord (licence holder) can be accredited as before or
- the managing agent is accredited by **one** of the following:
  - ARLA
  - Safeagent and in addition, the agency must have one person holding the Level 3 **Award** in Residential Letting and Property Management
  - UKALA and in addition, the agency must have one person holding the Level 3 **Award** in Residential Letting and Property Management
  - NB: ARLA membership requirements include the Level 3 **Award** however the Safeagent and UKALA schemes do not include the Level 3 **Award** as a requirement.
- **If you think you qualify then email [selectivelicensing@oxford.gov.uk](mailto:selectivelicensing@oxford.gov.uk) with name of scheme and if Safeagent / UKALA send copy of diploma**

**Poll: Should we publish details of accredited agents on website?**



# Accreditation Agents (2)

As part of the Oxford City Council Landlord Accreditation Scheme (OCLAS) we publish details of accredited landlords.

A poll was asked:

Should we publish details of accredited agents on website?



# Questions (1)



- **If we apply on behalf of the landlord, for them to be the licence holder, will they receive the accredited agent discount?**
  - Yes, if the agent has full management control
- **Do compliance documents have to be submitted with application?**
  - If you want to receive the early bird or accreditation fee then yes the compliance documents must be submitted with the application
  - If they are not submitted with the application, the standard fee will be charged as default
  - See section on application system to see how you can upload documents with the application



## Questions (2)



- **Do you require the floor plan to be uploaded?**
  - No
- **Do you expect to receive certs for alarms / emergency lighting?**
  - No, we will not ask for these as part of the application
- **How is the £280 fee broken down into stage 1 and 2?**

Type	Stage 1	Stage 2	Total
Standard	£178	£302	£480
Early bird	£178	£222	£400
Accreditation	£178	£102	£280





# Phasing Agreement

- To allow agents to submit applications up to 31 January 2023 and still benefit from early bird / accreditation fee. Helps both agents and council with submission / flow of applications
- Where the agent will be submitting more than 50 applications i.e. agent is applicant on behalf of client.
- Expect agents to submit applications each week and by 31 January 2023 all to be submitted – the idea is to keep an “even” flow of applications
- By 05 August 2022, you need to submit an excel file with the property addresses to [selectivelicensing@oxford.gov.uk](mailto:selectivelicensing@oxford.gov.uk) We will then write back to confirm the agreement and approx. number to be submitted each week.
- A smartsheet to be shared between agent and council to track submission of applications and fees paid – stops lots of email traffic!



# Questions (1)



- **Phasing agreement- which / how do we choose who to submit?**
  - Submit properties to [selectivelicensing@oxford.gov.uk](mailto:selectivelicensing@oxford.gov.uk)
  - You will need to ask your landlords if they want you to make the application or not
  - You only submit the property addresses for the applications that you will undertake
  - If a landlord chooses not to use their agents services, the landlord must apply by 30 November and are not covered by the phased agreement
  - The advantage to the landlord of having an agent submit their application is the landlord does not need to worry and should have the confidence the agent will submit all documents needed. The agent would ensure both stage one and two payment is made.



## Questions (2)



- **We might not be able to get details by 05 August.**
  - Email us at [selectivelicensing@oxford.gov.uk](mailto:selectivelicensing@oxford.gov.uk) to confirm you want the phasing agreement and how long you need and we can work with you.
- **If I submit an application in January under phasing agreement, will it be backdated to September 2022?**
  - Licences will start on the day of issue
  - We accept by submission of phasing agreement there is the intention to apply and so you would not be at risk of committing an offence



# Application system

- Using a stand-alone system so it will be different to HMO applications
- In use by:
  - L.B. Ealing, L.B. Enfield, L.B. Hackney, L.B. Barking and Dagenham, L.B. Islington, Manchester C.C, Newcastle C.C, Westminster C.C, RE Kensington & Chelsea, L.B Waltham Forest, L.B. Enfield, Durham C.C, Reading B.C, Slough B.C, L.B. Southwark, L.B. Croydon, L.B. Haringey
- Each user will have their own account – for an agency, you will need to share log in details if more than one person wants access to the account management e.g. use [info@agent.co.uk](mailto:info@agent.co.uk) and share password.
- You need to do a separate application for each property, however the system does store your details as “applicant”
- Where you are applying for the licence on behalf of the client, you must name the company as applicant and the client as licence holder.
  - In this circumstance, both the applicant and licence holder must sign the declaration statement before the application can be submitted.
- You can save applications before submission
- You can upload documents to the application before submission and you will need to confirm if you don’t want to upload documents



# Application system

- You can pay at the same time as making an application
- Pre-authorise stage 2 payments allowing us to take the payment at the time the intention notice is sent.
- All relevant interested parties receive an intention notice (draft licence), a chance to make representations and then the final licence issued
- These will be emailed unless the person does not have an email address. We encourage use of email because it is greener and more efficient and helps keep our costs (therefore fees) low



# Application system



## Licensing for rented property

[Home](#) [Account details](#) [Logout](#)

**BETA** This is a new service – your [feedback](#) will help us to improve it.

## Licensing for rented property

Apply for and manage property licences for rented properties

**!** You may need a licence for a property you rent out privately. If you don't hold a valid licence you could face an unlimited fine.

### [Apply for a new property licence](#)

Fill out an application form to apply for a new property licence. The property to be licensed must be reasonably suitable for occupation.

### [Renew your property licence](#)

Renew an existing licence which is about to expire.

### [Manage an existing application](#)

Continue with an application for a new licence or a licence renewal that you have already started. View your previous applications.

### [Respond to a request](#)

Respond to a request from the Council. This includes comments on draft licences and other notices including licence variations, refusal or cancellations (revocations).

### [Make a one-off payment](#)

Pay any one-off charges owed to the Council in relation to your property.

### [Submit a variation request](#)

If you have made changes to your property, you will need to update your current property licence.

### [Apply for a temporary exemption](#)

If you are taking steps that will result in the property not requiring a licence, you can apply for a temporary exemption notice (TEN).

### [Cancel a licence](#)

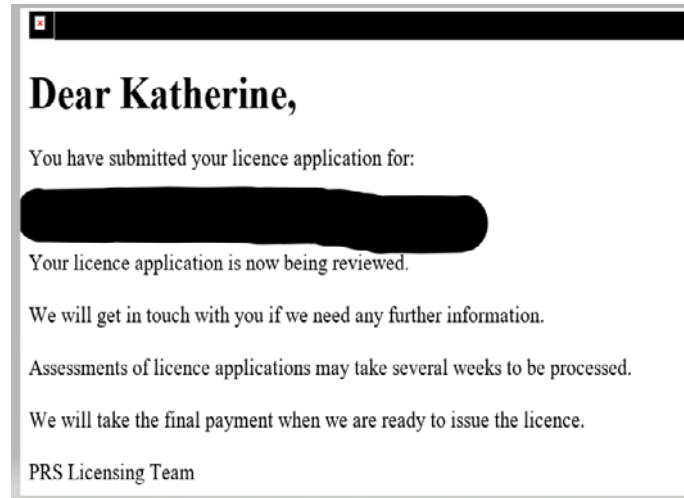
Request the cancellation of a valid licence that is no longer required.

www.oxford.gov.uk

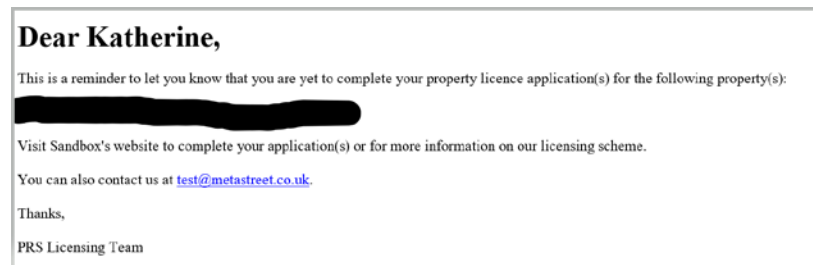


# Application system

Auto-Acknowledgement to confirm duly made application submitted



Auto – reminders if not completed



www.oxford.gov.uk



# Application system

Auto-Acknowledgement to  
confirm pre-authorized stage  
two payment taken

**Dear Katherine,**

Your licence application for [REDACTED] has been approved and we have taken the final payment of £100.00.

This payment was processed at 10:31 on 23/06/2022.

Your draft licence is being sent to you in the post.

PRS Licensing Team

Example email with  
intention notice after  
payment

**Dear Agent Agent (Katherine Coney),**

The council has now processed your property licence application for [REDACTED] and it is now available to view.

A draft copy of the property licence is attached to this email. You can also log onto your account at [REDACTED] and view this document via 'Manage an existing application'.

Comments can be made on this draft licence by following the instructions contained within the letter. [REDACTED]

Please do not hesitate to contact us if you require any further information or advice.

PRS Licensing Team





# Application – information needed (1)

- **Property address**
- **Licence holder:**
  - Name, address, tel, email and date of birth
  - Any relevant contraventions under Fit and Proper Persons
- **Manager**
  - Name, address, tel, email and
  - Any relevant contraventions under Fit and Proper Persons
- **All owners (Freeholders, Leaseholders) – irrespective of % ownership share**
  - Name, address, tel, email
- **Mortgage company details**
  - Name, address, tel, email
- **The date the interested parties were informed of the application**



# Application – Information needed (2)

- **Number of occupants living in the property and number of households living in the property**
  - This includes children of any age
- **How many separate lettings in the property**
- **Whether it is a house or flat:**
  - Detached house
  - Semi-detached
  - Terraced
  - Flat in purpose built block
  - Flat in converted building
- **Number of storeys (floors) in the building**
- **Number of storeys (floors) in the property**
- **What storeys are the floors in the property situated?**



# Application – information needed (3)

- **Number of habitable rooms in property** (a habitable room is any room in a property apart from a kitchen or bathroom)
- **Approximate age of construction** (pre 1919, 1919-1944, 1945-1964, 1965-1980, 1981-1991, post 1991)
- **If there are any external structures, outbuildings or sheds used as part of the living accommodation**

[www.oxford.gov.uk](http://www.oxford.gov.uk)



# Application – information needed (4)

- **Details of property:**

- Rooms (name and location)
- Room size (m2)
- Kitchen – number of cookers, sinks, fridges / freezers and if a heat detector is in the kitchen
- Bathroom facilities – number of toilets, bath/showers, wash hand basins

**You will have to enter each room separately on the application form. You cannot submit a plan instead of the room details.**

**You will have to say if the room is exclusive use (i.e only used by one household) or shared with other households**



# Application – information needed (5)

- If there are fire doors to the kitchen(s)
- If there are fire blankets in the kitchen(s)
- If there are fire extinguishers in the stairways
- If there is a mains powered fire alarm system (smoke alarms wired into the main power) or battery alarms
- Do you provide details of escape routes and other fire safety information to occupiers?
- Does the furniture you provide within the property comply with Fire Safety Regulations?
- Is there a gas supply to the property?



# Application – information needed (6)

## Fit and Proper Person test

Have you, or anyone associated to you, or mentioned on this form, have unspent convictions relating to any of the following?

- Fraud, Dishonesty, Violence, Drugs, Sexual Offences Act 2003 (Schedule 2)

Have you, or anyone associated to you, or mentioned on this form, been found by a court or tribunal to have been involved with any unlawful discrimination on grounds of Sex; Colour; Race; Disability; Ethnic or National Origins?

Have you, or anyone associated to you, or mentioned on this form, had a judgement made against you or them by a court or tribunal relating to Housing, Public Health, Environmental Health or Landlord and Tenant Law?

Have you or anyone associated with you within the last 5 years, been in control of a property that was subject to a Management Order?

Have you or anyone associated with you within the last 5 years, been in control of a property that has been refused a licence or breached conditions of a licence?



# Application – information needed (7)

## Satisfactory management arrangements

Does the proposed licence holder or manager have experience of managing rented property?

Is the proposed licence holder an accredited landlord?

Is the property visited to check its condition and for any antisocial activities of the tenants?

Are there funds to deal with uninsured damage/insurance and maintenance to the property?



# Application – information needed (8) Document upload

- Gas certificate, Electrical certificate, EPC, accreditation (landlord must submit, agents we will hold this on file).

**Upload documents related to the property** [REDACTED]

The following documents are required to be submitted to the council:

- Gas safety certificate
- Floor plans
- Fire safety certificate
- Electrical safety certificate
- Emergency lighting certificate
- Tenancy agreements
- Tenancy documents
- EPC
- Other

+ Add a document

Finish adding documents

**I confirm that my property doesn't have the following:**

- Gas safety certificate
- Floor plans
- Fire safety certificate
- Electrical safety certificate
- Emergency lighting certificate
- Tenancy agreements
- Tenancy documents
- EPC
- Other

Finish





# Payment

## Stage One payments

Via the online system

- Can pay per application
- For agents / large portfolio landlords, we are investigating alternative methods for agents with bulk payments

## Stage two payments

- Pre-authorise stage two payment when the application is made and then council takes payment at point intention notice is issued
- If pre-authorisation is not given or if the pre-authorisation fails, then stage two payment is requested with intention notice
- For agents / large portfolio landlords, we are investigating alternative methods for agents with bulk payments



# Questions



- **When do you anticipate the system opening?**
  - 01 September 2022
- **How should stage 1 payments be made?**
- **Can you invoice for multiple applications rather than us making individual payments every time? / What about bulk payment agreements?**
  - Stage one payment is either when the application is submitted (one payment with each application) or we hope to have a system for “bulk” payments
- **Declaration**
  - Are you happy for electronic signatures? We accept a scanned version
  - Declaration – how does that go to the landlord? We expect the system will email to the landlord



## Questions (2)



- **If we have multiple offices would it be possible to have an account per office, rather than one for the full company?**
  - Yes – you would need a different email account for each office
- **For the application- will we have applicant (as with HMOs)?**
  - Each application has a named applicant i.e. the person completing the form
  - You then enter details of all interested parties, including managing agent.
  - You then select the person who is the licence holder.



# Questions (3)



- **Who would be in a 'interested' party?**
  - a person having an estate or interest in the house in question; or
  - a person in control or managing the house in question (including their agents); or
  - a person on whom any restriction or obligation is or is to be imposed by the licence
  - Excludes: any tenant under a lease with an unexpired term of 3 years or less.
- **Some clients are asking why you need mortgage details? What do you intend to do with those details/ why would you contact them?**
  - The Housing Act 2004 states we need to serve a copy of the licence on any person whom has an estate or interest in the house
    - a mortgage company holds an estate / interest in the house.
  - The mortgage company gets sent a copy of the intention notice and final licence.



# Questions (4)



- **Will the agent get a copy of the licence?**
  - All named interested parties receive a copy of the intention notice (draft licence) and final licence
  
- **When will you approx. be sending out the intention notices?**
  - This depends on training of officers. It could be as early as mid October 2022 however more realistic late November. We expect it to take 1 year to process all so intention notices could still be sent in August 2023.
  - We will work on “first come, first processed” basis



# Questions (5)



- **Can we apply for an exemption? Is there an exemption register?**
  - If you think the property is exempt, then contact us (if you are asking for a phasing agreement then add the property and reason for exemption).
  - There is no legal requirement to have a register of exempt properties however it is best if we a record the property as “exempt” on our internal database in case of enquiries about unlicensed properties and to prevent any unnecessary enforcement visits.
- **What about a temporary exemption e.g. owner due to move in on 1<sup>st</sup> December or sale?**
- **You can apply for a three month temporary exemption if you / the owner are taking steps to stop the property being licensable (E.g. owner moving back in and s21 served).**
  - You can apply via the online system for this.
  - We may ask for proof e.g. s21 notice
  - We would not accept “for sale” as a reason unless contracts have been exchanged and completion date is within 3 months



# Block of Flats Licence applications

- For purpose built blocks of flats / studios or converted blocks with building control completion
- One licence can be issued for the whole block where the person in control is the same for all flats
  
- E.g. Freeholder lets out all flats on AST = eligible
- E.g. Freeholder has issued leaseholds for all flats. Different leaseholders for all flats. Some leaseholders occupy the flats, some let out on AST = not eligible. Each leaseholder applies for their own licence for each flat.
- E.g. Freeholder has issued leaseholds for some flats. Freeholder rent remaining flats under their control. Some leaseholders occupy the flats, some let out on AST = not eligible. Freeholder and leaseholder applies for their own licence for each flat.
- **Note (Added 01/05/2022) – commercial floors would be excluded e.g. Shop on ground floor under leasehold. Freeholder (or different leaseholder) lets all the flats above. This is eligible for block licence.**



# Inspections

- **Properties will be prioritised for inspection**
- Standard fee & early bird fee includes inspection contribution and anticipate inspecting all of these
- Accredited landlords & agents – expect to be compliant so will do sample inspection and fee reduced to reflect lower inspection contribution
  
- P1– recent complaints made about landlord / open investigations on poor conditions / block licences whether accredited or not (duties apply under Fire Safety Order)
- P2 – failing to send in certificates (standard fee), planning enforcement concerns or building control concerns.
- P3 – early bird, no concerns noted – though for agents, we anticipate we will do some inspections each year
- P4 – accredited landlords / agents – though for agents, we anticipate we will do some inspections each year





# Questions – blocks of flats

- **How many flats for a block, what's the minimum? Can we bulk submit? What's the cost for a block?**
  - Two flats as minimum would count as a block
  - We are investigating the application process for block applications
  - Stage one fee – applicable stage one fee for each dwelling
  - Stage two fee – applicable stage two fee for first dwelling paid in full then subsequent dwellings applicable stage two discounted by £60.
  - See [https://www.oxford.gov.uk/info/20010/housing/1520/selective\\_licensing/9](https://www.oxford.gov.uk/info/20010/housing/1520/selective_licensing/9) for example fee costing for a block with 5 flats



# Questions – inspections / overcrowding

- **What happens if you find a property is overcrowded?**
  - We assess the property under the Housing Act 2004 Housing Health and Safety Rating System (HHSRS). If we find significant hazard for overcrowding, then we would likely serve a “suspended prohibition order” so that at the end of the tenancy, the house cannot be re-let to more than the permitted number. If an Order or Notice is served, there is a charge.
- **What happens if another child is born?**
  - We would need to know to change the permitted number
  - Depending on HHSRS assessment, we may serve a suspended prohibition order
- **Does OCC need to know if the occupancy numbers change?**
  - Only if the occupancy increases



# Questions – inspections / overcrowding (2)

- **How do you end a tenancy if there is another child born, no fault evictions proposals?**
  - We have to wait to see the new proposals.
  - As stated, we serve a suspended prohibition order and this would have to take account of the new proposals



# Conclusion and close

- Thanks to all for coming
- Landlord forum – 15 August in person at Town Hall – this is for landlords and will cover the same things as today’s session
- Letting agent training session on application system – 16 August, Town Hall, 9.30am or 10.30am. Book via Eventbrite. Bring your own laptop so you can try out the system.
  
- Ideas for future topics for landlord newsletters or landlord forum are welcome
  
- Contact details:
  - HMO team [hmos@oxford.gov.uk](mailto:hmos@oxford.gov.uk)
  - PSST team [psst@oxford.gov.uk](mailto:psst@oxford.gov.uk)
  - HMO applications [hmoapplication@oxford.gov.uk](mailto:hmoapplication@oxford.gov.uk)
  - Selective Licensing [selectivelicensing@oxford.gov.uk](mailto:selectivelicensing@oxford.gov.uk)
  
- [www.oxford.gov.uk/hmo](http://www.oxford.gov.uk/hmo)
- [www.oxford.gov.uk/selectivelicensing](http://www.oxford.gov.uk/selectivelicensing)

