

## London Borough of Croydon.

# Making an application for a mandatory house in multiple occupation licence help guide

## Applying online

Before you apply, we recommend you have the documents listed on our website ready as this will make the application easier to complete.

To apply, you first need to set up a landlord user account.

You create this using the online property licensing system <https://landlordlicensing.croydon.gov.uk/>. Once logged in, you will be able to access a licensing guide.

You then need to enter your property details. Your application will be automatically saved as you go along, so you can review, update and add any documents required. You can log back in at any time to track the status of your application.

You will need to fully complete each section of the application form and pay the Part A fee online before you will be able to submit it.

It is an offence to enter fraudulent property information and doing so can result in prosecution and an unlimited fine.

## Licence fee costs

The HMO licence fee depends on the number of habitable rooms. For a five room HMO with no communal lounge, the fee for a five year licence is currently £1,360.

For more information on fees, please go to our website: <https://landlordlicensing.croydon.gov.uk/>.

## Licence fees are split into two parts (part A and part B), knowing when part B payments are taken

The Part B fee payment will be taken when we have made the decision that the application is valid and we have made a decision to issue the licence. We will email you with a link to make this payment. No licence will be issued without the correct part B fee payment being made.

## Calculating the room sizes

It is important to enter all room sizes in metres squared, based on the internal wall measurements.

Please ensure you include in the room size calculation:

- the floor space occupied by any exclusive kitchen facilities within the room and
- the floor space of any bathroom facilities located within or accessible only from within that letting.

## Calculating the number of rooms and occupants

Please enter into your online application the full details of every habitable room on every floor of the property and all occupants (including all adults, children and babies).

For the definition of a habitable room, please see our website:

<https://landlordlicensing.croydon.gov.uk>

## If you have rooms under the permitted size

Please submit your application detailing all room sizes. You do not need to take any action until we have assessed your application. Where room sizes fall short of our locally set Croydon Standards, a property inspection will be conducted to determine the overall suitability of the property and relevant occupation limits.

## Preparing a floor plan

We need a floor plan of your HMO showing all floor levels, rooms, windows, doors, stairs, room uses and room sizes in metres squared. The floor plan should be uploaded as part of the application.

For guidance on how to prepare this please see our [floor plan guidance](#).

## If you employ someone else to manage your HMO and who should apply

The landlord can hold the licence or nominate someone else such as a manager or agent (with their agreement) to be the licence holder. The applicant should be the 'most appropriate person' to hold the licence, which will usually be the person who receives the rent. Licences, when issued, are not transferable to another person.

Where a manager is nominated as the licence holder, you must ensure that a suitable agreement is drawn up. This must clearly state the responsibilities of both parties and ensure that the licence holder agrees to be bound by the [conditions and obligations](#) imposed by the licence. The Council would need to see a copy of this agreement.

## Online application form

The application process for an HMO property licence is online only. Our online functionality allows for necessary follow-up questions to automatically generate as an applicant progresses through the application (which is otherwise not practicable with paper forms). The questions generated for applicants to answer will of course differ from property to property, and this is essentially guided by the information entered for each question. You can start and return to an application at any time.

If you do not have access to a computer, you are welcome to use any of Croydon's libraries for this purpose. Additionally, there are a number of agencies and management companies specialising in HMO licensing services that can complete the application on your behalf.

## If you have more than one HMO in Croydon

If you have a number of licensable properties within the Borough, you will need to make an application for a licence for each property. A single licence does not cover multiple properties.

## **Letting your property before receiving the licence**

As long as you have submitted a valid application you can legally let the property. It is an offence for a person having control of or managing an HMO which is required to be licensed under this Part 2 of the Housing Act but is not so licensed.

## **If you live outside the United Kingdom**

An application for a property licence from a non UK resident will only be considered valid if there is a managing agent based in the UK who agrees to be bound by the conditions and obligations imposed by the licence.

## **Obtaining planning permission to get a licence, if your property is now an HMO**

The issuing of an HMO licence does not confirm that any necessary planning permissions have been granted. You should be aware that the Council's Planning Enforcement team is consulted as part of the licensing process and that there is an Article 4 Direction in place in Croydon in relation to smaller HMOs.

For more information please see [Article 4 Direction](#). If you are in any doubt about the need for planning permission, you should contact the planning department for advice.

## **If you do not have certificates that the application is asking for**

All applications will require an electrical installation condition report (EICR) and a current gas safety certificate (if there is gas in the property). It is only a requirement to provide fire alarm and emergency lighting certificates if systems are already provided or are required in the property. A fire alarm certificate will not normally be required for many small HMO's that don't have a system that requires professional servicing.

Please attach all certification/documents you feel are relevant to your property. We will advise you if anything is missing.

## **Inspection of your property**

Your property may be inspected before the licence is issued in order to carry out pre-licensing checks and if we need clarification of any of the information contained within the application.

We will always inspect high risk or large properties prior to issuing a licence. For smaller, lower risk properties where adequate floor plans and documentation have been provided, we may issue the licence without inspecting the property. In such situations we will conduct a compliance inspection at a later date.

Once the licence has been issued, your property will also be inspected if the Private Sector Housing Team receives a service request from your tenant reporting disrepair issues.

## **Processing time for your application and issuing the licence**

We aim to process your application within 3 months, however this may not always be possible. You will be able to log in to the system to monitor progress of your application. We will also try and

keep you informed if there are any delays in processing your application or if any additional information is required. We will normally deal with licence applications in date order.

Your application will not be accepted as complete if required documents or the licence fee are not submitted with your application. This will delay the processing of your application.

## **Length of a valid HMO licence**

Generally HMO licences are issued for 5 years. However, if we have concerns about the property or an individual (Licence Holder) then we have the option of reducing the term of the licence. The following (including other factors) can be taken into consideration when determining the term of the licence:

- there is a previous history of non-compliance
- either the licence holder or manager of the property is deemed to not be a 'fit and proper' person
- management arrangements are not sufficient
- there are planning contraventions or no planning permission for HMO use
- there is a failure to apply for planning permission.

If your licence period is less than five years, you will be informed in writing why the Council has limited the period.

## **After you make an application**

We will review all information provided and may ask you for further details. This will be by email through the online system. We will then:

- inspect your property
- prepare and send out to you a draft copy of the licence (notice of intention)
- invite representations on the proposed licence and those of any other parties who have an interest in the property. Any representations must be received before the date stated on the covering letter sent with the draft licence.
- consider all representations made
- collect the part B fee prior to issuing a licence.

To [make a comment or a representation about a property licence application](#), select 'Respond to a request' and use the licence reference and PIN provided on the covering letter sent with your draft copy of the licence.

## **Finding your licence number**

Your licence number from the new online system will be a 12 digit reference number that starts with 'CRO'.

You can find it:

- via the online licensing portal. You will need to log into the system and select 'Manage an existing application'
- on the covering letter sent with your draft/final licence
- on the actual draft/final licence itself.

If you are using it online, you will need to enter the whole reference, ensuring you include the hyphens and make sure that there are no gaps.

## **Selling a property that holds a licence or if the licence holder changes**

Licenses are non-transferable and non-refundable.

If a property with a licence is sold or does not require a licence anymore then you can apply online to revoke the licence at <https://croydon.metastreet.co.uk/>. You will then be sent a Revocation Notice.

You cannot transfer a licence. If you sell your HMO, the new owner will need to make a new application for a property licence and pay the relevant fee if they want to continue to use it as an HMO.

## **If your property is unsuitable for the current number of tenants**

If the property is unsuitable for the number of tenants currently accommodated you will be issued a licence stating the number for which it is suitable. If the licence is issued for a lower number than are currently accommodated, you may keep the existing tenants until the expiry of the current tenancy and regularise the situation by not re-letting that room or rooms. No new occupiers should be admitted until occupiers match the number permitted on the licence.

## **Definition of 'reasonably suitable for occupation'**

For an HMO to be reasonably suitable for occupation for a certain number of people, it must adhere to standards requiring an adequate:

- number, type and quality of bathrooms, toilets, washbasins and showers.
- number, type and quality of food storage, preparation and cooking facilities and
- suitable fire precautions.

## **Definition of a 'fit and proper person'**

The Council will carry out checks to make sure that the person applying for the licence is a fit and proper person. In deciding whether someone is fit and proper, the Council will consider:

- Any previous convictions relating to violence, sexual offences, drugs and fraud.
- Whether the proposed licence holder has broken any laws relating to housing or landlord and tenant issues.
- Whether the person has been found guilty of unlawful discrimination.
- Whether the person has previously managed HMOs that have broken any approved code of practice.

The Council may use information from the Mayor for London's Landlord and Agent checker and the Government's Rogue Landlord and Property Agent Database as part of making this decision.

## **If your freeholder, mortgage company or management company advises you cannot operate a HMO**

If the property is already occupied, you must apply for a licence and resolve any contractual dispute later. Legally you can't evict tenants if you don't hold a licence. The tenants may also be able to obtain a Rent Repayment Order for the time the property was unlicensed.

You may want to seek legal advice in relation to any restrictions on your lease, and whether these are enforceable. You may also want to check that your mortgage permits multiple occupation. Different criteria may apply to smaller HMO's with less than 5 people.

## **If you have applied but cannot see your property on the public register**

This will be because it is in the processing stage. Licences are not declared in the register until they have been formally issued.

The public register can be viewed at: <https://landlordlicensing.croydon.gov.uk/public-register>

## **If your circumstances change after an application is processed there will be no refund of the fee**

When you apply, please ensure you either have a minimum of 5 occupants or you intend to have 5 or more occupants. The Part A fee will not be refunded once your application has been processed even if the number of occupants is below 5.

## **Support to help you make an application**

For information about fees, HMO standards and general information, please go to our [HMO web pages](#).

We appreciate that this is a new way of applying for HMO licences so for any queries that cannot be answered from the website or this guide, please [contact us](#).

## **Failure to apply for a licence**

It is your responsibility to ensure you have made a full and valid licence application. It is a criminal offence to let a licensable property without applying for a licence. This may result in a criminal conviction and an unlimited fine, or a civil penalty of up to £30,000.

Where an applicant fails to make the Part B payment, after a reasonable period, this will be regarded as though a valid licence application has not been made.

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