

Croydon Standard Property Conditions

The following standard licence conditions will be applied to all licences that are issued. There will also be unique licence conditions applied to licences which will be dependent on the information supplied at the time of application and the property use i.e. is it a single household (selective licence) or a non-mandatory HMO.

1. Permitted Occupation

1.1. A new resident must not be permitted to occupy the house or any part of the house if that occupation:

- exceeds the maximum permitted number of persons for the house
- exceeds the maximum permitted number of households for the house
- exceeds the maximum permitted number of persons for any letting

A new resident means a person who was not an occupier of the house and/or the specific room at the date of the issue of the licence.

Notes

Permitted Occupation is determined at point of inspection by property use, room sizes, facilities and amenities and a new set of conditions will be sent to you following an inspection, to notify you of the permitted occupation.

2. Tenancy management

2.1. The licence holder shall supply the occupiers of the property with a written statement of the terms on which they occupy the property and details of the arrangements in place to deal with repair issues and emergency issues. Copies of the written statement of terms must be provided to the council for inspection within 7 days upon demand.

2.2. 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.

2.3. The licence holder must retain all references obtained for occupiers for the duration of this licence and provide copies to the council within 28 days on demand.

2.4. The licence holder shall protect any deposit taken under an assured short-hold tenancy by placing it in a statutory tenancy deposit scheme. The tenant must be given the prescribed information about the scheme being used at the time the deposit is taken. This information must be provided to the council within 28 days on demand.

2.5. The licence holder must provide to the council details in writing of the tenancy management arrangements that have been, or are to be, made to prevent or reduce anti-social behaviour by persons occupying or visiting the property. Copies of these must be provided to the council within 28 days on demand.

2.5.1 The following arrangements shall be implemented to fulfil the requirements of this condition:

- Provision of an emergency 24hr contact number (including out of hours response arrangements)
- Formal arrangements for the disposal of rubbish and bulky waste
- Update of written records of property inspections for management and repair issues at least once every 6 months

2.6. The licence holder shall ensure that inspections of the property are carried out at least every six (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. As a minimum requirement 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 28 days on demand.

2.7. The licence holder shall effectively address problems of antisocial 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 antisocial 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 antisocial behaviour for 3 years.
- (d) If a complaint is received, or antisocial behaviour is discovered, the licence holder must contact the tenant within 14 days. The tenant must be informed of the allegations of the antisocial behaviour in writing and of the consequences of its continuation.

- (e) The licence holder shall from the date of receipt of the complaint of antisocial behaviour, monitor any allegations of antisocial behaviour.
- (f) Where the antisocial 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 if their behaviour continues.
- (g) Where the licence holder or his agent has reason to believe that the antisocial 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 antisocial behaviour and the ASB 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 eviction 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 condition 2.7 above must be provided to the council within 28 days on demand.

3. Property Management

3.1. The licence holder shall ensure that all gas installations and appliances are in a safe condition at all times. The licence holder must have available a current valid gas safety certificate obtained within the last 12 months. This must be provided to the council within 28 days on demand and copies must be provided to all tenants/occupiers at the start of their tenancy.

3.2. The licence holder shall ensure that all electrical appliances provided in the property are in a safe condition. The licence holder must submit to the council, for their inspection, an electrical appliance test report in respect of all electrical appliances that are supplied by the landlord to the council within 28 days on demand.

3.3. No refuse shall be kept in the front or rear garden other than in an approved storage container for that purpose.

3.4. Where the licence holder becomes aware of a pest problem or infestation at the property he shall take steps to ensure that a treatment programme is carried out to eradicate the pest infestation. Records shall be kept of such treatment programmes and these must be provided to the council within 28 days on demand.

Fire Safety

3.5. The licence holder shall install and maintain in good working order appropriate smoke alarms in the property and shall submit to the council, upon request, a declaration by him as to the condition and positioning of such alarms. **(Note new condition 3.9)**

3.6. The licence holder shall ensure that any firefighting 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 periodical inspection report/test certificates for any automatic fire alarm system, emergency lighting and firefighting equipment provided in the property. These must be provided to the council within 28 days on demand.

3.7. The licence holder shall ensure that furniture made available 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 28 days on demand.

3.8. It is recommended that landlords provide a fire blanket in the kitchen and ensure that tenants are fully briefed about what to do in the event of a fire. A declaration of fire procedure shall be submitted to the council, upon request.

3.9. The Licence holder shall comply with the requirements of the Smoke & Carbon Monoxide Alarms (England) Regulations 2015. (Reference SI 2015 no 1693) (unless an exempt landlord or tenancy).

3.91 The licence holder is to ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation, and to keep each such alarm in proper working order.

3.92 The licence holder will 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; to keep any such alarm in proper working order; and to supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm.

The declaration regarding smoke alarms is to be made within 28 days of demand by the council.

4. Documents to be displayed

4.1. The licence holder shall display a copy of the licence to which these conditions apply in the common parts of the property. Alternatively copies must be provided to all tenants/occupiers at the start of their tenancy.

4.2. The licence holder shall display a notice with the name, address and emergency contact number of the licence holder or managing agent in the common parts of the property. Alternatively copies must be provided to all tenants/occupiers at the start of their tenancy and provided to the council within 28 days on demand.

4.3. The licence holder shall display a copy of the current gas safety certificate in the common parts of the property. Alternatively copies must be provided to all tenants/occupiers at the start of their tenancy and provided to the council within 28 days on demand.

4.4. The licence holder shall display an Energy Performance Certificate (EPC) for all accommodation for which EPCs are applicable at the end of the existing tenancy at the time the licence was dated and issued. Alternatively copies must be provided to all tenants/occupiers at the start of their tenancy and provided to the council within 28 days on demand.

5. General

5.1. 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.

5.2. The licence holder must arrange for access to be granted at any reasonable time and must not obstruct council officers carrying out their statutory duties including the surveying of the property to ensure compliance with licence conditions and any relevant legislation.

5.3 The licence holder shall if required by written notice provide the council with following particulars as may be specified in the notice with respect to the occupancy of the house:

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

The particulars shall be provided to the council within 28 days on demand.

5.4. The licence holder shall inform the council of any change in ownership or management of the house.

5.5. 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.

5.6. The licence holder shall ensure that on completion of any works, the property shall be left in a clean tidy condition and free from builders' debris.

For planning and building regulation queries please refer to the planning pages on the council's website telephone or contact

- Planning & environment division, Place department, Bernard Weatherill House, 8 Mint Walk, Croydon CR0 1EA
- Telephone: 0208 726 6100

Penalties

5.7 If the licence holder fails to comply with the requirements of the licence you commit an offence that is punishable by one or more of the following penalties or sanctions:

Requirement of section 95(2). A person commits an offence if he is a licence holder or a person on whom restrictions or obligations under a licence are imposed in accordance with section 90(6), and he fails to comply with any condition of the licence.

5.8 Under section 95(2) of the 2004 Act (as amended) it is an offence that can be heard in the Magistrates court punishable by a fine that is unlimited; OR

Under section 249A of the 2004 Act it allows the Local Housing Authority (LHA) to issue a financial penalty where the maximum penalty at £30,000.

Failure to comply with any licence condition that result in a penalty could result in the loss of a CPRP licence.

5.9 The property licence and conditions do not imply or grant by inference or otherwise any approval or permission for any other purposes including those for Building Control, Development Control and under The Regulatory Reform (Fire Safety) Order 2005. Conversely compliance with any of those requirements does not confer or imply compliance with the requirements of the Housing Act 2004 including property licensing.

5.10 Any requirements relating to the licence and conditions are without prejudice to assessments and appropriate actions including enforcement actions under the Housing Act 2004. This includes actions to deal with category 1 and category 2 hazards as may be identified under Housing Health and Safety Rating System (HHSRS) and does not preclude such action.

6. Information Management & Data Protection

We will collect personal data on all of our landlords to enable us to grant private rented property licences and make fully informed decisions.

When we collect personal data or information from you we shall always explain why we are collecting the information and we shall seek your agreement to share it on a 'needs only' basis. We will seek to use the information we hold on you in respect of your best interests.

What we do with the information we hold

We obtain this information to support and enable decisions with regard to a private rented property licence and we shall only collect information to fulfil a particular purpose or purposes.

Who we share information with (if any)

To ensure that we are able to provide an efficient service we may share the information which we hold with partner agencies, such as public sector stakeholders and central government departments.

How we keep the information we hold safe and secure

All data which we hold will be held fairly and lawfully with appropriate justification. It will be kept accurate, up to date, reliable and relevant where practicable. It will not be kept longer than is necessary and we will ensure that we comply with the individual's rights under the Act.