

HMO BULLETIN September 2018

Working for safe, well-managed housing and friendly residential communities welcoming to all
From Cllr Tracey Hill, lead councillor for private rented housing on Brighton & Hove City Council
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Selective licensing (extract from press article)

The government has given approval for the council to implement a scheme to license all privately rented homes in twelve wards in the city (selective licensing). Councillors agreed unanimously last November to back the scheme after 81% of responses to the public consultation were in favour. It will start from February.

I brought forward these proposals because of inconsistent standards. We have some really great rented homes, but too many are below a good standard. The council doesn't hold much information on private rented properties, and it's down to renters to contact the council to ask for help. Many don't want to do this as they feel vulnerable, and I often find out about appalling property conditions after the person has moved out, which makes it very difficult to act.

The shortage of affordable homes means that people are putting up with poor conditions because they can't afford to move, and I've spoken to people in the "black market" with no written tenancy agreement and very little protection. Budget cuts over several years have hit the council's private sector housing service hard, making it almost impossible for the council to be proactive about improving property conditions in private rented homes.

Under licensing, landlords or their agents will need to apply to the council for a licence and adhere to the conditions, which include gas and fire safety, repairs, overcrowding and a written tenancy agreement. All homes will be subject to inspection by a council officer. Responsibility for maintaining standards in private rented homes will be between the landlord and the council, and tenants should be able to expect basic minimum standards without having to take action themselves.

The licensing scheme is paid for by landlords, and the fee per property starts at £460 for a five-year period. This income can only be used to manage the scheme.

At least 31% of the city's housing is now privately rented, so it's right that the council is now able to step up and manage it proactively. The new scheme will be a big step forward in ensuring better living standards for Brighton and Hove residents.

Proposed HMO rule changes

Thanks to everyone who responded to the consultation on Part 2 of the City Plan. Within this plan it is proposed that two new HMO rules be added to the existing 10% threshold

rule. One would prevent a family home being sandwiched between two HMOs, and the other would add another threshold of 20% across a wider neighbourhood area, to reflect the broader impacts of HMO proliferation. The plan will now move to the next stage and will at some point need to be approved by the government.

Planning officers are also investigating whether the Article 4 direction should be widened. This is the rule which removes permitted development rights to convert a residential home into a small HMO. Currently, planning permission for this is only in place in five wards in the city but there have been requests in other areas where more HMOs are cropping up. This is work on progress and it will come back to a committee at some point.

HMO public meeting 8th October

The next Forum meeting will be a different format – a public meeting that anyone can attend (as opposed to representatives from each of the residents' groups). This is following a request from residents in Coldean in particular, who wanted to try and make contact with people living in other areas. It's at 7.30pm at St Mary Magdalen Church Hall in Coldean (Selham Drive).

Start of term

Fresher's week is upon us, so a reminder that if you are experiencing noise or other neighbourly issues and you think this is coming from a student house, don't hesitate to contact the university contacts below, who will try and help if their students are involved. Many residents take the time to introduce themselves to their new neighbours at this time of year, and this definitely helps with raising awareness amongst some of these young people that they are living in a community and they need to bear that in mind.

Refuse/recycling: if new tenants aren't aware of the arrangements for refuse and recycling, they are all on the council's website so do pass that on. Landlords are now obliged to display details of refuse/recycling collections in the HMO, so they should have this information readily to hand. If you know of anywhere where this isn't happening, please report it to the private sector housing team (see below).

CityClean should provide a bigger bin if requested. If there are any delays getting these bigger bins and it's causing a problem, do escalate it to the local councillors so we are aware.

Appeals and Enforcements

Enforcement notices can be issued as a result of planning refusals or directly as the result of a complaint. They can also be appealed. Details are in the enforcement register on the planning enforcement page of the council's website: <http://www.brighton-hove.gov.uk/content/planning/planning-enforcement>. **33 HMO-related enforcement notices have been issued so far this year.** The council is also proactively investigating large HMOs which do not have planning permission across the city, and letters have gone out about this.

Many refusals for HMO use are appealed. If you commented on a planning application you should be notified if the decision is appealed. The documentation should be on the council's planning applications register.

Anyone can comment on an appeal on the Planning Inspectorate website. You can search here: <https://acp.planninginspectorate.gov.uk/CaseSearch.aspx>. There is a time limit for comments to be taken into account. It generally takes a few months for the Planning Inspectorate to process an appeal.

Useful contacts for HMO tenants and neighbours:

Main web page for HMOs, including the new map.

NB the map contains “historical” HMOs, so if an HMO is not yet in the new register, check the map instead.

<http://www.brighton-hove.gov.uk/content/housing/general-housing/houses-multiple-occupation>

University contacts:

- Brighton – Andy Keeffe a.w.b.keeffe@brighton.ac.uk or Kevin Mannall k.mannall@brighton.ac.uk 01273 641894
- Sussex – housing@sussex.ac.uk 01273 678219 and their office at 91 Lewes Road
- BIMM – Angelique Sabine angeliquesabine@bimm.co.uk

HMO licence register (to check if a property has an HMO licence, the landlord and managing agent). There are two lists at the bottom of this page, one for smaller and one for larger HMOs. The “national” list, for larger HMOs, is comprehensive, but the smaller list is not because a new scheme has just started and many HMO licences are still being processed. Use the HMO Map if what you’re looking for is not in the register. Click on “Ctrl+F” for a search box to search for a particular property: <http://www.brighton-hove.gov.uk/content/housing/general-housing/licensing-houses-multiple-occupation-hmos>

Planning applications register (to check whether a property has applied/been granted/refused planning permission): <https://planningapps.brighton-hove.gov.uk/online-applications/>

Poor quality/badly maintained housing – interior: Private Sector Housing 01273 293156 (Mon – Fri 9am -5pm), psh@brighton-hove.gov.uk

Badly maintained exteriors, overgrown gardens: If a licensed HMO, Private Sector Housing 01273 293156 (Mon – Fri 9am -5pm), psh@brighton-hove.gov.uk

Fly-tipping, rubbish left outside a property: If on street, CityClean contact centre 01273 292929 Mon – Fri 9am – 5pm. If within curtilage of a licensed HMO Private Sector Housing 01273 293156 (Mon – Fri 9am -5pm), psh@brighton-hove.gov.uk. The university contacts will also follow up on refuse/recycling complaints.

Bins, refuse/recycling collections, street cleaning: CityClean contact centre 01273 292929 Mon – Fri 9am – 5pm

Noise nuisance: EHL on ehl.environmentalprotection@brighton-hove.gov.uk or 01273 294266. NB noise is not considered criminal or anti-social behaviour so not in itself a police matter. The university contacts will also follow up on noise complaints.

Anti-social behaviour: can be reported to the Community Safety Team on 01273 292735 or communitysafety.casework@brighton-hove.qcsx.gov.uk. Mon – Fri 0900-1700. All incidents and enquiries are responded to within one working day. <http://www.safeinthecity.info/getting-help>.

Information and advice for people renting in the city: Rent Smart <http://rentsmartbrightonhove.org/>

General housing information from the council: <http://www.brighton-hove.gov.uk/content/housing/general-housing>