



APPLICATION FOR GRANT OF LICENCE FOR HOUSING IN MULTIPLE OCCUPATION

COMPANY
HOUSING (SCOTLAND) ACT 2006

Please read Guidance Notes carefully before applying for a Licence. Please Note the Applicant **must be** the owner of the property.

| <i>For Official Use</i> | |
|-------------------------|--|
| HMO Licence Number: | |
| Date Received: | |
| Date Paid: | |
| Receipt No: | |

Where there is insufficient space to add the requested details, please copy the relevant sheet and add to the rear

1. To be completed if a COMPANY or PARTNERSHIP

| A. | |
|-------------------------------------|---|
| Full Name of Company or Partnership | |
| Address of Principle Office | |
| | Postcode |
| Telephone Number | |
| B. Directors and Partners | |
| Full Name | |
| Home Address | |
| | Postcode |
| Email Address | |
| Date of Birth | |
| Place of Birth | |
| Sex | Male <input type="checkbox"/> Female <input type="checkbox"/> If Female, please state maiden name (if applicable) |
| Full Name | |
| Home Address | |
| | Postcode |
| Email Address | |
| Date of Birth | |
| Place of Birth | |
| Sex | Male <input type="checkbox"/> Female <input type="checkbox"/> If Female, please state maiden name (if applicable) |
| Full Name | |

| | |
|--|--|
| Home Address | |
| | Postcode |
| Email Address | |
| Date of Birth | |
| Place of Birth | |
| Sex | Male <input type="checkbox"/> Female <input type="checkbox"/> If Female, please state your maiden name (if applicable) |
| Are further persons to be added | Yes <input type="checkbox"/> No <input type="checkbox"/> If YES attach at the rear |
| 2. Day-to-Day Management: This person's name will appear on the HMO Licence as the nominated person for the company. Should this person leave the company a variation form will require to be submitted along with the appropriate fee. | |
| Is the applicant to carry day-to-day day management? | Yes <input type="checkbox"/> No <input type="checkbox"/> Yes – Go to question 3. No – Complete section A) |
| A. Individual's Details | |
| Full Name | |
| Name of Company | |
| Person or Company Address | |
| | Postcode |
| Home Address | |
| | Postcode |
| Business Hours Telephone Number | |
| Email Address | |
| Date of Birth | |
| Place of Birth | |
| Sex | Male <input type="checkbox"/> Female <input type="checkbox"/> If Female, please state maiden name (if applicable) |
| 3. Property Details: | |
| Name of Premises (For which a licence is required) | |
| Address | |
| | Postcode |

| | |
|---|---|
| Flat number, and/or location, if applicable | |
| Specify the number of storeys in your premises | |
| Is anyone in Section 1 to reside in the property whilst it is let | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Occupant capacity of your premises | |
| Total number of bedrooms | |
| Number of single occupancy bedrooms | |
| Number of double occupancy bedrooms | |
| Give details of the use of each room other than bedrooms (continue a separate sheet if necessary) | |
| Do you intend to provide meals for residents | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Do you offer self-catering? | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Are there any employees at these premises? | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Do you have relevant Planning Permission, Building Consent/Warrant in place? | Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required <input type="checkbox"/> |
| 4. Details of HMO | |
| Type of HMO | <input type="checkbox"/> Landlord with lodgers <input type="checkbox"/> Bed-sits <input type="checkbox"/> Hostel (LA or charity) <input type="checkbox"/> Shared Flat/House <input type="checkbox"/> Sheltered Accommodation <input type="checkbox"/> Student hall of residence <input type="checkbox"/> Employee residence <input type="checkbox"/> Supported Accommodation |

5. Details of Premises

Type of Property

- Detached house
 Semi-detached house
 Terrace house
 End-terrace house
 Flat – residential block
 Flat – mixed-use block
 Other (Please detail)

6. Previous Licence Applications:

Do you currently hold an HMO Licence?

Yes No

Has anyone named above been refused a similar licence in the UK in the past 2 years?

Yes No If **YES**, please give details

Have there been any changes made to the property since the last application?

7. Details of Convictions and Fixed Penalty Notices:

Has any person listed in Questions 1-4 been convicted of any offences or been issued with any fixed penalty notices?

Yes No If **YES** please give details below.**NB Details of ALL CONVICTIONS and FIXED PENALTIES (CRIMINAL and ROAD TRAFFIC) including spent convictions must be given below even if they have previously disclosed on a prior application form.**

| Name | Date | Court | Crime/Offence | Penalty |
|------|------|-------|---------------|---------|
| | | | | |
| | | | | |
| | | | | |

Public Notice Declaration – delete (A) (B) or (C) as appropriate

Where declaration (A) is made a Certificate of Compliance with paragraph 2(5) of Schedule 4 to the Housing (Scotland) Act 2006 must be produced in due course (see notes).

(A) We declare that we shall, for a period of 21 days commencing with the date hereof, display at or near the premises so that it can conveniently be read by the public, a note complying with the requirements of Paragraph 2 (5) of Schedule 4 of the Housing (Scotland) Act 2006 (see note 4).

OR

(B) We declare that we are unable to display a notice of this application at or near the premises because we have no rights of access or other rights enabling me to do so, but that we have taken the following steps to acquire the necessary rights, namely: (specify steps taken here).

But have been unable to acquire those rights.

OR

(C) We are not required to display a notice as the application is in respect of premises used as a women's refuge.

The information provided by you will be used by Perth & Kinross Council for the purpose of issuing licences in the Perth and Kinross area which come under the Housing (Scotland) Act 2006 (the 2006 Act). Under the 2006 Act, a licence from us is required to operate a house or flat as a house in multiple occupation (HMO). Personal information is needed to allow us to process your application for a licence, to determine your application and issue your licence, to include your licence in the public register of licences, to ensure you comply with the terms of your licence, to send you any necessary reminder notices and to process and determine any complaints we receive in respect of your licence. A copy of the privacy notice is included with this application.

I declare that the particulars given by me on this form are true. I consent to the sharing of my personal information for the purposes set out in the privacy notice.

Signature of Applicant

Date

Name
(BLOCK CAPITALS)

| <u>The following documents should be submitted with the application</u> | Expiry Date |
|--|--------------------|
| • Certificate of Compliance (guidance note 4) | |
| • Set of Paper plans (guidance note 3) | |
| • Style copy of Tenancy Agreement (guidance notes 48-59) | |
| • Copy of certificate of Public Liability Insurance to a Minimum Cover of £5m. (guidance note 38) | |
| • Copy of certificate of Buildings Insurance (guidance note 38) | |
| • Copy of Gas Safety Certificate (guidance notes 26) | |
| • Copy of Fire Risk Assessment (guidance note 34) | |
| • Copy of Emergency Plan (guidance note 35) | |
| • Copy of current Electrical Installation Condition Report (EICR) (Guidance note 28) | |
| • Copy of current Portable Appliance Test Certificate (Guidance note 29) | |
| • Copy HMO Management Standards Contractor Contact List (Guidance note 47) | |
| • Copy HMO Management Standards Tenant Information Sheet (Guidance note 47) | |
| • Copy of Chimney/Flue Annual Cleaning Certificate (Guidance note 18) | |

Notes

This application should be lodged with the Licensing Officer, Legal and Governance Service, 2 High Street, Perth PH1 5PH., together with the fee (which is non-refundable).

1. An application can only be made in the name of the owner of the property, even if they are being represented by an agent or property management service. An agent is a person who assists an owner in the application process. They are not subject to a Police check.
2. In terms of the Housing (Scotland) Act 2006, a Notice in the prescribed form must be prominently displayed at or as near to the property as possible so that it can be conveniently read from the public footpath, for a period of 21 days from the date the application is lodged with the local authority. (Copy Notice enclosed).
3. A Certificate of Compliance must be produced confirming that the steps at (A), (B) or (C) detailed in the section Public Notice Declaration on the previous page have been carried out. (Copy Certificate enclosed).
4. Refer to the attached "Guidance Notes and Standards for Shared Accommodation" for further information.
5. Details of the fees are displayed in the guidance notes.
6. Cheques should be payable to Perth & Kinross Council.
7. A new licence application should be submitted to Perth & Kinross Council one month prior to the expiry date on the current licence.
8. Anyone who can require a Licensing Authority to give reasons for a licensing decision (both objectors and applicants) can appeal to the Sheriff against it by summary application. The appeal must be lodged within 28 days. The Sheriff could uphold an appeal only if the authority erred in law, based their decision in an unreasonable manner.

If you are in a position where you are considering an appeal to the Sheriff, you should consult a Solicitor or Citizens Advice Bureau for further information.

Enquiries should be made to Licensing Officer, Legal and Governance Service, 35 Kinnoull Street, Perth PH1 5GD.

For further information on **appeals**, call **01738 475102**.

Should you require any further assistance in completing this application, please contact the **Licensing Officer on 01738 475102**, email HMO@pkc.gov.uk or write to the **HMO Licensing Officer, Pullar House, 35 Kinnoull Street, Perth, PH1 5GD**.

Perth and Kinross Council Privacy Notice

Name of Processing Activity- House in Multiple Occupation (HMO) Licence

Date notice written- 2022/09

1. Why is this information being processed?

The information provided by you will be used by Perth & Kinross Council for the purpose of issuing licences in the Perth and Kinross area which come under the Housing (Scotland) Act 2006 (the 2006 Act). Under the 2006 Act, a licence from us is required to operate a house or flat as a house in multiple occupation (HMO). Personal information is needed to allow us to process your application for a licence, to determine your application and issue your licence, to include your licence in the public register of licences, to ensure you comply with the terms of your licence, to send you any necessary reminder notices and to process and determine any complaints we receive in respect of your licence.

2. Who is processing this information?

The personal information you've provided will be processed by Perth and Kinross Council, 2 High Street, Perth, PH1 5PH, enquiries@pkc.gov.uk , 01738 475000.

3. Why is it lawful for the Council to process this information?

The Council is permitted to process your personal data in this way because the Council has a legal obligation under the Housing(Scotland) Act 2006 Formally, the processing of personal data provided to us for this purpose satisfies Article 6(1)(c) of the General Data Protection Regulation - Processing shall be lawful...to the extent that processing is necessary for compliance with a legal obligation to which the controller is subject.

4. Will any sensitive personal information (Special Category Data or information about criminal convictions etc.) be processed?

Yes. Some applications may involve the processing of sensitive personal information, such as criminal convictions, and/or health information. If so, why is it lawful for the Council to process this information? Processing of information about criminal convictions etc. is permitted under the terms of Article 10 of the GDPR "Processing of personal data relating to criminal convictions and offences shall be carried out...when the processing is authorised by domestic law". In this case the relevant legislation is Schedule 1, 6 (1) (b) of the Data Protection Act 2018 "...the processing is necessary for for reasons of substantial public interest' and where Those purposes are.... the exercise of a function conferred on a person by an enactment or rule of law.

5. Will this information be shared?

Yes. Your information may be shared with Police Scotland, other local authorities, Scottish Fire and Rescue Service, and other public bodies. Some information will also be shared with the public via the register of licences and the statutory advertising process. Your personal information may also be disclosed to other third parties if it's necessary for us to do so in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law. The Council may check information provided by you, or information about you provided by a third party, with other information held by us.

6. How long will this information be kept for?

Personal information held on Perth and Kinross Council systems in relation to these licensing applications will be kept for the validity of the licence, plus 2 years after expiry. After this it will be deleted., In the case of refusal of a licence application, the personal information will be kept for 2 years from the date of the refusal. After this it will be deleted.

7. Personal Information Rights

Individuals have rights in relation to the information the Council holds about them, including the right to request a copy of their information. You can find out more about your Personal Information Rights on our website or by contacting the Council's Information Governance team at the address below

8. Data Protection Officer

The Council has a Data Protection Officer who you can contact in the first instance if you have any questions or complaints about how we are processing your personal information. Please contact; Data Protection Officer, 2 High Street, Perth, PH1 5PH, DataProtection@pkc.gov.uk, 01738 475444.



HOUSING (SCOTLAND) ACT 2006
SITE NOTICE
House in Multiple Occupation –
Application for Licence

NOTICE IS HEREBY GIVEN that application has been made on
(date)..... to Perth & Kinross Council for a House in Multiple
Occupation Licence in respect of the premises at

.....
by Name of Organisation.....

Address.....

Name of person responsible for application.....

Address.....

Any objections or representations in relation to the application may be made to the Head of Legal Services, Perth & Kinross Council, Pullar House, 35 Kinnoull Street, Perth, PH1 5GE. within 21 days of the above-mentioned date. Objections and representations should be made in accordance with the following provisions, namely: -

- (1) Any objection or representation relating to an application for a grant of renewal of a licence shall be entertained by the Council if, but only if, the objection or representation –
 - (a) is in writing.
 - (b) specifies the ground of the objection or the nature of the representation.
 - (c) specifies the name and the address of the person making it.
 - (d) is signed by the person or on their behalf.
 - (e) was made to them within 21 days of this Notice being displayed as required by the Council.
- (2) Notwithstanding (1) (e) above, it shall be competent for a licensing authority to entertain an objection or representation received by them before they take a final decision upon the application to which it relates if they are satisfied that there is a sufficient reason why it was not made in the time required.
- (3) An objection or representation shall be made for the purposes of (1) above if it is delivered by hand within the time there specified to the licensing authority or posted (by registered or recorded delivery post) so that in the normal course of post it might be expected to be delivered to them within that time.



HOUSING (SCOTLAND) ACT 2006
CERTIFICATE OF COMPLIANCE
House in Multiple Occupation –
Application for Licence

I,.....

The applicant for a House in Multiple Occupation Licence, hereby certifies that –

(a) a Notice has been posted at or near the premises at.....

 from (date).....to (date).....
 as required under Schedule 1 to the above Act.

*Where the said Notice was removed, obscured, or defaced during the abovementioned period. I took reasonable steps for its protection and replacement as follows – (Give details and circumstances below):

.....

OR

(b) that I have been unable to post a Notice as required under Schedule 1 to the above Act because I do not have the rights of access which would enable me to do so – (Give details and circumstances below):

.....

Date..... **Signature**.....
Position.....

To be returned to the HMO Licensing Officer, Pullar House, 35 Kinnoull Street, Perth, PH1 5GD after a Site Notice has been displayed for 21 days.