

## APPENDIX 3

### SCHEDULE OF CONDITIONS

**The following mandatory conditions under the Housing Act 2004 will apply to this licence:**

- a) If gas is supplied to the house, that the relevant gas safety certificate must be provided annually to the Council.
- b) The licence holder must keep electrical appliances supplied by him in a safe condition. A declaration as to the safe condition of the appliances must be supplied to the Local Authority on demand.
- c) All furniture provided as part of the tenancy must be in a safe condition. A declaration as to the safe condition of the furniture must be supplied to the Local Authority on demand.
- d) The licence holder must ensure that smoke alarms are installed on each storey of the house on which there is a room used wholly or partly as living accommodation. A declaration as to the positioning of such alarms must be supplied to the Local Authority on demand. Note. a bathroom or lavatory is to be treated as a room used as living accommodation.
- e) The licence holder must ensure that the smoke alarms are kept in proper working order. A declaration as to the proper working order of such alarms must be supplied to the Local Authority on demand.
- f) The licence holder must 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 fixed combustion appliance other than a gas cooker. A declaration as to the positioning of such alarms must be supplied to the Local Authority on demand. Note. 'Room' includes a hall or landing. A bathroom or lavatory is to be treated as a room used as living accommodation.
- g) The licence holder must ensure that the carbon monoxide alarms are kept in proper working order. A declaration as to the proper working order of such alarms must be supplied to the Local Authority on demand.
- h) The tenants must be provided with a written statement of the terms on which they occupy the property (Tenancy agreement or licence).
- i) The licence holder must comply with any scheme provided by the Council that relates to the storage and disposal of household waste at the property. A guidance document is enclosed for further information.
- j) From 1 October 2018 local housing authorities must impose conditions as to the minimum room size which may be occupied as sleeping accommodation in the HMO. A room smaller than the specified size must not be used as sleeping accommodation, and communal space in other parts of the HMO cannot be used to compensate for rooms smaller than the prescribed minimum. The conditions can be found in The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018. The mandatory room size conditions will however be the statutory minimum and are not intended to be the optimal room size. Local housing authorities will continue to have discretion to set their own higher standards within licence conditions but must not set lower standards. The standards Torbay Council has adopted can be found within the Devon Wide Guidance House in Multiple Occupation (HMO) Standards. You must comply with these standards.
- k) The licence holder shall ensure that every electrical installation in the house is in proper working order and safe for continued use by producing a satisfactory Electrical Installation Condition Report (EICR) in accordance with The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020. A declaration as to the safe condition of the installation must be supplied to the Local Authority on demand and a copy of the report must be provided upon expiration of any previous reports.

**In addition, the following conditions will apply to  
all HMO licences issued by Torbay Council:**

- l) The licensed premises will be maintained in compliance with all current HMO regulations.
- m) Measures to prevent anti-social behaviour within the premises shall be written into the terms of all new Tenancy Agreements. It is expected that all tenants sign the 'Good Tenant Agreement' provided with this licence and this should form part of their tenancy. If you require the document template, please contact us.
- n) Licence holders shall be expected to keep records of all complaints received about tenants' behaviour. This is to include date, details of complainant, type of behaviour and action taken by the licence holder.
- o) Anti-social behaviour outside the building shall be notified to the Council direct to 01803 208025 by the Licence holder or Manager.
- p) The licence holder should provide the Council with details of tenants who are served notice to quit for ASB issues.
- q) Copies of the annual certificates with regards to emergency lighting, fire detection and alarm systems, and gas safety and PAT testing (if applicable) must be supplied to the Council each year.
- r) Within the common parts of the premises there must be clearly displayed:
  - (i) A copy of the licence (indicating where the licence conditions may be viewed)
  - (ii) A copy of the current Gas Safety Certificate
  - (iii) The name, address, and telephone number (including a telephone number in the event of an emergency, if different) of the licensee or manager of the premises
  - (iv) A copy of the current buildings, contents, and public liability insurance policy relevant to the HMO

**Specific conditions required to make this property suitable for occupation for the  
number of occupants and households for which the premises is licensed:**

Condition no.	Condition	To be completed by:
1.	Ensure that the occupancy levels of each room do not exceed the maximum occupation of each room as stated on the licence.	Ongoing