

## Divinity Road Area Residents' concerns on HMO licensing and density issues

Divinity Road has the second greatest number of HMOs in Oxford and the highest density. DRARA residents continue to report the usual concerns related to life in an area with a high density of HMOs, particularly in relation to those occupied by students: poorly managed refuse and front gardens, anti-social behaviour, and the effect on social cohesion and community of a transient population which disappears in summer and changes every year.

In 2015 Oxford City Council renewed the Houses in Multiple Occupation (HMO) licensing scheme for another five years in recognition of the fact that 'a significant proportion of HMOs in the City are being managed ineffectively'. DRARA residents have several ongoing concerns about the licensing procedure. Through undertaking our own audit, DRARA have discovered several anomalies and are concerned that the Council's data does not reflect the reality of our area in terms of HMO density. We also have questions about the application of the licensing process itself.

### Concerns

1. There seem to be several exclusions and exceptions from the current licensing rules which make it difficult to track actual numbers of HMOs. The Council website gives an incomplete picture. DRARA has undertaken its own audit of HMOs in the area and it seems clear that there are several houses in the area which have several unrelated occupants but which do not appear to have a licence.
2. The definition of an HMO does not include several kinds of residential arrangements which exist in significant numbers in the DRARA area and have the same effects on the neighbourhood. These include university-managed student accommodation and homes for people receiving care. These houses are not taken into account under the HP7 policy and do not prevent new licences being issued under the 100 metre/20% rule.
3. The literal application of the 100 metre rule by street length does not always reflect the actual density or effect of HMOs in an area; noise travels over gardens and roads, and anti-social behaviour quickly spills out beyond 100 metres. Noise at night of returning partygoers has no boundaries.
4. DRARA residents feel they are having to police the minority of unscrupulous landlords who will try to bend the rules, such as the recent case of a landlord attempting to claim a family house whose tenants had different surnames as an existing HMO. Only the vigilance and local knowledge of DRARA residents prevented the application being approved.

5. We are concerned that developers still continue to move into the area and seek to obtain HMO licences, as in 118 Southfield Road, or that existing landlords seek to convert their properties into even larger HMOs by obtaining planning permission for living /lounge rooms which later become extra bedrooms (eg currently 68 Divinity Road). These are all legal and permitted under the current licensing but are against their spirit of HP7 which is to protect the neighbourhood from further saturation by HMOs.
6. The online licensing system has been broken for weeks which means residents cannot view the details of any licensing applications or licences granted. This has made our audit even more complicated. Residents are also unable to submit comments on licensing applications using the online system.

## Questions

There are a number of questions and ambiguities which we would like clarified as far as possible. This will both allay concerns and potentially help to tighten the process.

1. What are the rules of relinquishing HMO status – do they cease by default on rental properties only used by 1 household?
2. What is preventing anyone operating as an HMO and then using this to prove existing HMO rights?
3. How much grace is there between operating as an HMO and securing the licence and planning permission?
4. If a house has an HMO licence or is on the current council list as an HMO but is no longer used as one – would they be able to get a licence as an HMO under CEU?

### **Re: Council List from November 2015**

1. What are the data sources for the licence information and when was it compiled?
2. How complete is this listing?
3. How and how frequently is the data updated?
4. Why are there anomalies/discrepancies across data sets?
5. How do you decide if an HMO licence has lapsed from one year to the next? Eg 17 Div Rd had one in 2015 but not on 14/1/16.
6. What is the duration of an HMO licence? Eg 21 Div Rd didn't have one in 2015 but has one now that expires on 31/1/16.

### **Universities**

1. What role could/should the universities play in HMO debate? How committed are they to moving students into purpose built accommodation as is their stated aim. Eg anecdotally college seems to be maintaining HMO licence for years 'just in case' for homes now rented to families.