

Appendix 2 – Additional HMO Licensing Scheme and Licence Conditions (June 2026)

Introduction

This appendix sets out the Additional HMO Licensing Scheme approved by Cabinet in March 2026 for implementation from June 2026. The scheme applies across the whole of the City of Oxford and will operate for a period of five years.

The scheme is made pursuant to the Council's discretionary powers under Part 2 of the Housing Act 2004 and is intended to support the effective regulation of Houses in Multiple Occupation, improve housing standards, and protect the health, safety and welfare of occupants and the wider community.

The renewed scheme is broadly consistent with the current Additional HMO Licensing Scheme approved in 2021. All licence conditions are unchanged from the current scheme, except for a simplification of the licence condition relating to waste management, which reflects operational experience gained during the current scheme period.

Scope of the scheme

The Additional HMO Licensing Scheme applies to all Houses in Multiple Occupation within the City of Oxford that fall within the scope of the designation approved by Cabinet under section 56(1)(a) of the Housing Act 2004. This includes HMOs occupied by three or more persons forming two or more households, and relevant section 257 HMOs, as defined by the Act.

Mandatory HMO licensing under Part 2 of the Housing Act 2004 continues to apply separately and is not affected by this designation.

Licence conditions

Properties licensed under the Additional HMO Licensing Scheme will be subject to the licence conditions approved by Cabinet and set out in this appendix. The conditions are intended to secure appropriate standards of safety, management and amenity within HMOs and to support effective regulation and enforcement.

The full set of licence conditions applicable to the renewed scheme is attached to this appendix. All conditions remain unchanged from the current scheme, except for the amendment to the licence condition relating to waste management, which has been simplified to improve clarity and enforceability.

Licence duration and variation

Licences granted under the Additional HMO Licensing Scheme may be issued for varying durations, including one-year, two-year and up to five-year licences, depending on compliance with licence conditions and relevant statutory requirements. The approach to licence duration under the renewed scheme is unchanged from the current scheme.

The Council retains the power to vary, suspend or revoke licences in accordance with the Housing Act 2004 where appropriate.

Additional HMO Licensing Scheme – Licence Conditions (June 2026)

LICENCE CONDITIONS

1 NUMBER OF OCCUPANTS

The house may be occupied by no more than the number of persons specified on the licence

2 ROOM SIZES AND OCCUPANCY*

The following minimum floor area requirements apply to rooms being used as sleeping accommodation:

- In HMOs with sufficient communal living space provided in accordance with Oxford City Council's Amenities and Facilities Guide:
 - 4.64 square metres for one (1) person aged under ten (10) years;
 - 6.51 square metres for one (1) person aged over ten (10) years;
 - 10.22 square metres for two (2) persons aged over ten (10) years.
- In HMOs without sufficient communal living space provided in accordance with Oxford City Council's Amenities and Facilities Guide:
 - 8.5 square metres for one (1) person regardless of age;
 - 14 square metres for two (2) persons regardless of age.
- Where the room contains kitchen facilities for the exclusive use of the occupant(s):
 - 14 square metres for one (1) persons regardless of age;
 - 18 square metres for two (2) persons regardless of age.

Rooms must not be occupied by a greater number of persons than what is prescribed in this condition. The Licence Holder must notify the local housing authority in writing of any room in the HMO with a floor area of less than 4.64 square metres.

Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken into account in determining the floor area of that room for the purposes of this condition.

3 NUMBER OF HOUSEHOLDS

The house may be occupied by no more than the number of households specified on the licence. A household is either a single person or members of the same family who live together. A family includes people who are:

- married or living together - including people in same-sex relationships
- relatives or half-relatives, e.g. grandparents, aunts, uncles, siblings
- step-parents and step-children

Gas Safety and Carbon Monoxide

4. LANDLORD'S GAS SAFETY CERTIFICATE

If gas is supplied to the house, each year obtain and submit to the Council a new landlord's gas safety certificate issued by a recognised engineer approved under Regulation 3 of the Gas Safety (Installation and Use) Regulations 1998*.

A copy of the certificate must be displayed in the common parts of the property.

Ensure that a valid gas safety certificate is in place for the property for the duration of the licence (there should be no gaps in between certificate dates) and copies of all gas safety certificates obtained whilst the licence is in force must be kept by the Licence Holder for the duration of the licence and, on demand, supplied to the Council.

5. CARBON MONOXIDE ALARMS*

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 combustion appliance. A 'room' includes a hall or landing and 'living accommodation' includes a bathroom or toilet.

The Licence Holder must keep all alarms in proper working order and supply the Council, on demand, with a declaration by him as to the condition and positioning of any such alarm. Electrical Safety

6. ELECTRICAL SAFETY CERTIFICATE

The Licence Holder must ensure that every electrical installation in the house is in proper working order and safe for continued use and supply, on demand, with a declaration as to the safety of such installations*.

Ensure that an electrical condition report dated within the last five (5) years is submitted to the Council. If the current report expires during this licence, ensure the new report is submitted. A valid electrical condition report must be in place for the property for the duration of the licence (there should be no gaps in between certificate dates).

The report must detail the condition of the fixed electrical installation of the property, Carry out any remedial works identified on the report and submit evidence to the Council upon completion. The report must be issued in accordance with the latest edition of the BS7671 Regulations for Electrical Installations, as issued by the Institute of Electrical Engineers. The inspection, report and all electrical work must be undertaken by qualified electricians registered and assessed by a UKAS LICENCE REFERENCE NUMBER accredited Certification Body to A1.2 of the IET Electrotechnical Assessment Scheme. The register of competent persons is available from:

www.competentperson.co.uk

7. ELECTRICAL APPLIANCE SAFETY*

Keep all electrical appliances made available to the occupants in a safe condition. On demand, the Licence Holder must submit to the Council a declaration by him as to the safety of such appliances.

Fire Safety

8. SMOKE ALARMS*

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. The Licence Holder must keep all alarms in proper working order and supply the Council, on demand, with a declaration by him as to the condition and positioning of any such alarm.

9. TEST CERTIFICATE/DECLARATION FOR SMOKE / HEAT DETECTORS & FIRE ALARMS

Please note, a system of smoke and heat detectors (alarms) is classed as a “fire alarm” system under the British Standards.

Ensure the fire alarm system (i.e. the smoke / heat detectors (alarms)) is tested at least annually and submit to the Council a certificate / declaration to confirm the fire alarm system in the property has been tested and maintained in accordance with the provisions of British Standard BS5839-6:2019. The certificate / declaration must be not more than one year old.

If the property has a 'Grade A' fire alarm system (typically larger alarm systems with a control panel) the Licence Holder must ensure that the system is:

- a. tested weekly; and
- b. inspected and serviced at periods not exceeding six months by a suitably qualified and competent person.
An inspection and servicing certificate issued in accordance with BS 5839-1:2019 must be provided biannually to the Council.

If the property has a 'Grade D1/D2' fire alarm system (i.e. mains-powered and interlinked detectors / alarms typically located in halls, landings and kitchens of low risk two or three storey HMOs), the Licence Holder must ensure that all alarms are:

- a. tested monthly; and
- b. maintained in accordance with the manufacturer's instructions.
A self-declaration or an inspection / servicing certificate is acceptable for Grade D systems.

10. EMERGENCY LIGHTING

If emergency lighting is installed then ensure the system is tested at least annually and submit to the Council a certificate / declaration to confirm the emergency lighting system in the property has been tested and maintained in accordance with the provisions of British Standard BS 5266. The certificate must be not more than one year old. Carry out any remedial works identified on the report and submit evidence to the Council upon completion.

The person issuing the certificate must be a competent person qualified to undertake such inspection and testing. The register of competent persons is available from: www.competentperson.co.uk

11. FURNITURE SAFETY*

All furniture made available to the occupants of the house must be kept in a safe condition and must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988. On demand, the Licence Holder must submit a declaration concerning the safety of the furniture to the Council.

12. FIRE NOTICES

Provide a notice informing occupants about what to do in the event of a fire. The notice shall be prominently displayed and located adjacent to the Notice containing the name, address and telephone contact number of the person who manages the house.

13 KEEP FIRE ESCAPE ROUTE CLEAR

Ensure that all fire escape routes are maintained clear of obstructions, storage and potential sources of ignition.

14 FIRE RISK ASSESSMENT

The Licence Holder must ensure a suitable and sufficient fire risk assessment which meets all requirements of the Regulatory Reform (Fire Safety) Order 2005 has been undertaken before the property is let. This must be reviewed regularly. A copy of the fire risk assessment must be provided to the Council on demand.

Tenancy Management

15 WRITTEN TERMS OF OCCUPANCY

Supply the occupiers of the house / rooms, on commencement of their occupancy, with a written statement of the terms in which they occupy the house (i.e. a tenancy agreement).

The Licence Holder must, on demand, provide the Council with a copy of the written statement*. The Licence Holder must make a copy of the tenancy agreement available before the house is let so that tenants can read it before being asked to sign. It also gives the tenants the opportunity to get independent advice before signing.

16 REFERENCES

The Licence Holder must ensure that references are requested from persons who wish to occupy the house and wherever possible, are obtained. When referencing consideration must be given to the tenant's history, credit and right to rent checks. The Licence Holder must, on demand, ensure that the Council is provided with a copy of any such references and records.

17 RENT RECEIPTS

The Licence Holder must ensure there is a record of all rent payments received in respect of the property. The record must cover the duration of the licence. Where rent is paid in cash or cheque, the occupant(s) must be given a written receipt for the rental payment stating the date of payment, amount paid and the name of the person who collected the payment. Where rent is paid via bacs, this will count as the record of rental payment. The Licence Holder must, on demand, ensure that the Council is provided with a copy of rent payment records.

18 INVENTORY

The Licence Holder must ensure that an inventory is provided to the occupants. For separate tenancies or lodgers, this is limited to the occupant(s) exclusive room(s). For joint tenancies, an inventory for the whole house to be provided. The Licence Holder must, on demand, ensure that the Authority is provided with a copy of the inventory/ies.

19 UTILITIES AND APPLIANCES

The Licence Holder must ensure that, where tenants are to pay the bills, they are provided with details of the utility provider and billing information within 14 days of occupation of the house. The Licence Holder must ensure that the tenants are provided with a user manual or written instructions for the correct operation and setting of the fixed form of heating system in the property.

Waste disposal and refuse

20 WASTE DISPOSAL AND RECYCLING REQUIREMENTS*

Oxford City Council's policy relating to the collection of domestic household waste and recycling is outlined on the Council's website at www.oxford.gov.uk/recycling. This policy applies to all households entitled to the statutory waste and recycling collection service.

Oxford City Council will not collect recycling or general waste unless it is correctly presented in receptacles that meet the Council's specification.

Properties with sack collections or communal collections (including blocks of flats):

Where a property is subject to sack-based waste collection because it is not

possible to store or present bins, or where the property forms part of a block of flats with communal waste arrangements, the Licence Holder must comply with the guidance published on the Council's website at www.oxford.gov.uk/recycling.

All properties:

The Licence Holder must provide new tenants with written information on managing and disposing of household waste and recycling, including:

- the days on which waste and recycling should be presented for collection
- details of what can and cannot be recycled, including use of the blue bin or clear sack where applicable
- information on how bulky waste can be disposed of and the penalties associated with fly tipping

The Licence Holder must ensure that suitable and adequate provision is made available at the start of a tenancy for the storage of household waste and recycling generated at the property. Where necessary, the Licence Holder must make supplementary arrangements for the disposal of additional waste.

The Licence Holder must ensure that, at the end of each tenancy, any rubbish or unwanted household goods left behind are removed and disposed of appropriately before the start of the next tenancy. In particular, any waste or goods left in the front or rear garden, or on the pavement in front of the property, must be removed.

Where the tenancy agreement places responsibility on tenants for garden maintenance, the Licence Holder must ensure that appropriate arrangements are in place for garden waste disposal, including the purchase of a garden waste collection subscription where required.

21 PROVISION OF CONTACT DETAILS TO TENANTS

The Licence Holder must display, in a prominent position within the house, a notice containing the name, address and telephone contact number of the person who manages the house.

The Licence Holder must provide to the tenants, in writing within 7 days of their occupation, details of who to contact to report repairs, including out of hours emergency contact details.

22 DIS-REPAIR / PESTS

The Licence Holder must ensure that, if they are informed, in writing, by email or other form of communication, about a complaint of disrepair or pest infestation in the property from the occupiers, the Council or a third party, they take action to investigate and if necessary remedy the disrepair and/or infestation within a reasonable period of time. The Licence Holder shall respond, preferably in writing to any such complaint, within 14 days of receipt of the complaint, stating what action they have or intend to take.

Where an emergency issue is reported (e.g. loss of heating, hot water, issues relating to security), it should be responded to within 24 hours. This includes undertaking a temporary measure before the full repair can be undertaken.

Where a pest problem is identified following a complaint, the Licence Holder must employ a suitably qualified pest control company to investigate the problem and undertake all action needed to remove pests (this includes baiting and any structural repairs to prevent pest access).

23 PROPERTY INSPECTION

The Licence Holder must ensure that inspections of the house are carried out at least every six months to identify any problems relating to the condition and management of the house. The records of such inspections must be kept for the last year. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of inspection any issues found and actions(s) to be taken. Copies of these must be provided to the council within 28 days of demand. In the event that an inspection is not possible (e.g. pandemic situation) then it is acceptable for the Licence Holder to fulfil this in alternative ways (e.g. zoom call with tenants who show the house and landlord takes notes or written confirmation from tenants there are no problems).

24 EMERGENCY ARRANGEMENTS

Where the Licence Holder is out of the country for more than two weeks and for less than four weeks, there must be emergency arrangements in place for the tenants to be able to arrange emergency repairs. These arrangements must be provided to the tenant.

Where the Licence Holder is out of the country for more than four weeks at a time, there must be a named managing agent or alternative person who can arrange repairs. This person must be named on the application form and must be a “fit and proper” person. These arrangements must be provided to the tenant.

Energy Performance Certificate

25 ENERGY PERFORMANCE CERTIFICATE (EPC)

Where an EPC is required for the HMO, on demand submit to the Council an energy performance certificate stating the property has a minimum energy efficiency standard of an E-rating. The person issuing the certificate must be an Approved Energy Assessor qualified to undertake such inspection and testing.

If the property is exempt from the Minimum Energy Efficiency Standard, on demand provide details of the registered exemption. Notification of changes

26 CHANGES TO CONTACT DETAILS

The Licence Holder must advise the HMO Customer Services Applications Team in writing of any permanent change to the address or contact details of each

person (except any mortgage provider) named on the licence application form as soon as reasonably practicable.

27 CHANGES WITHIN THE HOUSE

The Licence Holder must advise the HMO Customer Services Applications Team in writing of any change in the house (apart from the change of occupants) that is likely to affect the operation or management of the HMO as soon as reasonably practicable.

28 CHANGES TO FIT AND PROPER PERSON STATUS LICENCE REFERENCE NUMBER

The Licence Holder must advise the HMO Customer Services Applications Team in writing of any changes to the Licence Holder, the Manager's or any associate's circumstances which could affect their fit and proper person status, i.e. any cautions or convictions for any offence involving fraud, dishonesty, violence, drugs, sexual offences (under Sexual Offences Act, schedule 3) discrimination or breach of housing or landlord / tenant law or convicted of a banning order offence or issued with a banning order. The Licence Holder to inform the Council within 14 days of becoming aware of the change to fit and proper person status.

29 SALE OF PROPERTY

Where the property is sold and the owner is the Licence Holder, the Licence Holder must request that the HMO licence is revoked. Licences cannot be transferred.

Where the property is sold and the Licence Holder remains the same (for example, the agent is the Licence Holder), then the Licence Holder must inform the HMO Customer Services Applications Team in writing with the new ownership details.

Property Specific Conditions – work required to the property to ensure it is suitable for the number of occupants or improve the condition and content

Any conditions relating to work required will be listed here. If this section is left blank, then at the time the licence was granted there were no known issues. Work can be added at any time via a notice to vary the licence. This may be due to a complaint made or a routine inspection.

END OF LICENCE CONDITIONS

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