

Case Study 1 – Additional Licensing Scheme

Background

The Property Regulation team routinely undertake street surveys to identify unlicensed properties. During a street survey the occupants of a property raised concerns about their housing conditions. The property was identified as being an unlicensed s257 HMO and therefore a full inspection was conducted.

Description

The property is a three storey semi-detached house converted to five self-contained flats.

Licensing Status

The property was converted into self-contained flats, which did not meet the appropriate building regulations. There were more flats than storeys in the building and the property was in single ownership. The property therefore meets the necessary criteria to be licensed under the Additional HMO licensing Scheme as a section 257 HMO.

Hazards Identified

- **Structural collapse** – one of the basement flats flank wall was hit by a car and as a result a significant proportion of the wall and ceiling had large structural cracks making it unsafe for the tenants to occupy.
- **Electrical and lighting hazards** – due to the incident plug sockets and lighting were not working in the front part of the dwelling. As there were no adequate windows in this area the front part of the flat was very dark making it difficult for occupiers to navigate.
- **Food safety** - uneven flooring in the kitchen, lack of sufficient space, inadequate lighting and ventilation, disrepair to facilities.
- **Domestic hygiene, Pests & Refuse** – presence of rodent droppings and an active mice infestation.
- **Damp and mould growth and Excess Cold** – The thermal efficiency of the dwelling was significantly compromised by the disrepair and there was damp and mould growth throughout the property.
- **Fire** – there was no adequate fire detection system in the property. None of the flats entrance doors offered the required 30 minutes fire resistance therefore a fire could spread very easily between all units. Some of the means of escape were also compromised i.e. through the open plan kitchen
- **Falls on stairs and between levels** – the staircases in the house lacked adequate balustrades and handrails, combined with insufficient lighting making it dangerous for the occupiers to use. In the garden the paved area at the back of the flat lacked sufficient guarding and as there was a large difference in height between the area and the steps there was a risk of a serious injury.
- **Entry by intruders** – the flat entrance doors were in disrepair and did not have adequate locks.

Council Action

The landlord was contacted and made aware of his legal requirements in accordance with the Housing Act 2004 and HMO Management Regulations 2007.

As part of the licensing process the landlord is required to produce gas, electrical and fire safety reports. Therefore, before the property could be licensed the landlord had to undertake significant improvement works.

A series of Improvement Notices and Prohibition Orders were served under Part 1 of the Housing Act 2004 requiring the landlord to address the unsafe and poor condition of the property. These were all subsequently complied with.

The property is now licensed and in future should the condition of the property deteriorate the landlord may be prosecuted for failing to comply with the conditions of the HMO Licence.

BEFORE

Structural cracks to the front part of the flat



AFTER

Refurbished kitchen. Means of escape has been separated and occupants do not have to go through kitchen to exit property



BEFORE

Unsafe lighting in bathroom



AFTER

New electrically compliant bathroom light fitting installed and bathroom refurbished



BEFORE

Hazardous kitchen door with smashed glass pane



AFTER

Kitchen door glazing replaced



BEFORE

Unguarded external area



AFTER

New guarding to external area preventing falls



Case Study 2 – Selective Licensing Scheme

Background

The Council received an enquiry from a concerned neighbour as to whether the property was licensed in accordance with the provisions of the council's new property licensing schemes.

Description

The property is a single storey flat above commercial premises occupied by a single tenant within a selective licensing area within the Borough.

Licensing Status

Desk top research identified that the property is two storeys high, the occupier was the sole resident within the property and it is classified as a single family dwelling. The property and its occupation therefore meets the necessary criteria to be licensed under the Selective Licensing Scheme. At the time of the enquiry no application had been received.

Hazards Identified

- **Damp and Mould Growth** – Presence of damp in property and ingress of water.
- **Excess Cold** – Broken/missing window panes with no heating present.
- **Entry by Intruders** – Damaged entrance door and damaged locking mechanism.
- **Domestic Hygiene, Pests & Refuse** –presence of rodent droppings and an active mice infestation.
- **Food Safety** –Threat of infection due to inadequate facilities for the storage, preparation and cooking of food.
- **Personal Hygiene**– Lack of heating and hot water to bath, wash hand basin or kitchen sink.
- **Falls on stairs and on the level** – Damaged carpets and linoleum flooring creating risk of falls on stairs and throughout the property.
- **Electrical hazards** – Exposed electrics and damaged socket.
- **Fire** - No fire detection present and condemned gas facilities.
- **Structural Collapse and Falling Elements** – Cracked lintel and damaged/missing brickwork and plaster creating threat of collapse to parts of the building.

Council Action

The landlord was contacted and made aware of his legal requirements in accordance with the Housing Act 2004.

The Landlord was served with statutory notices under the Housing Act 2004, Environmental Protection Act 1990 and the Prevention of Damage by Pests Act 1949. These notices required the landlord to address the unsafe and poor condition of the property and abate hazards prejudicial to health.

In order to meet the conditions of the selective licence and the requirements of the notices served the property has undergone extensive works.

The property is now licensed and in future should the condition of the property deteriorate the landlord may be prosecuted for failing to comply with the conditions of the Licence.

BEFORE

Bathroom in a state of disrepair with no hot water to bath or wash hand basin.



AFTER

Bathroom refurbished with fully functioning water supply



BEFORE

Kitchen in state of disrepair



AFTER

Kitchen refurbished all deficiencies remedied



AFTER

Stair carpets replaced to mitigate hazard of falls on stairs



AFTER

New door with working locking mechanism installed to mitigate hazard of entry by intruders.

