

PUBLIC NOTICE

London Borough of Redbridge

Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2023



The London Borough of Redbridge, in exercise of its powers under section 56 of the Housing Act 2004 ("The Act"), hereby designates the entire area of its district as subject to Additional Licensing as described more fully in herein.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the London Borough of Redbridge Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2023.
2. The licensing scheme will be known as The London Borough of Redbridge Additional HMO Licensing Scheme 2023 ("the Scheme").
3. This designation has the approval of the Secretary of State under section 58 of Housing Act 2004 by virtue of the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015.
4. This designation will come into force on **Monday 18 September 2023** and unless revoked beforehand or extended will cease to have effect on **17 September 2028** or earlier if the Council revokes the scheme under section 60 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

5. This designation shall apply to the whole area of the London Borough of Redbridge as delineated and edged red on the map at Annex A.

APPLICATION OF THE DESIGNATION

6. This designation applies to the following HMOs in the area described in paragraph 5:
 - 6.1 Any HMOs meeting any of the definitions in section 254 of the Housing Act 2004, which are rented to three or more occupiers in two or more households that share (or lack) a toilet, personal washing facilities or cooking facilities;
 - 6.2 Converted building HMOs as defined by section 257 of the Housing Act 2004, but only where all accommodation units are privately rented and the building and accommodation units are in the same ownership or control or considered by the housing authority to be effectively under the same ownership or control. This includes buildings within mixed use developments or above non-residential premises.
7. This designation does not apply to an HMO if:
 - 7.1. the building is of a description specified in Schedule 14 of the Act (Buildings which are not HMOs for the purposes of the Act excluding Part 1);
 - 7.2. the HMO is subject to an Interim or Final Management Order under Part 4 of the Act;
 - 7.3. the HMO is subject to a temporary exemption under section 62 of the Act; or
 - 7.4. the HMO is required to be licensed under section 55(2)(a) of the Act and the Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 (mandatory HMO licensing).
 - 7.5. Converted building HMOs, as defined by section 257 of the Housing Act 2004 that consist of no more than two flats.

EFFECT OF THE DESIGNATION

8. Subject to paragraph 7 above, every HMO of the description specified in paragraph 6 in the area specified in paragraph 5 shall be required to be licensed under section 61 of the Act.
9. The London Borough of Redbridge will comply with the notification requirements contained in Section 59 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.

10. A person having control of or managing a prescribed HMO must apply to the London Borough of Redbridge for a licence. Failure to apply for a licence is an offence under Section 72(1) Housing Act 2004 punishable on conviction by payment of an unlimited fine or alternatively may be made subject to a financial penalty not exceeding £30,000. A person who breaches a condition of a licence, or who knowingly allows an HMO to be occupied by more than the number of persons or households permitted by the licence, will be similarly liable. In addition, they may be required to repay up to 12 months' rent if the tenant or the Council, in the case of housing benefit payments, apply to the Residential Property Tribunal for a rent repayment order. Furthermore, no section 21 notice may be given in relation to a shorthold tenancy of a part of an unlicensed HMO so long as it remains such an HMO. The Council may also take over the management of an unlicensed HMO by the making of a Management Order under Part 4 of the Act. Any enforcement action may be added to local and national databases and publicised in the public interest and deterrence of others.
11. Any landlord, managing agent or other person managing an HMO or any tenant within the Borough may seek advice as to whether their property is affected by the designation during normal office hours, which are: 9am to 5pm, Monday to Friday by email: prslicensing@redbridge.gov.uk or calling 0208 554 5000 or writing to London Borough of Redbridge, Property Licensing Team, Lynton House, 55-259 High Road, Ilford IG1 1NY.
12. A copy of this designation may be inspected at **London Borough of Redbridge, Lynton House, 255-259 High Road, Ilford IG1 1NY**
13. Online Applications for the licensing scheme will open from **18 September 2023**. To obtain further information please visit www.redbridge.gov.uk/housing/private-rentals/apply-for-a-property-licence/ or call 020 8554 5000 or email: prslicensing@redbridge.gov.uk

Signed by:

Sarah Foster
Operational Director of Civic Pride

Date:

30 May 2023

