



The following licence scheme conditions apply both to the licence holder and to any manager who has accepted responsibility under the licence

1 Professionalism and standard of conduct

1.1	Reasonable and equitable standard of conduct <i>Conduct business with regard to the property and the tenancy in a reasonable and equitable manner and in accordance with applicable standards of due diligence.</i>
1.2	'Fit and Proper Person' declarations <i>Any person involved in, or becoming involved in the management of the property after the licence date must be a fit and proper person¹ and must supply the Council on demand² with a completed 'declaration in respect of a fit and proper person' form for each individual involved.</i>
1.3	All agents to be members of statutory schemes <i>Where the licence holder or manager is a letting or property managing agent they must be a member of statutory schemes such as the Lettings and Management Agent Redress Scheme and the Client Money Protection Scheme.</i>
1.4	Licence holder and manager agreements <i>Provide to the Council, on demand² a copy of any written agreement between the licence holder(s) and property managers, which sets out responsibilities for the management of the property. These might include: arranging tenancies, managing complaints and repairs, setting up tenancy deposits, taking the inventory, visiting the property.</i>
1.5	Anti-discrimination <i>Landlords and Agents must not discriminate either directly or indirectly against tenants or prospective tenants on the basis of a protected characteristic.¹¹</i>

2 Keeping the Council informed of changes

2.1	Any changes in licence holder <i>Notify the Council in writing³ of any change to the name, address or any other contact details (including email address) of the licence holder, manager or any other person involved in the management of the property, within 14 days of that change.</i>
2.2	Any changes in property layout or room numbering <i>Do not make alterations to any aspect of the layout of the property, or the numbering of rooms, without first gaining written consent from the Council. Requests should be made in writing to the Council³, and include a full description of the proposed changes.</i>
2.3	Any changes to the way the property is occupied <i>Any proposed changes to the way the property is occupied should first be submitted to the Council³ to determine any consequent need for alterations to the required levels of amenity provision or the permitted number for the property.</i>
2.4	If occupation rises above the permitted numbers <i>If the occupation of the property rises beyond the maximum permitted number, inform the Council³ in writing within 28 days of the over occupation occurring.</i>

3 Repair and maintenance



<p>3.1</p>	<p>Property repair timescales</p> <p><i>As far as is reasonably practicable keep within the following timescales in responding to information about disrepair and maintenance issues at the property:</i></p> <ul style="list-style-type: none"> • <i>Emergency repairs: 24 hours (affecting health or safety e.g. dangerous electrical fault, blocked W C, no hot water, etc.)</i> • <i>Urgent repairs: 5 working days (affecting material comfort e.g. no heating or fridge failure, serious roof leak, etc.)</i> • <i>Other non-urgent repairs: within a reasonable time period taking into account the extent and cost of the works required and any disruption for the occupiers.</i>
<p>3.2</p>	<p>Facilities and equipment</p> <p><i>Facilities and equipment must be kept in a safe condition and good working order.</i></p>
<p>3.3</p>	<p>Asbestos and Legionella</p> <p><i>Comply with current statutory requirements relating to the safe management of the following:</i></p> <ul style="list-style-type: none"> • <i>any asbestos containing materials⁴, and</i> • <i>Legionella species risks⁵.</i>
<p>3.4</p>	<p>Pest control</p> <p><i>Employ a competent pest control contractor to carry out appropriate treatments to any pest infestation.</i></p>

4 Gas and electrical safety

<p>4.1</p>	<p>Gas safety certificate</p> <p><i>If gas is supplied to the house, supply to the Council³ annually for their inspection, a satisfactory and genuine gas safety certificate obtained in respect of the house within the last 12 months.</i></p>
<p>4.2</p>	<p>Carbon monoxide alarm</p> <p><i>Install a carbon monoxide alarm in any room (includes a hall or landing) in the property which is used wholly or partly as living accommodation (includes bathroom or lavatory) and contains a fixed combustion appliance other than a gas cooker⁶, and keep any such alarm in proper working order. Check the alarms on the day the tenancy begins if it is a new tenancy and supply to the Council on demand² a declaration of the condition and positioning of any such alarms.</i></p>
<p>4.3</p>	<p>Electrical safety</p> <p><i>Meet current statutory requirements in relation to electrical installations in The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 and ensure that every electrical installation⁷ in the property is in proper working order and safe for continued use. Supply to the Council on demand² a declaration as to the safety of such installations within in 7 days of a request.</i></p>
<p>4.4</p>	<p>Electrical safety certificates</p> <p><i>Supply to the Council on demand² a current (less than 5 years old) genuine electrical installation condition report within seven days in cases where the property would otherwise be exempt from the requirements of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020. Any code 1 or 2 defects in a report must be rectified and any FI (further investigation) codes followed up. On the expiry of a report, a new report must be obtained and supplied to the Council³ within two months of the previous report's expiry date.</i></p>
<p>4.5</p>	<p>Electrical appliance and furniture safety</p> <p><i>Keep electrical appliances and furniture made available in the house in a safe condition and supply to the Council on demand² a written declaration verifying the safety of the appliances and furniture.</i></p>

5 Fire safety



5.1	<p>Smoke alarms installation</p> <p><i>Install a smoke alarm on each storey of the house on which there is a room used wholly or partly as living accommodation and keep any such alarm in proper working order.</i></p>
5.2	<p>Smoke alarms</p> <p><i>Check smoke alarms whenever there is a new tenancy on the day the tenancy begins and supply to the Council on demand² a declaration of the condition and positioning of any such alarms.</i></p>
5.3	<p>Fire safety precautions and reviews</p> <p><i>Fire precautionary measures must be provided in accordance with either:</i></p> <p><i>The Bristol City Council document "Fire Safety Standards for Licensable HMOs"⁹</i></p> <p><i>or</i></p> <p><i>An independent Fire Risk Assessment (FRA) produced by a competent person that adheres to current regulations and legal requirements relating to fire safety and licensing. Such a Fire Risk Assessment must be approved by the Council and reviewed annually, on a change of tenancy, and whenever there are alterations to the property or its contents. Supply to the Council on demand written evidence of the Fire Risk Assessment together with any revisions.</i></p>
5.4	<p>Fire alarm periodic test certificate</p> <p><i>Where there is a Grade A fire alarm system installed, supply to the Council on demand² a satisfactory and genuine certificate of servicing by a competent person carried out in the previous 6 months, as required under BS 5839-6: 2019. Where there is a Grade C or Grade D system installed, supply to the Council on demand² a satisfactory and genuine certificate of servicing by a competent person carried out in the previous 12 months, following the servicing procedure contained in Annex I of BS 5839-6: 2019.</i></p>
5.5	<p>Lighting and emergency lighting</p> <p><i>Supply to the Council, on demand² a declaration that the lighting system is in proper working order. Emergency lighting to be maintained in accordance with the relevant British Standard (BS 5266-1:2016).</i></p>

6 Energy performance

6.1	<p>Energy Performance Certificate</p> <p><i>Where applicable supply to the Council on demand², a current and genuine Energy Performance Certificate (EPC) in accordance with the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2012.</i></p>
6.2	<p>Minimum levels of energy efficiency</p> <p><i>Ensure that the property reaches at least an Energy Performance Certificate (EPC) rating of E, subject to any exemptions, in compliance with the minimum level of energy efficiency for privately rented property required under The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.</i></p>

7 Amenity standards

7.1	<p>Access to facilities</p> <p><i>Provide all tenants with 24hour direct access to all toilet, personal washing and cooking facilities and equipment.</i></p>
7.2	<p>Sharing of bedrooms</p> <p><i>Ensure that there is no obligate sharing of bedrooms</i></p>
7.3	<p>Names of all occupants</p> <p><i>Supply to the Council on demand² the names of all occupants</i></p>



Room size and amenity standards	
7.4	<i>Comply with the Bristol City Council document 'Room Size & Amenity Standard for Licensable HMOs¹⁰'. This document may be updated during the term of the licence and it is the responsibility of the licence holder and the manager to ensure that they are aware of, and are complying with the latest versions.</i>
7.5	Small rooms <i>Notify the Council³ of any room in the HMO with a floor area of less than 4.64 square metres.</i>
7.6	Permitted numbers <i>Ensure that the property is occupied in accordance with, and by no more than, the number of persons and households specified in the licence.</i>
7.7	Refuse and recycling <i>Provide suitable facilities for the storage and disposal of refuse and recycling in accordance with the Council's waste and recycling collection requirements.</i>
7.8	Food safety training <i>Where food is provided, ensure that all food handlers have appropriate food safety training.</i>

8 Tenancy agreements	
8.1	Written tenancy statement <i>Supply to the occupiers of the house a written statement of the terms on which they occupy it. Supply a copy of the statement to the Council on demand.²</i>
8.2	Clear tenancy conditions <i>Do not mislead prospective or existing tenants regarding the use, occupation, condition or the contents of the property which forms part of tenancy or agreement to occupy the property.</i>
8.3	Make tenants aware of their rights and obligations <i>Make tenants aware of their rights and obligations and of the licence holder or manager's legal obligations when a tenancy is brought to an end or where the licence holder or manager seeks possession of the dwelling-house.</i>
8.4	Avoid unfair terms in tenancy agreement <i>The tenancy agreement should be free from both unfair terms and prohibited fees.</i>
8.5	Tenancy clause on anti-social behaviour <i>Issue new tenants with a tenancy or written agreement that include clauses that will allow the licence holder to take reasonable steps to tackle anti-social behaviour.</i>

9 Setting up and ending tenancies	
9.1	Inventories <i>Arrange for an inventory of contents and condition to be signed by both parties at the beginning of the tenancy (or as soon as practicable afterwards) and give tenants the opportunity both to carry out a joint inventory inspection at the outset and to discuss the inventory at the end of the tenancy.</i>
9.2	Deposit protection schemes <i>Comply with all statutory obligations regarding tenancy deposit protection if a deposit is taken.</i>
9.3	New tenant references <i>Require a reference for each new person wishing to occupy the property. The reference request should include questions about anti-social behaviour³, acting in a way that may cause a nuisance to neighbours, and any problems in respect of non-payment of rent. References should be retained for a minimum of 6 months from the issuing of the licence and supplied to the Council on demand².</i>



9.4	<p>Past tenant references</p> <p><i>Provide, on request from other landlords, an honest, factual and accurate written reference relating to existing or past occupiers.</i></p>
9.5	<p>Contact details</p> <p><i>Make available to tenants the licence holder or manager's name, address, any telephone contact number or email address to each household and ensure that such details are clearly displayed in a prominent position in the property.</i></p>
9.6	<p>Fire precaution information for tenants</p> <p><i>Provide written details of fire evacuation procedures to tenants and other occupiers. Ensure that all tenants and occupiers are aware of fire and fault indications of any fire alarm system, are adequately familiar with controls (e.g. resetting) and of measures to avoid false alarms. Supply these details to the Council on demand².</i></p>

<p>10 Tenants' entitlement to peaceful enjoyment of their home</p>	
10.1	<p>Obligation to allow tenant peaceful enjoyment</p> <p><i>Do not, and do not cause anyone else to:</i></p> <ul style="list-style-type: none"> • <i>Unlawfully deprive any residential occupier(s) of their occupation of the property or any part of the property, or attempt to do so,</i> • <i>Carry out acts likely to interfere with the peace or comfort of the residential occupier(s) or members of his household, or</i> <p><i>Persistently withdraw or withhold services reasonably required for the occupation of the property in question as a residence.</i></p>
10.2	<p>Access to property</p> <p><i>Make prior arrangement with the tenant and give at least 24 hours' notice (except in emergencies) of access to the property by the landlord or their representative for inspection, repairs, monitoring or any other reason.</i></p>

<p>11 Relations with neighbours and dealing with anti-social behaviour⁸</p>	
11.1	<p>Anti-social behaviour⁸ by tenants</p> <p><i>Take all reasonable and practicable steps to prevent or reduce anti-social behaviour⁸ by persons occupying or visiting the house.</i></p>
11.2	<p>Illegal activity</p> <p><i>Take all reasonable steps to ensure that the property is not used for illegal or immoral purposes.</i></p>
11.3	<p>Property appearance</p> <p><i>Take all reasonable steps to keep the external appearance of the property in a reasonable condition considering its age of the property, character and locality and keep the exterior of the property free from graffiti and fly posters.</i></p>
11.4	<p>Monitor for anti-social behaviour</p> <p><i>Arrange inspections of the property on a regular basis to assess if there is evidence of anti-social behaviour⁸; this should be at least quarterly, but more frequently if anti-social behaviour has been established.</i></p>
11.5	<p>Contact details for neighbours</p> <p><i>Provide the occupants of adjoining properties direct contact details such as a telephone number to enable them to inform the licence holder of problems such as complaints about the behaviour of the tenants or their visitors.</i></p>

HMO Licensing Scheme - Licence Conditions

Notes

- 1 Fit and Proper person definition: see Housing Act 2004 s66, this can be found at <https://www.legislation.gov.uk/ukpga/2004/34/section/66>
- 2 Any reference to 'on demand' means the Council requires that the document(s) or information is supplied to the Council within 28 days unless stated otherwise.
- 3 Postal address: (Private Housing Team) (100TS) or (Licensing Team) (100TS), Bristol City Council, PO Box 3399, Bristol, BS1 9NE. E-mail address: private.housing@bristol.gov.uk
- 4 [Managing asbestos in buildings](#): A brief guide Health and Safety Executive.
- 5 Legionnaires' disease [A brief guide for duty holders](#) Health and Safety Executive.
- 6 This means a fixed apparatus where fuel of any type is burned to generate heat. Typically, these appliances are powered by gas, oil, coal, wood, etc., for example, gas or oil boilers, or log-burning stoves. A non-functioning purely decorative fireplace would not constitute a fixed combustion appliance
- 7 Regulation 2(1) of the Building Regulations: "electrical installation" means fixed electrical cables or fixed electrical equipment located on the consumer's side of the electricity supply meter.
- 8 Anti-social behaviour: Behaviour that causes or is likely to cause harassment, alarm or distress to one or more persons not of the same household (this includes noise nuisance).
- 9 Bristol City Council Fire Safety Standards for Licensable HMOs. The latest versions can be found at [Licence standards and conditions \(bristol.gov.uk\)](#)
- 10 Bristol City Council room size & amenity standard for licensable HMOs. The latest versions can be found at [Licence standards and conditions \(bristol.gov.uk\)](#)
- 11 Protected characteristics are defined under the Equality Act 2010 and include: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.