

MANDATORY HMO LICENSING CHECKLIST

Note: Complete this checklist only after confirming that a property is an HMO after completion of an HMO Definition checklist.

Address Officer Date
--

Meaning of a Licensable HMO as contained within the Housing Act 2004 and Regulations issued under it.

		Y/N
1	Does the HMO or any part of it comprise three storeys or more?	
2	Is the HMO occupied by five or more persons?	
3	Is the HMO occupied by persons living in two or more single households?	
4	Is the HMO a converted block of flats to which Section 257 of the Act applies (i.e. all self-contained units of the accommodation)?	

If the answer to questions 1, 2 and 3 is Yes and the answer to question 4 is No, it is mandatory for the HMO to be licensed.
--

If the answer to any of the questions 1, 2 and 3 is No, the HMO does not need to be licensed
--

If the answer to questions 1, 2 and 3 is Yes but the answer to question 4 is also Yes, the HMO does not need to be licensed.
--

	Y/N
Is the property licensable?	

Important Definitions

1. The following storeys shall be taken into account when checking whether the HMO or any part of it comprises three storeys or more:-

(a) any basement (*see definition of basement below*) if:-

- (i) it is used wholly or partly as living accommodation;
- (ii) it has been constructed, converted or adapted for use wholly or partly as living accommodation;
- (iii) it is being used in connection with and as an integral part of the HMO;
or
- (iv) it is the only or principal entry in to the HMO from the street.

(b) any attic if:-

- (i) it is used wholly or partly as living accommodation;
- (ii) it has been constructed, converted or adapted for use wholly or partly as living accommodation;

- (iii) it is being used in connection with and as an integral part of the HMO;
or
 - (c) where the living accommodation is situated in a part of a building above business premises, each storey comprising the business premises (see *definition of business premises below*);
 - (d) where the living accommodation is situated in a part of a building below business premises, each storey comprising the business premises;
 - (e) any mezzanine floor which is used wholly or mainly as or in connection with living accommodation; and
 - (f) any other storey that is used wholly or partly as living accommodation or in connection with or an integral part of the HMO.
- 2.** “Basement” means a storey that is below the ground floor.
- 3.** “Business premises” means premises or any part of a premises which are not or are not used in connection with or as an integral part of living accommodation.