

## MANDATORY HMO LICENSING CHECKLIST

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

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| <b>Address</b> .....<br><b>Officer</b> ..... <b>Date</b> ..... |
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Meaning of a Licensable HMO as contained within the Housing Act 2004 and Regulations issued under it.

|          |   | Y/N |
|----------|---|-----|
| <b>1</b> | Does the HMO or any part of it comprise three storeys or more?  |     |
| <b>2</b> | Is the HMO occupied by five or more persons?  |     |
| <b>3</b> | Is the HMO occupied by persons living in two or more single households?   |     |
| <b>4</b> | 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)? |     |

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