

To whom it may concern.

Re: Potential purchase of a licensable House in Multiple Occupation (HMO)

Housing Services regularly receives queries from potential purchasers of licensable HMOs and their solicitors, as it is often the case that mortgage companies state that they will not release funds until the Local Authority issue an HMO licence.

Bath and North East Somerset Council is unable to issue an HMO licence to any person or company who is not in full control of the premises, and that includes potential purchasers.

HMO licences are not transferrable, as the licence relates to both the person in control of the property as well as the property itself.

Licensing is about ensuring HMOs are safe and well managed, not about stopping them being used and Housing Services will make the decision whether to grant or refuse to issue a licence. However, Housing Services will have no reason to refuse to grant a licence if the following criteria are met:

- the property requires a licence;
- a valid application form is received;
- the house is reasonably suitable for occupation for a maximum number of households or persons;
- the proposed licence holder is a fit and proper person and is the most appropriate person to be the licence holder, and;
- the management arrangements are satisfactory.

For more information on HMO licensing please visit our website www.bathnes.gov.uk/hmos

It is strongly recommended that you speak to Development Control on 01225 394041 to ensure the property has planning permission to be used as an HMO. Failure to do so could result in the owner being prevented from using the property in this manner, regardless of whether a licence is held or not.

If the property is occupied as an HMO at the time the sale is completed, then the new owner will be legally obliged to make a valid licence application at that time. As long as the application is valid and the required licensing fee paid, then their legal obligations will have been fulfilled and the property can continue to be rented out until the licence is issued.

Housing Services
Bath and North East Somerset Council