



Conditions of this licence

In these conditions, “house” is meant to refer to the building or part of a building, which is licensed under Part 3 of the Housing Act 2004 (The Act). The “Authority” is meant to refer to the local housing authority, namely Gateshead Council.

1. Mandatory licence conditions

- a) The licence holder must provide a valid gas safety certificate (if gas is supplied to the property), on an annual basis. A copy must be submitted to the local authority on request and to the tenant within 14 days of issue.
- b) The licence holder must ensure that all furniture supplied by the landlord complies with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended), and that there are arrangements for the inspection of all items provided by the landlord to ensure they are maintained in a satisfactory & safe condition.
- c) The licence holder must ensure that there are either hard wired or 10 year battery operated smoke alarms installed on each storey of the house on which there is a room used wholly or partly as living accommodation (including a bathroom, lavatory, hall or landing). Smoke alarms must be kept in proper working order and tested on the day the tenancy commences with further testing on a regular basis. Evidence of testing must be made available to the Authority upon request.
- d) The licence holder must ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance, and to keep any such alarm in proper working order and to supply to the Council, on request, with a declaration by him as to the condition and positioning of any such alarm.
- e) The licence holder must supply to the occupiers of the house a written, signed statement of the terms in which they occupy it, (e.g. a tenancy agreement). Information provided to the tenant must include the following:
 - The name and address of licence holder or managing agent
 - A contact address and daytime telephone number
 - An emergency telephone number
 - A copy of the landlord licence including the conditions
 - Where a bond has been taken; the deposit amount and information where the deposit is protected.

This should be submitted to the Authority on request.

- f) The licence holder must obtain valid references in relation to potential tenants, in order to make an informed decision regarding their occupancy of the property, before the tenancy commences. References should include details of previous and recent housing history. Evidence of these references and checks must be made available to the Authority upon request.

2. Electrical Safety

- a)
- b) The licence holder must ensure that all portable electrical appliances supplied (as part of the tenancy) are in a safe condition, and in good working order. Any portable appliances provided must be tested on an annual basis and a (PAT) certificate must be submitted if requested by the local authority.

3. Managing Anti-Social Behaviour

- a) If asked for a reference for an existing or former tenant, a licence holder must state whether or not they are aware of any allegations of anti-social behaviour made against the tenant. If allegations have been made they must give details to the best of their knowledge, of whether the allegations have been admitted or have been found proven in any court or tribunal.
- b) The licence holder and/or the manager are required to provide information regarding the full names and dates of birth of each occupant, when asked by the local authority.
- c) The licence holder must ensure occupants of the house are aware of how they can report nuisance and ASB to the local authority.
- d) The licence holder must take reasonable and practicable steps following advice or recommendations from the Council following receipt of a complaint or to prevent or reduce anti-social behaviour by persons occupying or visiting the property. Evidence of such must be available to the Authority upon request.
- e) The licence holder must take reasonable and practical steps, should it be found that the property is being used for illegal or immoral use. Evidence of such must be available to the Authority upon request.
- f) Where the licence holder is specifically invited they shall attend any case conferences or multi agency meetings arranged by the local authority or the police to reduce or prevent ASB in relation to their tenant or property.

4. Property Management

- a) On commencement of a new tenancy, the licence holder must compile a detailed inventory of all items, included within the tenancy and provide a copy to the tenant. This should be available to the Authority on request.
- b) The licence holder must ensure the property is adequately managed and as such have satisfactory maintenance arrangements in place.
- c) Regular prearranged visits (at least every 6 months) by the licence holder to the property must be undertaken to determine effective tenancy and property management by the tenant. As a minimum the record must contain a log of who carried out the inspection, the date, the time and any issues found and action undertaken. Evidence of these visits/checks shall be made available to the Authority upon request.
- d) All repairs to the property or any installations, facilities or equipment within it are to be carried out by competent and reputable persons, and that they are completed to a reasonable standard.
- e) The licence holder must inform the local authority within 5 working days if there is a change in the managing agent, to allow the Council adequate time to carry out fit and proper person checks and vary the licence accordingly. A signed copy of the management agent contract must be submitted within 14 days of the instruction of a new managing agent.
- f) The licence holder must provide the occupiers of the house and the occupiers of any neighbouring properties (within 28 days of the licence being granted or after any subsequent change in tenant), with the following details:
 - Name of the licence holder or managing agent
 - A contact address and daytime telephone number
 - An emergency telephone number
- g) At the beginning of a new tenancy the licence holder must provide tenants with information that explains how they can make a complaint about the property and the arrangements in place to deal with emergency and other repairs.
- h) The licence holder shall indicate to the occupiers how they intend to respond to any complaint including timescales for the steps they intend to take. Complaints must be responded to within a reasonable timescale.
- i) The licence holder must ensure that the property is occupied accordingly in relation to the number of occupiers, the number of habitable rooms, the space available and the amenities provided.

- j) The licence holder must inform the local authority of any change in circumstances which may affect the suitability to remain as licensee, including any change to the fit and proper person criteria or change in property ownership. This must be done within 5 working days of the changes taking place.
- k) The licence holder must inform the local authority of any change in circumstances which may result in the variation of the licence being required including change of address, surname or contact details. This must be done within 5 working days of the changes taking place.
- l) The licence holder must ensure that within 28 working days of the property becoming vacant the Authorities Licensing Officer is notified. He/she must ensure that all reasonable measures are taken to ensure that the property and curtilage are kept secure from unauthorised entry during periods when the property is unoccupied.
- m) The licence holder must reside in the UK.
- n) The licence holder must improve and maintain their knowledge and competency by keeping up to date with current housing issues and regulation to enable the effective management of their property and tenants. It is expected that licence holders will complete at least five hours training per year. Evidence of this must be available to the Authority upon request and could include attendance at:
 - Training courses in relation to housing related matters
 - Landlord Forums
 - Presentations in relation to housing related matters
 - Landlord Association meetings
 - On-line training courses

5. Tenancy Management

- a) Prior to offering a tenancy, a licence holder must undertake Right to Rent checks on every prospective occupier to establish the correct right to rent status. Evidence of this must be available to the Authority upon request.
- b) The licence holder must abide by the conditions and responsibilities contained within the tenancy agreement and carry out all landlord functions as laid down in the agreement.
- c) On commencement of a new tenancy which started on or was renewed after 1st October 2015 the licence holder must provide the following to their tenant:
 - Energy performance certificate
 - Valid gas safety certificate
 - Copy of the 'How to rent' tenants booklet

6. Energy Performance

- a) The Licence Holder must provide each occupier of the house with an Energy Performance Certificate at the start of each new tenancy. The licence holder shall provide a copy of the said certificate to the Authority on demand. Please note that the letting of properties from April 2018 are required to have a minimum EPC rating of E.

7. Managing Refuse and Waste

- a) At the start of any new tenancy the licence holder must ensure there is no refuse or waste left inside the property or within the curtilage from the previous tenant.
- b) The licence holder must ensure at the start of any new tenancy there is a green domestic waste bin and a blue recycling bin provided at the property. Both bins must be clearly marked with the number/street of the property.
- c) The licence holder must outline to the occupiers of the property in writing their responsibilities regarding storage and disposal of waste prior to the start of a new tenancy. Specific information should include details such as the day/week on which recycling/general waste and household waste is to be collected and how a tenant should dispose of bulky items such as furniture.
- d) At all times any gardens, yards and other external areas within the curtilage of the licensed property are kept in reasonably clean and tidy condition and free from rodent infestation.

The tenancy agreement must set out who is responsible for maintaining the gardens and other external areas within the curtilage of the property.

- e) The exterior of the property and all boundary walls, fences and gates must be kept free from vandalism and/or graffiti.
- f) The licence holder must inform occupants on the correct disposal arrangements for accumulations and bulky waste items, including the penalties for fly tipping and the prolonged storage of waste within the front and rear gardens/yard and any outbuilding of the property.
- g) Licence holders must respond reasonably and effectively if there are complaints concerning accumulations of waste and refuse at the property. Any waste removal must be removed lawfully, and collected by a registered waste carrier with the appropriate permit.

8. Additional Licence Conditions

- a) It is the responsibility of the licence holder to retain copies of all certificates and records in relation to the property (conditions 1a, 1c, 1f, 2a, 2b, 3d, 3e, 4a, 4m, 5a and 6a) for the duration of the licence and provide these to the local authority on request.
- b) The licence holder must complete and return (within the requested timescales and with all requested information/documents), the annual review of their licence. Late or incomplete returns will be subject to an administrative charge.
- c) The licence holder is required to pay the full fee for the licence in the manner and timescales agreed with the local authority.

9. Optional Licence Conditions

- a) As agreed with the relevant officer, the property must have attained the –property accreditation standard within 3 months from the date that the licence is issued. The property must fulfil the accreditation standard for the full duration of the licence. An agreed discount will be awarded for continued attainment of the accredited standard in-line with the fee structure at the expiry of the licence.
- b) The Licence holder must remain an accredited member of the National Landlord Association or another equivalent membership to a recognised landlord/agent association for the full duration of the licensing scheme. Proof of membership must be provided on an annual basis or when requested. An agreed discount will be awarded for continued membership in-line with the fee structure at the expiry of the licence.

For further information

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