

SCHEDULES

SCHEDULE 2

Applications for HMO licences: requirements and procedure CONSIDERATION OF APPLICATION AND HEARINGS

Notice of proposed decision

- 9.—(1) The council must serve a notice under this paragraph on—
- (a) the applicant, and
 - (b) each relevant person.
- (2) A notice under this paragraph must state which of the following the council proposes to do—
- (a) grant the licence in the terms applied for;
 - (b) grant the licence in terms different from those applied for;
 - (c) refuse the licence.
- (3) A notice under this paragraph must also—
- (a) if the council proposes to grant the licence, set out the main terms of the proposed licence and any terms which differ from those applied for,
 - (b) state the reasons for the proposed decision (including any proposed differences), and
 - (c) specify the date by which written representations by the recipient of the notice must be made.
- (4) The date specified under sub-paragraph (3)(c) must be not less than 14 days after the date on which the notice is served.
- (5) The notice must be accompanied by a copy of any valid representations received by the council in response to a notice under regulations under paragraph 2.
- (6) In this Schedule, a “relevant person” is any of the following (other than the applicant)—
- (a) a person named in the application in accordance with paragraph 1(2)(d) or (e) (managing agents and persons having an estate in the HMO);
 - (b) a person who is not so named but who, to the knowledge of the council—
 - (i) is or is proposed to be a managing agent of the HMO, or

Changes to legislation: There are currently no known outstanding effects for the Houses in Multiple Occupation Act (Northern Ireland) 2016, Cross Heading: Notice of proposed decision. (See end of Document for details)

- (ii) has a relevant interest in it (see sub-paragraph (7));
 - (c) a person who is proposed to be named in the licence as a person on whom a restriction or obligation is imposed under section 14.
- (7) In sub-paragraph (6)(b), a “relevant interest” is—
- (a) a freehold estate;
 - (b) a leasehold estate, unless the unexpired term of the lease is 3 years or less;
 - (c) a mortgage, charge or lien.

Commencement Information

II Sch. 2 para. 9 in operation at 1.4.2019 by S.R. 2019/39, art. 2 (with art. 3)

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