



2016 CHAPTER 22

PART 2

Licensing of Houses in multiple occupation

*Other provision about licences*

**Change of ownership: effect on licence**

**28.**—(1) A licence may be transferred to another person only in accordance with this section.

(2) Accordingly, except as set out in subsection (3), where—

- (a) there is a transfer of ownership of a licensed HMO,
- (b) as a result of the transfer there is a new owner (or more than one), and
- (c) no person who was a licensee before the transfer continues to be an owner after it,

the licence ceases to have effect on the date of the transfer.

(3) If—

- (a) there is a transfer of ownership of a licensed HMO, and
- (b) before the date of the transfer, the proposed new owner (or any of them) applies for a licence in respect of the HMO (a “new licence”),

the licence which is already in effect in respect of the HMO (“the existing licence”) is to be treated as being held, from the date of the transfer, by the person or persons who made the application for the new licence (“the transferee”).

(4) But the existing licence ceases to have effect on the date mentioned in subsection (5).

- (5) That date is—
- (a) if the transferee’s application is granted, the date from which the new licence has effect (determined in accordance with section 19(1) or (4)(a));
  - (b) if the transferee’s application is refused—
    - (i) one month after the last date on which the decision to refuse the transferee’s application may be appealed in accordance with section 67(4), or
    - (ii) if such an appeal is made, one month after the date on which the appeal is finally determined.
- (6) Subsection (4) and (5) are subject—
- (a) to sections 23 (revocation) and 27 (surrender), which provide for a licence in certain circumstances to cease to have effect earlier than as provided by this section, and
  - (b) if the transferee dies, to section 29, which provides for a licence in certain circumstances to cease to have effect earlier than, or later than, as provided by this section.
- (7) In this section—
- “transfer of ownership” includes the creation of a new estate;
  - “new owner” means a person who is an owner after the transfer but was not an owner before it.