



2016 CHAPTER 22

PART 2

Licensing of Houses in multiple occupation

Duration and renewal

Duration of HMO licence

- 19.—**(1) An HMO licence has effect from—
- (a) the date on which notice of the decision to grant it is served under paragraph 13 of Schedule 2, or
 - (b) such later date as may be specified in the licence.
- (2) An HMO licence has effect for—
- (a) 5 years, or
 - (b) such shorter period, of not less than 6 months, as may be specified in the licence.
- (3) Subsections (1) and (2) do not apply to a licence which is treated as having been granted in accordance with paragraph 12(6) of Schedule 2.
- (4) Such a licence—
- (a) has effect from the date by which the council was required by that paragraph to determine the application, and
 - (b) has effect for 1 year.
- (5) Subsections (2) and (4)(b) are subject to the following provisions, which provide for the date on which a licence is to cease to have effect in certain circumstances—

- (a) section 21 (effect on existing licence where application is made to renew);
- (b) section 23 (revocation of licence);
- (c) section 27 (surrender of licence);
- (d) section 28 (change of ownership of property);
- (e) section 29 (death of licence holder).

Renewal of licence

20.—(1) Where the holder of an HMO licence makes an application in accordance with this section for it to be renewed, the council may renew the licence.

(2) An application to renew a licence must be made before the licence ceases to have effect.

(3) The provisions of this Part apply to applications to renew a licence (and decisions on such applications) as they apply to applications for a licence (and decisions on such applications).

(4) But the following provisions do not apply to applications to renew—

- (a) sections 8(2)(a) and 9 and paragraphs 5 to 7 of Schedule 2 (breach of planning control);
- (b) sections 8(2)(d) and 12 (overprovision).

Application to renew: effect on existing licence

21.—(1) Where an application to renew a licence is made in accordance with section 20, the existing licence has effect until the date mentioned in subsection (2).

(2) That date is—

- (a) if the application is granted, the date from which the renewed licence has effect (determined in accordance with section 19(1) or (4)(a));
- (b) if the application is refused, the latest of the following dates—
 - (i) the last date on which the decision to refuse the application may be appealed in accordance with section 67(4);
 - (ii) if such an appeal is made, the date on which the appeal is finally determined;
 - (iii) the date on which the existing licence would cease to have effect if the application to renew it had not been made.

(3) This section is subject to the following provisions, which provide for the date on which a licence is to cease to have effect in certain circumstances—

- (a) section 23 (revocation of licence);
- (b) section 27 (surrender of licence);

Status: This is the original version (as it was originally enacted).

- (c) section 28 (change of ownership of property);
- (d) section 29 (death of licence holder).