



## 2016 CHAPTER 22

### PART 2

#### Licensing of Houses in multiple occupation

##### *Variation and revocation*

##### **Variation of licences**

**22.—**(1) The council may vary an HMO licence in any of the following ways—

- (a) varying the number of persons who are authorised by the licence to occupy the HMO;
- (b) removing, adding or substituting the managing agent of the HMO;
- (c) removing, adding or varying any conditions included in the licence.

(2) The council may vary a licence under this section—

- (a) on the application of the licence holder,
- (b) on the application of any person named in the licence as a person on whom a restriction or obligation is imposed under section 14, or
- (c) on the council's own initiative.

##### **Revocation of licences**

**23.—**(1) The council may revoke an HMO licence if it is satisfied that—

- (a) the owner of the HMO, or any managing agent of it (whether or not named in the licence), is not a fit and proper person (see section 10);

- (b) the management arrangements for the HMO are not satisfactory (see section 11);
- (c) the HMO is not fit for human habitation;
- (d) the HMO is not suitable for occupation (within the meaning of section 13) by any number of persons and cannot be made suitable by varying the licence to include conditions under section 14;
- (e) any of the following persons has committed a serious breach of a condition of the licence—
  - (i) the owner or managing agent of the HMO;
  - (ii) any person named in the licence as a person on whom a restriction or obligation is imposed under section 14; or
- (f) there has been more than one breach of the conditions of the licence.

(2) For the purposes of subsection (1), it does not matter whether the council has taken any other action, or whether criminal proceedings have been commenced, in respect of the circumstances in question.

#### **Variation and revocation: procedure**

**24.** Schedule 4 makes provision about the procedure for varying or revoking an HMO licence.