



2016 CHAPTER 22

PART 2

Licensing of Houses in multiple occupation

*Other provision about licences*

**Joint licence holders**

**26.—**(1) This section applies where living accommodation is owned jointly by two or more persons.

(2) An application for an HMO licence may be made by, and an HMO licence may be granted to—

- (a) any one of those owners, or
- (b) any two or more of those owners jointly.

(3) In a case falling within subsection (2), any reference in this Act to the “owner” of the accommodation is a reference to the owner or owners in question; and in particular, in a case falling within subsection (2)(b)—

- (a) any requirement to be fulfilled by the owner must be fulfilled by all of them, and
- (b) anything required to be done in relation to the owner must be done in relation to all of them.

(4) Where—

- (a) there is a transfer of ownership of a licensed HMO,
- (b) as a result of the transfer one or more joint licensees (but not all of them) cease to be an owner of the HMO,

the licence is to be treated as being held, from the date of the transfer, by the remaining owner or owners.

(5) 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) at least one person who was a licensee before the transfer continues to be an owner after it,

the new owner (or any of them) may apply to the council to be added as a joint licensee.

(6) The council must—

- (a) treat an application under subsection (5) as an application to renew the licence made jointly by the existing licensee and the new owner, and
- (b) if it decides to grant the application, vary the licence accordingly.

(7) Where one or more joint licensees (but not all of them) apply to the council to be removed as such, the council must vary the licence accordingly.

(8) Where a licence is varied under subsection (6) or (7), the council must serve a copy of the licence as varied on each joint licensee and on each person who was a joint licensee before the variation.

(9) 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.