
STATUTORY INSTRUMENTS

2006 No. 373

**The Licensing and Management of Houses
in Multiple Occupation and Other Houses
(Miscellaneous Provisions) (England) Regulations 2006**

Applications for licences under Part 2 or 3 of the Act

7.—(1) An application for a licence under section 63 (application for HMO licence) or 87 (application for licence of Part 3 house) of the Act (“an application”) must include a statement in the form specified in paragraph 1 of Schedule 2

(2) An applicant must supply as a part of his application—

- (a) the information contained in paragraph 2 of Schedule 2; and
- (b) the information relating to the proposed licence holder or proposed manager of the HMO or house specified in paragraph 3 of that Schedule.

(3) An applicant must—

- (a) supply with the application completed and signed declarations in the form specified in paragraph 4 of Schedule 2; and
- (b) sign the application.

(4) Where the applicant proposes that another person should be the licence holder, both the applicant and the proposed licence holder must comply with the requirements in paragraph (3).

(5) The applicant must give the following information about the application to every relevant person—

- (a) the name, address, telephone number and any e-mail address or fax number of the applicant;
- (b) the name, address, telephone number and any e-mail address or fax number of the proposed licence holder (if he is not the applicant);
- (c) the type of application by reference to it being made in respect of an HMO that must be licensed under Part 2 or in respect of a house that must be licensed under Part 3 of the Act;
- (d) the address of the HMO or house to which the application relates;
- (e) the name and address of the local housing authority to which the application is made; and
- (f) the date on which the application is, or is to be, made.

(6) Nothing in paragraph (5) precludes an applicant from supplying a copy of the application, or other information about the application, to a relevant person.

(7) A local housing authority must refund an applicant in full any fee that he has paid in respect of an application as soon as reasonably practicable after it learns that at the time the fee was paid—

- (a) in the case of an application for a licence under Part 2 of the Act, the house was not an HMO, or was not an HMO that was required to be licensed; or
- (b) in the case of an application for a licence under Part 3 of the Act, the house was a house that was not required to be licensed under Part 2 or 3 of the Act.

(8) Paragraph (7) applies whether or not the local housing authority, pursuant to the application, granted a licence for the HMO or house when it was not required to be licensed.

(9) For the purposes of this regulation a “relevant person” is any person (other than a person to whom paragraph (10) applies)—

(a) who, to the knowledge of the applicant, is—

(i) a person having an estate or interest in the HMO or house that is the subject of the application, or

(ii) a person managing or having control of that HMO or house (and not falling within paragraph (i)); or

(b) where the applicant proposes in the application that conditions should be in the licence imposing a restriction or obligation on any person (other than the licence holder, that person **(1)**).

(10) This paragraph applies to any tenant under a lease with an unexpired term of three years or less.

(1) For licence conditions see sections 67 and 90 of the Act. and, in particular, sections 67(5) and 90(6).