



PUBLIC NOTICE

Notice of Designation of an Area for Additional Licensing of Houses in Multiple Occupation (HMOs)

This notice is published in accordance with Sections 56 to 60 of the Housing Act 2004 and Regulation 9 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions)(England) Regulations 2006.

The London Borough of Brent Council in exercise of their powers under section 56 of the Housing Act 2004 ("the Act") gives notice that it has designated for additional licensing of Houses in Multiple Occupation ("HMOs") the area described in paragraph 4.

1. The designation may be cited as the London Borough of Brent Council Designation for an Area for Additional Licensing of Houses in Multiple Occupation 2019, No 1 ("the Designation").
2. The Designation was made on 14th October 2019 and shall come into force on 1st February 2020.
3. The Designation shall cease to have effect on 31st January 2025 or earlier if the Council revokes the scheme under section 60 of the Act.
4. The Designation shall apply to the whole area of the district of the London Borough of Brent as delineated and edged red on the map at Annex A.
5. The Designation applies to all Houses in Multiple Occupation within the area described in paragraph 4 unless –
 - (a) the building is of a description specified in Schedule 14 of the Act (Annex C of the Designation – i.e. Buildings that are not HMOs for the purpose of the Act - other than Part 1 of the Act);
 - (b) the HMO is subject to an Interim or Final Management Order under Part 4 of the Act;
 - (c) the HMO is subject to a temporary exemption under section 62 of the Act; or
 - (d) the HMO is required to be licensed under section 55 (2) (a) of the Act (mandatory licensing).
6. Subject to sub paragraphs 5(a) to (d) above, every HMO of the description specified in section 254 of the Act (Annex B of the Designation) that is in the area specified in paragraph 4 shall be required to be licensed under section 61 of the Act.
7. The London Borough of Brent Council will comply with the notification requirements contained in section 59 of the Act and shall maintain a register of all houses registered under the Designation, as required under section 232 of the Act.

The Designation was given general approval by the Cabinet of the London Borough of Brent Council

The Designation falls within a description of designations in relation to which the Secretary of State has given a general approval under section 58 of the Housing Act 2004, namely : The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2010 which came into force on the 30 March 2010.

A person having control of or managing a prescribed HMO must apply to the London Borough of Brent for a licence. Failure to apply for a licence in the designated area is an offence under Section 72(1) of the Housing Act 2004, punishable on conviction by payment of an unlimited fine. In addition, they may be required to repay up to 12 months rent if the tenant or the Council, in the case of housing benefit payments, apply to the Residential Property Tribunal under the provisions of section 73 and section 74 of the Housing Act 2004 for a rent repayment order. The Council may, as an alternative to initiating a prosecution, pursue one or more of a range of other enforcement actions including the imposition of a financial penalty of up to £30,000.

Any landlord, managing agent or other person managing an HMO or any tenant within the Borough may seek advice as to whether their property is affected by the designation during normal office hours, which are: 9am to 5pm, Monday to Friday.

An application form and general advice may be obtained from Private Housing Services, London Borough of Brent at Brent Civic Centre, Engineers Way, Wembley, Middlesex HA9 0FJ; (telephone number: **020 89372939** and **PRSlicensing@brent.gov.uk**). The Designation in respect of additional licensing of HMOs in the London Borough of Brent may be inspected at this address and a copy of the Designation can be obtained from Brent Council's website.

ANNEX A – Paragraph 4: Map of Designated Area for Additional HMO Licensing

