

# LICENSING COMMITTEE INFORMATION SHEET

6 September 2022

## Public Application

**TYPE OF APPLICATION:** HMO LICENCE APPLICATION (NEW)

**APPLICANT:** YEARGRAPH LIMITED

**ADDRESS:** 13 ROSE STREET, ABERDEEN (FLAT B)

**AGENT:** NONE STATED

### INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the work & certification requirements to bring the property up to the current HMO standard have not been completed. The meeting of the Licensing Committee on 6 September 2022, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 6 September 2022. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

### DESCRIPTION

The property at No.13B Rose Street, Aberdeen, is a top-floor maisonette flat, providing accommodation of 5 letting bedrooms (all en-suite) & dining-kitchen. The applicant has requested an occupancy of 5 tenants, which is acceptable in terms of space and layout.

### CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

### OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

## COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:  
*'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'*

### GROUNDS FOR REFUSAL

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
  - i) Its location
  - ii) Its condition
  - iii) Any amenities it contains
  - iv) The type & number of persons likely to occupy it
  - v) Whether any rooms within it have been subdivided
  - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
  - vii) The safety & security of persons likely to occupy it
  - viii) The possibility of undue public nuisance

### OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and their registration includes 4 rental properties, one of which being No.13B Rose Street.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.13B Rose Street.
- The extent of the above-mentioned work & certification requirements is as follows:
  - 1) All self-closing doors to be checked and adjusted as necessary to ensure that they fully close against their stops from all angles of swing. Particular attention to be paid to the doors in the kitchen and bedroom 1.
  - 2) The locks and handles on the doors of bedrooms 2 & 4 to be repaired or renewed as necessary and the doors adjusted to latch correctly.
  - 3) All windows to be checked and adjusted as necessary to ensure that they open easily for ventilation. A key to the window handle in kitchen to be provided.
  - 4) All portable heaters to be permanently removed from the property.
  - 5) All faulty or missing lightbulbs to be replaced immediately and lightshades fitted to pendants where there are none.

- 6) The extractor fan in the en-suite bathroom of bedroom 2 to be checked for correct operation and adjusted if necessary.
- 7) Opening devices must be supplied for all Velux windows.
- 8) The following documentation to be submitted for inspection:
  - Notice of HMO Application – Certificate of Compliance
  - Gas Safe certificate
  - Electrical Installation Condition Report (EICR)
  - Portable Appliance Test (PAT) certificate
  - Copy of Private Residential Tenancy (PRT) Agreement