

LICENSING COMMITTEE INFORMATION SHEET

27 August 2025

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: MOHAMMAD NAMAVAR

AGENT: CITO CIMO LETTING LTD

ADDRESS: 36 ELMFIELD AVENUE, ABERDEEN

INFORMATION NOTE

- Application Submitted 03/06/2025
- Determination Date 02/06/2026

This HMO licence application is on the agenda of the Licensing Committee for the reason that 1 representation/objection letter was submitted to the Private Sector Housing Team.

If, after consideration of the representation/objection, the Committee is minded to grant the HMO licence, it may do so under delegated powers since at the time of drafting this information note, the necessary certification has not been completed.

DESCRIPTION

The property at 36 Elmfield Avenue, Aberdeen, is the subject of this new HMO licence application and its accommodation is a 2-storey dwelling house comprising, 3 letting bedrooms, lounge, kitchen and bathroom. The applicant wishes to accommodate a maximum of 5 tenants, which is acceptable to the Private Sector Housing Team in terms of space and layout. The location of the premises is shown on the plan attached as Appendix A.

CONSULTEES

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

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- One objection letter from Objector A (Attached as Appendix B)
- One representation letter from the applicant (Attached as Appendix C)

The objection was received within the statutory time period therefore the Council must consider.

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'](#)

GROUNDINGS 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 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
 - ix) There is, or would be, an overprovision of HMOs in the locality

OTHER CONSIDERATIONS

- The applicant is as a landlord with this Council and their registration includes 36 Elmfield Avenue, Aberdeen.
- The Council's Community Safety Team has no record of anti-social behaviour complaints in respect of 36 Elmfield Avenue, Aberdeen.
- There are currently 27 other HMO licensed properties at Elmfield Avenue.
- The property is currently unlicensed. As this is a new application, the property cannot operate as an HMO until the Licence application is determined.

'A'



'B'

DEAR SIR/MADAM,

I AM WRITING TO
OBJECT TO THE APPLICATION TO TURN
THE PROPERTY AT 36 ELMFIELD AV, ABDN
AB24 3PB BY MOHAMMAD NAHAVAR
ON 3/6/26 INTO ANOTHER HMO.

I HAVE LIVED ON THIS STREET
FOR MANY YEARS AT [REDACTED]
HAVING RECENTLY MOVED TO [REDACTED]
THE AMOUNT OF HMO'S ON THE
STREET IS VERY HIGH AND I DO
NOT THINK THERE SHOULD BE YET
ANOTHER ONE GRANTED. I AM
NOT OPPOSED TO SUCH PROPERTIES
BUT A STREET SHOULD HAVE A
LIMIT TO MAINTAIN A GOOD MIX OF
RESIDENTIAL TYPES AND OCCUPANTS,
IT IS BEST TO MANTAIN A MIX OF

USES WITH THE VAST MAJORITY
FULL-TIME OCCUPANTS, HMO'S
TEND TO HAVE MORE TRANSIENT
PERSONS/ STUDENTS ECT. I WOULD
LIKE TO SEE THE STREET RETAIN A
MORE PERMANENT FAMILY CHARACTER.
IT IS ON THIS GROUND I STATE MY
OBJECTION.

YOURS SINCERELY



23/JUNE/25.

Aberdeen City Council
Housing & Environment
DATE RECEIVED
25 JUN 2025
Private Sector Housing Unit

8 August 2025

Jocelyn Janssen
Private Sector Housing Unit
Aberdeen City Council

Dear Jocelyn

**APPLICATION FOR LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION (HMO)
36 ELMFIELD AVENUE, ABERDEEN**

Thank you for your letter of 30 July 2025 regarding the above subject.

In response to the letter of objection you have received in respect of our application, I note that the objector wishes to limit the amount of HMO's in the street and have more permanent residents. HMO's are a vital source of accommodation for many people in the city who can make a positive contribution to the area whilst maintaining balanced communities. This particular property has been renovated to a high standard at considerable expense and so it would be in our interests as well to ensure that it will be well maintained and leased to appropriate tenants.

As you may be aware, we currently successfully manage three HMO's in Aberdeen with no problems and are a well respected landlord in the city. We continue to provide high standard accommodation and feel it would be beneficial to the area and the citizens of Aberdeen for the licence to be granted.

I trust this addresses the concerns raised and can confirm that I will attend the Committee meeting on 27 August 2025 via Meet and my letting agent will attend the meeting in person. In the meantime, please do not hesitate to contact me should you require anything further.

Yours sincerely,



Mohammad Namavar

