

# MEMO

Shelter & Environment

## Housing & Environment

Lower Ground Floor West, Marischal College



**ABERDEEN**  
CITY COUNCIL

To	Eric Anderson, Senior Solicitor, Corporate Governance, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	20 March 2012
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

### **Part 5 of the Housing (Scotland) Act 2006**

### **Application to Vary a Licence for a House in Multiple Occupation (HMO) at No.24 Sunnyside Avenue, Aberdeen**

**Applicant/s: Georgia Kassab**

**Agent: None stated**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 17 April 2012, for the reason that the Licence holder has applied to vary her existing HMO Licence.

I can advise you as follows:-

#### **The HMO legislation:-**

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, which came into effect on 31 August 2011. Section 138 of Part 5 allows a Local authority to vary an HMO Licence at any time, either upon the application by the Licence-holder or by the Local Authority itself. There is no requirement for a public Notice to be displayed outside the property and the local Authority cannot charge a fee for the Variation application.

#### **The existing HMO Licence**

The Licensing Committee at its meeting on 14 September 2011 considered the HMO Licence application for the reason that 3 letters of objection had been submitted. The applicant wished to accommodate 7 tenants within the property and the Committee was advised that the property was suitable for 7 tenants in terms of space and layout, however on a vote the Committee resolved to grant the application under delegated powers for a maximum of 5 persons. The applicant subsequently completed the works and the Licence was granted under delegated powers. The 'attending' objectors did not appeal the decision.

**The premises:**

The property at No.24 Sunnyside Avenue is a two-storey & basement house providing the following accommodation:

Basement: Kitchen/Dining/Family room

Ground floor: 3 Bedrooms, 2 Public rooms & 1 Bathroom

Upper floor: 2 Bedrooms & 1 Bathroom

The applicant's intention is to use the 2 public rooms as bedrooms, thereby creating a total of 7 letting bedrooms.

**The Variation Application:****Planning Permission – Change of Use:****Other considerations:-**

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team (ASBIT) has no record of any complaint in respect of No.24 Sunnyside Avenue, Aberdeen.
- The applicant and his property are currently registered with the Landlord Registration database.

I trust the above explains the position. Please contact me on x2870 if you wish to discuss any of the above.

**Ally Thain**

Private Sector Housing Manager

DOUG - NO ATTACHMENTS REQUIRED

