

MEMO

Shelter & Environment

Housing & Environment

Second Floor West, Marischal College



ABERDEEN
CITY COUNCIL

To	Eric Anderson, Senior Solicitor, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	8 November 2012
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.644 George Street, Aberdeen

Applicants: Elizabeth J. Wilkinson

Agent: Martin Wilkinson

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 20 November 2012 for the reason that one letter of representation/objection has been received by the HMO Unit.

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

The premises:

The premises to which this HMO Licence application relates is a 3-storey house with accommodation comprising 5 letting bedrooms, one public room, one kitchen and 3 bathrooms. The location of the premises is shown on the plan attached as Appendix 'A'

The HMO licence application:

The HMO licence application is dated 15 August 2012 and was received by the HMO unit on 21 August 2012.

Work/Certification Requirements:

The HMO Officer carried out an initial inspection of the premises and identified upgrading work and certification required to bring the premises up to the current HMO standard. At the date of this memo, all requirements have not been completed although this is not the reason for referral to Committee.

Letter of Representation/Objection:

One letter of representation/objection was received by the HMO Unit on 31 August 2012, within the statutory 21-day time period, and is therefore competent. The letter is attached as Appendix 'B'.

Applicant's response:

The applicant has submitted a letter responding to the representation/objection. The letter is attached as Appendix 'C'.

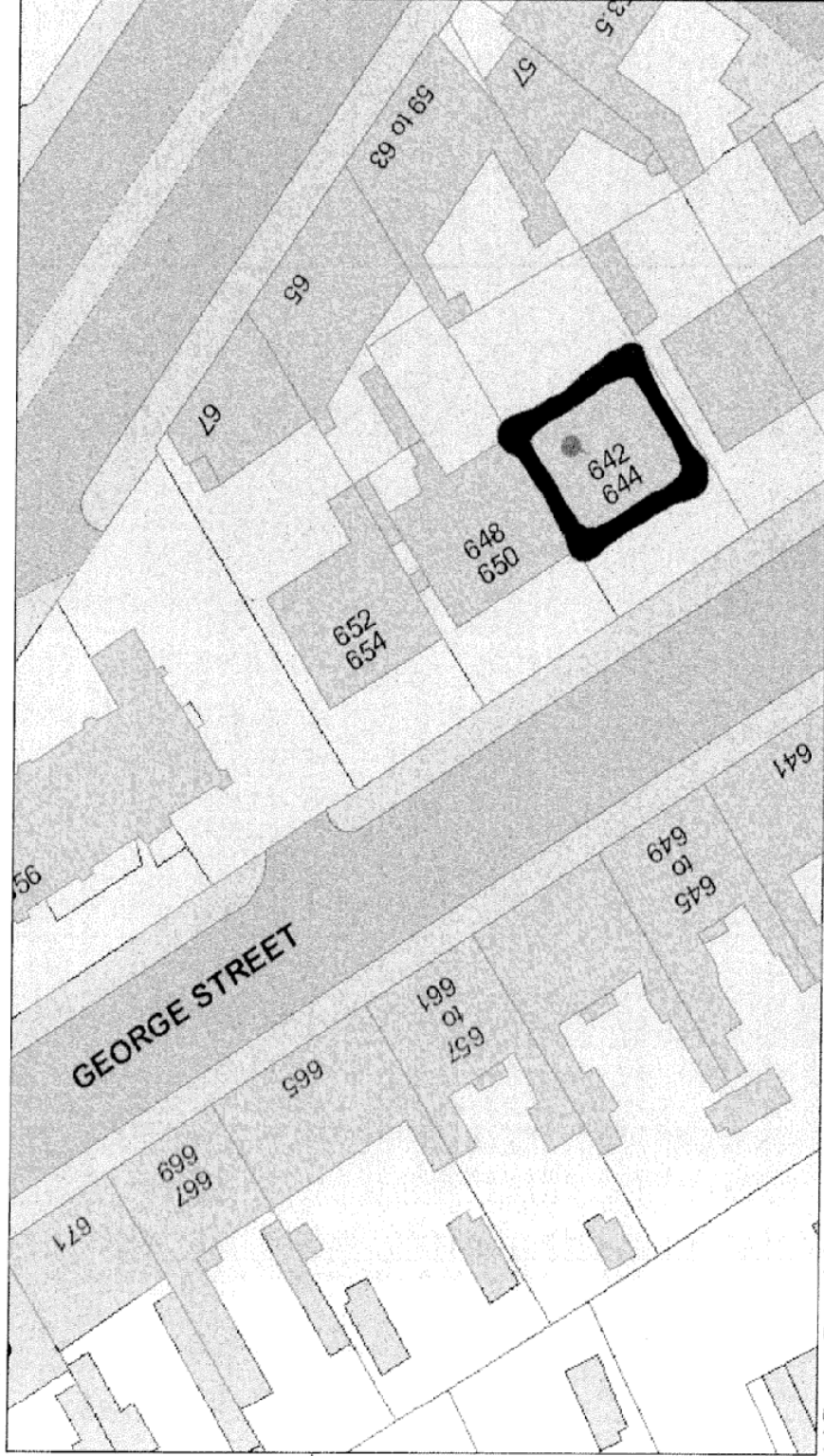
Other considerations:

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a 'fit & proper' person, and has made no comment or objection.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the premises as an HMO, and has made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour.
- The applicant and property are currently registered with the Landlord Registration database.
- The applicant has requested an occupancy of 5 persons which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is the first such application concerning 644 George Street, recorded by the HMO Unit.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain

Private Sector Housing Manager



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Mr Alexander McRobbie,

Housing & Environment Dept.,
Aberdeen City Council,
4th Floor, St.Nicholas House,
Broad Street,
Aberdeen, AB10 1BX.

Aberdeen City Council
Housing & Environment
DATE RECEIVED
3 1 AUG 2012
Private Sector Housing Unit

30th August 2012

Dear Sir,

Objection to HMO License Application: 644 George Street, Aberdeen

I understand that you are in receipt of an HMO license application for 644 George Street on behalf of Mrs. E Wilkinson from Oldmeldrum. I have been the owner of [REDACTED] George Street for 15 years, and I wish to register my objections to this application.

This top section of George Street already has a number of HMO Licenses in place. A number of other properties are effectively being run as if they are HMO Licensed, and many that were previously owner occupied are now 'buy to lets'. I would argue that we are now reaching the tipping point where the existing residents will notice further changes in the character and amenity of their neighbourhood, with many very transient tenants and properties being only maintained to an absolute minimal standard. This may also lead to a number of other unfortunate consequences such as the poor upkeep of gardens, noise & parties from less respectful tenants, wheelie bins being left in the streets for weeks, a strain on the already limited parking available etc.

All of these concerns could be alleviated by conscientious Landlords ensuring that their Tenants comply with some very basic rules re noise, rubbish, gardens and maintenance. The Landlords need to take an interest in the behaviour of their Tenants. Unfortunately most are primarily interested in maximizing their return, and as such, have no concern for the existing owner-occupiers. They would still be able to rent out their properties without an HMO, but may possibly not make as good a return. I am also concerned that some of the buy to let Landlords now appear to be getting together and 'comparing notes'.

The applicant in this case already owns at least one other property on George Street. Having had direct experience of their relative inexperience and indifference as professional landlords, I'm afraid I would have doubts as to their ability to avoid some of the less neighbourhood friendly potential pitfalls already detailed. Their selection of tenants and the property & garden maintenance have caused concern in the recent past.

In conclusion, I would appeal to the Committee to reject this application as it will unfortunately lead to a deterioration of property and amenity values in this traditional part of Aberdeen's housing stock. This to further the profits of investors who seem to have scant regard for their property and the owner/residents in this area.

Yours Faithfully,

[REDACTED]

Mr A.G. McRobbie

neighbours and ensure that our tenants give equal consideration as we expect neighbours to work with us. (Treat others as you would like to be treated yourself).

Mr Alexander Mc Robbie does not have the knowledge to comment as to my (he states their) experience or otherwise. My Husband Martin and I are registered members of SAL – (Scottish Association of Landlords) and attend their Aberdeen Branch meetings regularly in order to ensure that we learn information and follow the correct procedures – using their pro-forma sheets from the web . We also attend some of the LAS accredited courses run in conjunction with Aberdeen Council. As landlords , we sometimes don't get things right , but we are continually learning and working with others to develop our knowledge and skills to ensure that we provide a safe legally compliant good standard of accommodation and to always act in good faith . We recently had a HMO licence renewed at one of our properties and an inspection by the fire authorities confirmed that the standard was high.


We hope that you will consider our application worthy of being granted and thank you for your assistance .

Yours sincerely



Mrs E.J.Wilkinson

Liz Wilkinson (Landlord)

SAL(Scottish Association of Landlord Membership 



Mr. Ally Thain
Private Sector Housing Manager
Aberdeen City Council
15/9/2012

Subject: [REDACTED]

Dear,

I would like to certify that I came to Aberdeen as student at University of Aberdeen.

My colleague found for me the flat [REDACTED] stayed in this address from 1st of April 2011 until 15 of December 2011. During this period Mrs. Liz and her husband were helpful and indeed very kind landlords.

The apartment was furnished on a high standard. More than that, Mrs. Liz do not hesitate in bring anything to the flat whenever she feel that it is necessary without asking her to do so. If any lights or curtain damaged she will call her husband to fix it. She seeks to keep and maintain the property to a good decorative standard.

They came to visit me and my children and asked us if we need anything. She was and still like my sister, trying to help me in finding suitable activity for my son Ali as he a disabled person.

In addition to all that, Liz when she decide to travel abroad the Aberdeen city she used to send us an e-mail notifying us that she will be out the city, and give us the name and e-mail of the person who could call him if any emergency happened.

I left the flat because it was too small for my family, I live with three of my children in addition to the housekeeper, and my husband tends to visit us nearly every two months.

Mr Peerawit Suttitumrongswad (Peet)

Monday 17th September 2012

Dear Mr A.Thain.

Ref: Landlord Reference for Mr M & Mrs E.J.Wilkinson

I am currently studying my masters degree in Law at University of Aberdeen and have rented the above property from Martin & Liz from July 2010 to date.

My home country is Thailand and this was my first time to Scotland.

I have found Liz & Martin to be very helpful. When I first arrived they explained about the legal procedures regarding renting of properties and gave copies of all the documents required.

If I have had a problem I have found that they will respond within a very quick time frame.

They are very professional and respectful of myself, my friends and the neighbours, although there is a neighbour that is not very friendly or co-operative to them or myself.

Yours sincerely

Mr Peerawit Suttitumrongswad