

#### Shelter & Environment

#### **Housing & Environment**



Second Floor West, Marischal College

То	Eric Anderson, Senior Solicitor, Corporate Governance					
From	Ally Thain, Private Sector Housing Manager, Housing & Environment					
Email	allyt@aberdeencity.gov.uk	Date	17 January 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.88 Bon Accord Street, Aberdeen

Applicant/s: Elizabeth Argo

**Agent: Grampian Accommodation Agency** 

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 29 January 2013 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 top-floor flat with accommodation comprising 3 letting bedrooms, one public room, one kitchen and one bathroom. The location of the premises is shown on the plan attached as Appendix 'A'

#### The HMO licence application:

The HMO licence application is dated 8 November 2012 and was received by the HMO unit on 16 November 2012.

#### **Work/Certification Requirements:**

An initial inspection of the property has been scheduled for 21 January 2013, however given that the premises was previously HMO-licensed, there should be no reason why the premises is no longer suitable for occupation as an HMO, subject to any necessary upgrading works being carried out first.

#### Letter of Representation/Objection:

One letter of representation/objection was received by the HMO Unit on 13 November 2012, within the statutory 21-day time period, and is therefore competent. The letter is attached as Appendix 'B'.

#### **Applicant's response:**

The applicant's agent 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 premises are not currently registered with the Landlord Registration database, therefore it will be necessary for the applicant to register.
- The applicant has requested an occupancy of 3 persons which is likely to be acceptable to the HMO Unit, given that the premises includes 3 letting bedrooms.
- The applicant held an HMO licence for the premises between 2006 2009.

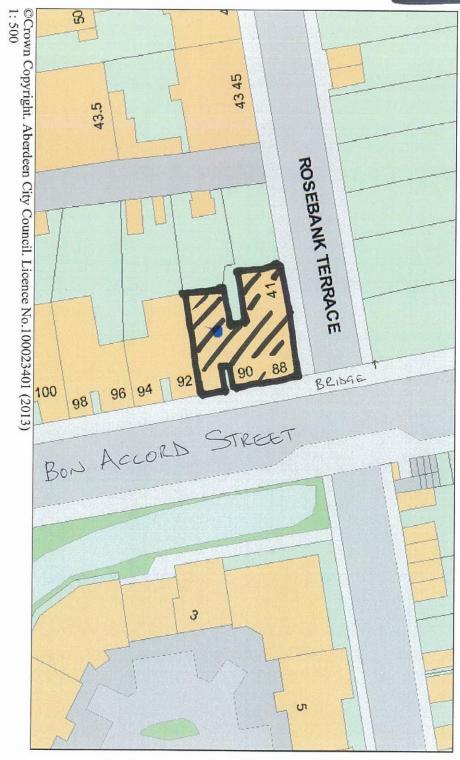
I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

#### **Ally Thain**

Private Sector Housing Manager

http://atlas2/LocalView/ServiceProxies/Print/Print.ashx?siteName=Housing1&TemplateId=01d8d383-58cb-4223-b58e-8a74f5b09673

## APPENDIX 'A'



HMO LICENCE APPLICATION
PREMISES: 88 BON ACCORD STREET

rucen City Council Affendix Housing & Environment DATE RECEIVED 1.3 NOV 2012 HMO. Unit Llousing & PRIVAGE SECTOR Housing Unit Aserdeen 10 TH Nov 2012

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problems Ben I submit that the location is totally inappropriate.
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Your sincerely,
W. D. ERSKINE

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### **GRAMPIAN ACCOMMODATION AGENCY**

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Aberdeen City Council
Business Hub 11
Second Floor West
Marischal College
Broad Street
Aberdeen - AB10 1AB
Attention: Mr Ally Thain



6 December, 2012

Dear Mr Ally Thain,

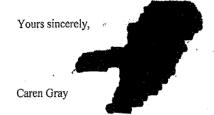
RE: 88 Bon Accord Street, TFL, Aberdeen Licensing Committee - Tuesday 29 January, 2013

Further to an objection received by Aberdeen City Council we wish to state Mrs E. Argo's defence in order for the pending HMO application to go ahead:-

- The property has in the past already received a successful HMO license where upon no discrepancies
  where found throughout the duration of the license. The license would be acting on the similar
  precedence as before and therefore no problems are envisaged throughout.
- 2. Information given on the display notice is as per ACC guidelines, therefore no breach has been made.
- 3. The notice was displayed correctly on the first and subsequent applications as per ACC guidelines.
- 4. The property is to be used for a maximum of three persons for a minimum of a six month period throughout the tenancy. The occupiers will either be in full time employment or education of which necessary reference and any guarantors will be obtained before tenancy.

We trust the above explains the full situation and perhaps alleviates any worries Mr William Erskine may have with connection to this HMO application. A representative will be attending the meeting on 29 January and should this prove not be necessary please advise our office accordingly,

Thanking you in advance for your co operation with this matter.



Aberdeen City Council
Housing & Environment
DATE RECEIVED

1 1 DEC 2012

Private Sector Housing Unit

Partners: P Taticek, M Taticek, 24-26 Marischal Street, Aberdeen