

MEMO

Shelter & Environment

Housing & Environment

4th Floor, St.Nicholas House



ABERDEEN
CITY COUNCIL

To	Brenda Flaherty, Legal Manager, Resources Management, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	16 December 2009
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982
(Licensing of Houses in Multiple Occupation) Order 2000
Application for the Grant of a Licence to Operate a House in Multiple
Occupation (HMO) at No.59 Victoria Street, Aberdeen
Applicant/s: Stephen Robertson
Agent: Margaret Duffus Leasing**

I refer to the above HMO Licence application, which was considered by the Licensing Committee at their meeting on 2 December 2009, for the reason that a letter of objection had been received by my HMO Unit. The applicant and the objector did not attend the meeting, nor were they represented, and the Committee resolved to defer consideration of the application until its next meeting on 13 January 2010.

I can advise you as follows:-

The premises:-

The premises to which this HMO Licence application relates is a top-floor maisonette flat contained within a three-flatted block, with accommodation comprising of three bedrooms, one public room, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

The HMO application:-

The HMO Licence application was received by the Council on 12 October 2009. The HMO Officer visited the premises on 3 November 2009, then he wrote to the agent on 9 November 2009, listing several requirements to bring the premises up to the current HMO standard. At the date of this memo, all requirements have not been met.

Letter of objection:

The HMO Unit received a letter of objection from M.R.Whiteley, 59 Victoria Street, Aberdeen (attached as appendix 'B'). The letter was received within the statutory 21-day period for consultation and is therefore a 'competent' objection.

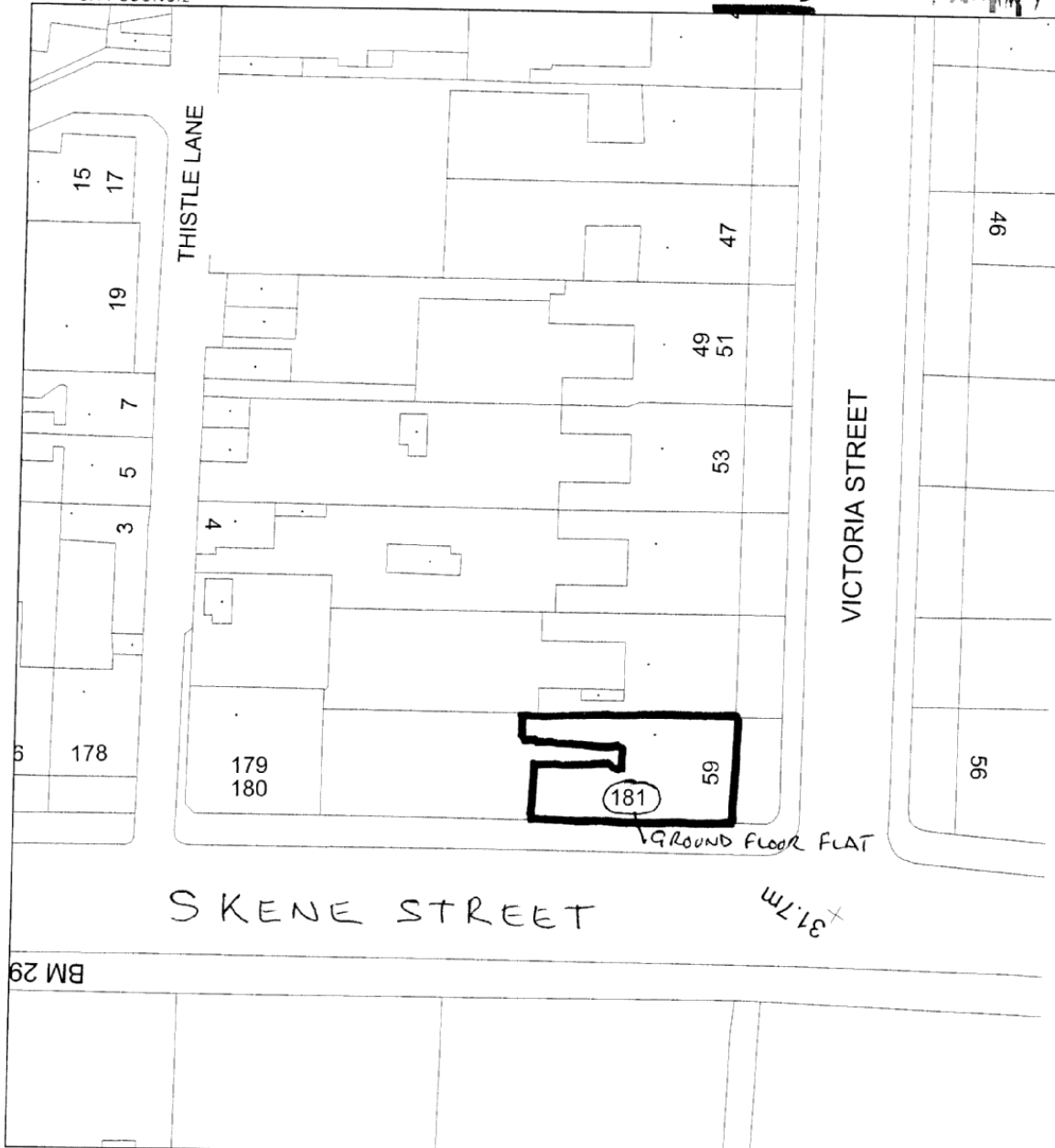
Other considerations:-

- 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 has no record of any complaint in respect of the top-floor flat at No.59 Victoria Street, Aberdeen.
- The applicant and his property are currently registered with the Landlord Registration scheme.
- The applicant has requested an occupancy of 3 tenants, which is acceptable to the HMO Unit.
- The applicant, who lives in Australia, held an HMO Licence between 29 September 2006 and 28 September 2009. As stated above, the pending HMO Licence application was received on 12 October 2009, therefore it cannot be dealt with as a renewal application. At the time of the HMO Officer's visit, the property was occupied and in use as an unlicensed HMO, and this was highlighted to the agent. The agent has since e-mailed, confirming that one tenant has moved out and there are currently two tenants living there, which brings the property below the HMO threshold.
- The objector lives directly below the HMO property.

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



Title: HMO LICENCE APPLICATION
PREMISES: 59 VICTORIA STREET, ABERDEEN
Scale: 1:500 **Date:** 21 October 2009 **Map Ref:** NJ9306SW