

MEMO

Private Sector Housing Unit
Operations & Protective Services
Lower Ground Floor West, Marischal College



ABERDEEN
CITY COUNCIL

To	Fraser Bell, Chief Officer – Governance		
From	Ally Thain, Private Sector Housing Manager, Operations & Protective Services		
Email	allyt@aberdeencity.gov.uk	Date	7 February 2019
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.503 King Street, Aberdeen

Applicant/s: Yul Thomson

Agent: Winchesters Lettings Limited

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 19 February 2019 for the reason that the HMO upgrading work has not been completed.

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 an upper-floor maisonette providing accommodation comprising 5 letting bedrooms, 3 public rooms, one kitchen & 2 bathrooms. The location of the premises is shown on the plan attached as Appendix 'A'.

The HMO application:-

The HMO licence application was received by the HMO Unit on 14 March 2018.

HMO upgrading works and certification:

The HMO Officer carried out an inspection of the property on 3 April 2018, then he wrote to the agent listing certain requirements to bring the property up to the current HMO standard. A later inspection identified additional requirements and at the date of this report, the following requirements are outstanding:-

1. Lightshades to be fitted to bare pendant lightbulbs throughout the property.
2. The B.T box must be securely re-fixed to the wall.
3. The chest of drawers in bedrooms 1 & 3 to be repaired as necessary.
4. The bath & wash-hand basin to be re-sealed.
5. The slip-bolt on the bathroom door to be adjusted for easy opening.
6. Reflective film to be applied to the rear bathroom door.
7. The window in the rear bathroom to be adjusted as necessary to ensure easy opening – for ventilation.
8. Prohibition Notices to be fixed beside every open fireplace in the property.
9. The mould growth beside the window in bedroom 2 to be eradicated and the affected area redecorated.
10. The Notice of HMO Application - Certificate of Compliance, Gas Safe certificate, Portable Appliance Test (PAT) certificate & a copy of the Tenancy Agreement to be submitted to the HMO Unit.

Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicant's suitability as a 'fit & proper' person and made no adverse comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO and made no comment or objection.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaint of anti-social behaviour in respect of No.503 King Street, Aberdeen.
- The applicant, agent, and No.503 King Street, Aberdeen, are currently registered with the Landlord Registration database.
- The applicant has requested an occupancy of 5 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is to renew a current HMO licence. The property was first HMO-licensed in September 2011.

- The meeting of the Licensing Committee on 19 February 2019, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the above-mentioned HMO requirements have not been completed by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 19 February 2019. I will advise the Committee whether or not all requirements have been completed.

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

