



PROPOSED PROCESS TO ISSUE OR VARY A LICENCE FOR A SHORTENED PERIOD

In determining an application for a licence for a property under the Housing Act 2004 the Council must decide whether to grant or refuse a licence. Where the Council is minded to grant a licence there is no prescribed duration period except insofar as the legislation sets a maximum licence period not exceeding five years.

In granting a licence the Council will ordinarily do so for the maximum five year period allowed by law. However, where there is evidence that a landlord (or other person in control) or a property manager give the Council *cause for concern*, the Council will consider granting a licence for a shortened period of one year only. The shorter licence period will mean that the landlord will need to submit a new licence application on expiry of the shorter-term licence after one year. The grant of the licence will enable the property to be legally rented, but also allow the landlord to remedy issues that gave rise to the reduced term licence or satisfy the Council as to future conduct. The circumstances that may give rise to such *cause for concern* will include, but are not limited to, the following:

- Applications containing material omissions and inaccuracies, deliberately misleading information, failing to notify relevant parties of an application, or failing to submit timely applications.
- Management deficiencies
- Failing to comply with obligations to tenants
- History of complaints
- Previous formal action
- Compliance issues with previous licences
- Failure to obtain consents or approvals (such as for planning or building regulation purposes)
- Failure to pay relevant charges, fines or penalties to the Council (including Council Tax)
- Objections by mortgagees

In cases where the above circumstances come to light after a licence has been granted then the licence may be varied to reduce the licence period.

Any decision to issue a licence for a shortened licence period will be made taking account of the generality and wider context of the Council's [enforcement policy](#) and will not preclude, or be dependent upon, any other action under this policy.

Below are some examples where a licence for a one year period only is extremely likely:

- Deliberately false or misleading information provided in a licence application
- Where the licence is a renewal and the works required on a previous licence have not been carried out
- Failing to notify relevant parties of an application
- Failure to submit timely applications
- Underlying conduct leading to convictions/CPNs in respect of more than one property
- Alterations to properties or subdivision of rooms without appropriate consents or approvals
- Failure to remedy items listed within an Electrical Installation Condition Report as being 'danger present' or 'potentially dangerous'
- Failure to remedy defects listed within a gas safety certificate
- Significant or numerous items of disrepair found at the time of inspection
- Significant fire safety hazard at the time of inspection
- Failure to protect a tenant's deposit