



MANCHESTER
CITY COUNCIL

Manchester City Council Private Rented Sector Licensing Policy

Contents

1. Introduction
2. The Mandatory Licensing of Houses in Multiple Occupation (HMOs)
3. Selective and Additional Licensing
4. Exemptions to Licensing Requirements
5. The Licensing Process
6. Licence Fees and Charges
7. Refund of Licence Fees
8. Duration of Licences
9. Variation of A Licence
10. Assessing Suitability for Occupation
11. Assessment of Most Appropriate Person to Hold the Licence
12. Fit and Proper Person Assessment and Satisfactory Management Arrangements
13. Licence Conditions
14. Temporary Exemption from Licensing
15. Houses in Multiple Occupation (HMO) Declarations
16. Rent Repayment Orders (RROs)
17. Refusal to Grant a Licence
18. Representations and Provisions for Appeal
19. Enforcement of Licensing
20. Planning Permission and Other Statutory Requirements
21. Non-Licensable HMOs

1 Introduction

The Housing Act 2004 (the 'Act') has given Local Authorities powers to licence the provision of certain types of housing in the private rented sector. This policy sets out the approach that Manchester City Council (the 'Council') will take in implementing the Licensing Provisions within the Act. This document outlines the Council's policy and intentions, but is not a detailed statement of law, and interested parties should seek to familiarise themselves with the legislative provisions of the Act and where necessary obtain legal advice on their implications.

Under powers introduced by the Housing Act 2004 (as amended by the Housing and Planning Act 2016), the Council is under a duty to licence (subject to a number of specific exceptions) all Houses in Multiple Occupation (HMOs) occupied by 5 or more persons consisting of 2 or more households – this is known as Mandatory HMO Licensing. The Council may use discretionary powers to designate areas for Selective Licensing and Additional HMO Licensing.

The Council recognises the valuable role that the private rented sector plays in offering choice and flexibility to Manchester residents. However, the Council needs to ensure that this significant part of the housing market offers safe and well-managed accommodation which matches the city's future aspirations and meets its current needs. Property within the private rented sector can provide affordable housing options for some of the most vulnerable and disadvantaged groups in society including benefit claimants or those on low incomes, students and asylum seekers. The Council will ensure that this type of accommodation is regulated to protect the health, safety and welfare of tenants, but also to safeguard local communities from the impact of antisocial behaviour which may result from inadequate management.

Contact details:

**Housing Compliance and Enforcement Team,
Manchester City Council, The Neighbourhoods Service
P.O. BOX 532, Town Hall, Manchester, M60 2LA
Tel: 0161 234 5500
Email: citywide.hst@manchester.gov.uk**

Please note that it is a serious offence not to hold a licence if you are required to do so. Failing to licence a licensable private rented property could result in a financial penalty of up to £30,000 or an unlimited fine if you are prosecuted. You may also be required to pay back rent you received in the period for which you were not licensed. In extreme cases you could be served with a Banning Order and/or the Council could obtain a Management Order against the premises.

2 The Mandatory Licensing of Houses in Multiple Occupation (HMOs)

The aim of HMO licensing is to ensure that the highest risk properties in the private rental market are identified, meet legal standards and are properly managed. HMOs which are occupied by five or more persons, who comprise of two or more households, are subject to this licensing regime (other than those that are exempt from licensing).

The Act places the following general duties on all local housing authorities with respect to HMOs falling within the mandatory licensable description:-

To effectively implement a licensing regime.

A licensing process has been developed based on an online licence application form. Applications can be made for new HMOs, renewals, variations and temporary exemptions.

To determine licence applications within a reasonable time.

The length of the application process will vary depending on a number of factors, such as the individual property circumstances or the total number of applications that the local housing authority has received. Provided that a landlord has submitted a valid application, the HMO can continue to operate legally until the Council reaches its decision and any appeals against that decision are complete.

The Council aims to determine all valid licence applications within a period of 60 days. This is the time between the date that the application is deemed as being valid and the date that the decision is made whether to grant or to refuse to grant a licence.

Tacit Consent will not apply due to public safety. It is in the public interest that the Council must process the application before it can be granted. Each application will be treated on a case by case basis and can take longer to process if information is missing or an inspection is required prior to granting of the licence.

To be regarded as valid, an application must consist of the following minimum elements:

- A duly completed on-line application.
- A reasonably accurate plan of the property indicating room dimensions and the position of standard amenities, plus the location of any smoke/heat detectors and fire doors;
- A satisfactory gas safety certificate (if the property has a gas supply) issued in the last 12 months;
- A satisfactory fire alarm test certificate (tested in accordance with BS 5839 or similar) issued in the last 12 months;
- A satisfactory periodic inspection report of the electrical installation issued in the last 5 years ;

- The appropriate application fee submitted to the Council

Time scales may also vary dependent upon the findings from the Council's full inspection of the property.

To take all reasonable steps to secure that applications for licences are made

in respect of HMOs which are required to be licensed but are not. The Council will continue to actively seek compliance with mandatory licensing requirements through both communication and engagement with tenants, landlords, managing agents and organisations representing them; and proactive investigations and enforcement action where appropriate.

3 Selective and Additional Licensing

Selective Licensing

The aim of Selective licensing is to ensure private rented properties in a specific area meet certain standards, are managed well, and are safe for people to live in. This in turn contributes positively to improving neighbourhoods. A Local Authority may introduce selective licensing in designated areas of low demand, and/or where there are problems with antisocial behaviour and/or houses that are in a poor condition. Before introducing Selective Licensing a Local Authority must take reasonable steps to consult persons who are likely to be affected by the designation. Any private rented properties which then come under a designation (and are not exempt) are subject to Selective Licensing.

The Act places the following general duties on all local housing authorities with respect to Selective Licensing:-

To effectively implement a licensing regime

A selective licensing process has been developed based on an online licence application form.

To determine licence applications

and other issues falling to be determined by them under this Part within a reasonable time. The length of the application process will vary depending on a number of factors, such as the individual property circumstances or the total number of applications that the local housing authority has received. Provided that a landlord has submitted a **valid** application, the property can continue to operate legally until the Council reaches its decision and any appeals against that decision are complete.

The Council aims to determine all **valid** licence applications within a period of 60 days. This is the time between the date that the application is deemed as

being valid and the date that the decision is made whether to grant or to refuse to grant a licence.

To be regarded as valid, a selective licence application must consist of the following minimum elements:

- A duly completed on-line application.
- A satisfactory gas safety certificate (if the property has a gas supply) issued in the last 12 months;
- The appropriate application fee submitted to the Council

Additional Licensing

The aim of additional licensing is to ensure private rented non mandatory licensable HMO's in a specific area meet certain standards, are managed well, and are safe for people to live in.

The conditions to meet in order to implement Additional Licensing are similar to Selective Licensing, but the properties must be HMOs. The authority must consider that a significant proportion of the HMOs of that description in the area are being managed ineffectively.

4. Exemptions to Licensing Requirements

There are a number of exemptions to licensing requirements which are set out in legislation. The exemptions differ between the different types of licensing schemes. The exemptions to Mandatory HMO Licensing are set out in Schedule 14 of the Housing Act 2004 and those for Selective Licensing are set out in The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006.

Exemptions to licensing should not be confused with Temporary Exemptions, which is where licensing does apply but the requirement may be waived for a short period (see Section 16 of this document).

Categories of exemptions are listed below for each scheme, however this is not a definitive list and you should refer to the legislation itself for details of the specific requirements for each category which are often complex.

If you are in any doubt as to whether an exemption applies you are strongly recommended to contact the Council for clarification and/or take your own legal advice.

Mandatory HMO Licensing:

- Buildings controlled or managed by public sector bodies
- Buildings controlled or managed by a co-operative society
- Buildings regulated otherwise than under this Act
- Buildings occupied by students where the person managing/in control is specified in national regulations
- Buildings occupied by religious communities
- Buildings occupied by owners and their households

- Buildings occupied by two persons who form two households

Selective Licensing:

- A tenancy or licence of a house or dwelling that is subject to a prohibition order
- Specified types of tenancies e.g. business tenancies, holiday lets, licensed premises, tenancies of agricultural land or agricultural holdings
- A tenancy or licence of a house or a dwelling that is managed or controlled by a local housing authority; the police; a fire and rescue authority, or a national health service body
- Poorly converted HMOs which are regulated otherwise
- A tenancy or licence of a house or a dwelling granted by a person to a person who is a specified family member

5. The Licensing Process

Having considered the information provided by the applicant on the application form and any accompanying documentation, and following a satisfactory property inspection (where necessary) the Council must grant a licence if it is satisfied that:

- The proposed licence holder is a fit and proper person;
- The proposed licence holder is the most appropriate person to hold the licence;
- The proposed manager, if applicable, is a fit and proper person;
- The proposed management arrangements are satisfactory; that any person involved in the management of the house is competent and that the financial structures for the proper management of the property are appropriate.
- The property is reasonably suitable for occupation by the number of persons requested, having regard to the number and suitability of facilities available or that it can be made thus suitable by the imposition of licensing conditions (NB. Only applicable to HMOs)

It is a legal requirement for local authorities to provide a register of all specific details relating to licensable HMOs and any properties licensed under Selective or Additional Licensing. Anyone can request to view a public register by visiting Manchester City Council's website (www.manchester.gov.uk). The public register will contain information as required by Section 11 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006.

Information must be full and accurate at the time of application, failing which an application may be delayed, rejected or issued for a lesser period

6. Licence Fees

Sections 63(3) and 87(3) of the Act enable local authorities to charge a fee to cover the costs incurred in carrying out all duties involved in the administration of the licensing process.

The licensing fee is split into two parts, the application fee and the grant fee. Current [HMO Licence Fees](#) and [Selective Licence Fees](#) are on the Manchester City Council website.

The licence fees will be reviewed on an annual basis or sooner where any significant factors are identified which would justify an earlier review.

7. Refund of Licence Fees

The Council will consider issuing a refund in full for any fee that has been paid in respect of a licence application where it is found that

- the property was not licensable at the time of application, for example it does not fall within a selective licensing designation or is not private rented
- where the property is exempt from licensing (see The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 No.370 or Schedule 14 of the Act)

The Council will consider a partial refund where an application is made for a property which was licensable at the date of application but the circumstances have since changed prior to granting of the licence, for example

- Property no longer rented
- Property has been sold
- Owner has moved back into the property
- The property is no longer licensable

Any refund will be appropriately apportioned to reflect the work carried out in processing and administering the application up to a certain stage. There will be no entitlement to a refund after the licence has been granted or where a notice of intention to grant has been issued and this has been served. There will also be no entitlement to a refund where the application has been determined and a notice to refuse to grant a licence has been issued

8 Duration of Licences

Section 91 (4) of the Act allows for a Selective licence to be granted for a maximum of five years. Selective licences will usually be issued for the remaining period of the designation where there are no concerns regarding the management of the property.

Section 68(4) of the Act allows for a Mandatory HMO licence to be granted for a maximum of five years. Licences will be granted for this period where landlords have been found to be compliant with previous licensing conditions,

maintained good property standards and demonstrated good management standards.

To reflect the complex nature of Bed and Breakfast (B&B) type properties, and due to the high turnover and the way in which B&B properties are occupied, licences will be granted for a maximum of 3 years to ensure that adequate measures are in place to manage these properties. Where there has been intervention or a history of non-compliance a licence may be issued for a lesser period of 1 year.

If the Council has evidence to suggest that management arrangements or property conditions are not entirely satisfactory, or where the Council has taken intervention against the landlord which does not warrant refusal to grant a licence, or where concerns are raised by the Police or other statutory enforcement agency, or where the application has come about only as a result of the Council's intervention, licences may be granted for a lesser period.

In certain circumstances the licence period will be reduced accordingly to reflect the time period from when the licence should have been applied for to when it was actually applied for. This is to ensure equity with those landlords who have applied in good time.

In cases where incomplete applications are received and the applicant has failed to promptly provide the information required, the application is deemed invalid. In these circumstances, the Council may consider it appropriate that the licence period should be reduced accordingly to reflect the delay. In cases where a licence has already been issued and new evidence comes to light which reveals concerns regarding the property condition or management the Council may consider varying the licence to reduce the length of the licence.

9 Variation of A Licence

A licence may be varied either by agreement with the licence holder or by the local authority if there has been a material change in circumstances since the date of grant of licence. (Sections 69 and 92 of the Act).

A variation request can be made by the licence holder and there is no fee payable for this.

Licences are not transferable. A change of licence holder requires a new licence application to be made. A change of managing agent, where they are not the licence holder, could be amended through a variation.

Where a variation is a consequence of a material change being made to the property by the licence holder (if, for example, the property has been altered or extended so that the maximum permitted occupation has increased) the Council may need to re-inspect.

Licence holders must first obtain the outcome of a variation application before increasing occupancy levels. Failure to do so will result in a breach of the licence and be subject to prosecution or civil penalty.

10 Assessing Suitability for Occupation

In respect of Mandatory Licensable HMOs, under Section 65 of the Act, the Council must be satisfied that the property is reasonably suitable for occupation by a specified maximum number of persons or households.

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (as amended) must be taken into consideration.

These regulations require that the following matters must be taken into account when assessing suitability for occupation:-

- The provision of an adequate means of space heating in each unit of living accommodation;
- The provision of adequate and sufficient toilet facilities, plus facilities for personal washing and bathing;
- The provision of adequate and sufficient kitchen facilities;
- The provision of appropriate fire precautions and fire safety equipment.

In addition the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 specify minimum requirements for sleeping accommodation.

Manchester City Council has set its own minimum standards for all HMO's: ["Manchester Houses in Multiple Occupation Guidance and Amenity Standard"](#)

Where a premises does not comply with the prescribed standards at the outset, then compliance will be achieved either through the setting of specific licence conditions requiring work to be carried out within a specified period of time or through limiting occupation levels.

11 Assessment of most appropriate person to hold the licence

Upon receipt of an effective licence application the Council is obliged to either grant or refuse the licence to the applicant; or issue a licence to some other person if both he and the applicant agree.

The Council must be satisfied that the proposed licence holder is the most appropriate person to be the licence holder and must either be the person having control of the house or an agent or employee of the person having control of the house.

Section 263 of the Act describes what is meant by 'in control' and 'managing'. Consideration will be given to

- whether the applicant is an owner or lessee of the premises
- who receives the rent for the premises
- who is responsible for carrying out repairs
- the proposed management arrangements for the property

12 Fit and Proper Person Assessment and Satisfactory Management Arrangements

The Council must be satisfied that the proposed licence holder, and any persons managing a licensed property (if different) is a fit and proper person. This assessment may also extend to persons associated to the proposed licence holder and manager where relevant.

In deciding whether a person is fit and proper the following (among other things) will be taken into account:

- committed any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (c.42)(offences attracting notification requirements)
- practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business
- acted otherwise than in accordance with any applicable code of practice approved under section 233 (Mandatory HMO Licensing only)
- contravened any provision of the law relating to housing or landlord and tenant law including Part 3 of the Immigration Act 2014
- if a banning order under section 16 of the Housing and Planning Act 2016 is in force against the person
- if the person requires leave to remain in the United Kingdom but does not have it; or is insolvent or an undischarged bankrupt

Licence applicants are required to answer questions as part of the application form confirming they have procedures and arrangements in place to ensure their property is well managed. These include;

- Arrangements for essential repair work and routine maintenance, including financial arrangements to cover such works;
- Dealing with complaints from their tenants about disrepair issues;
- Dealing with anti-social behaviour;
- Dealing with the disposal and management of waste
- Information about tenancy deposit schemes.

In all cases, the proposed licence holder must have a permanent address within the United Kingdom before they can be regarded as being suitable to hold a licence.

In determining whether the proposed management arrangements for the house are otherwise satisfactory, the Council must have regard (among other things) to:

- whether any person proposed to be involved in the management of the house has a sufficient level of competence to be so involved
- whether any person proposed to be involved in the management of the house (other than the manager) is a fit and proper person to be so involved
- whether any proposed management structures and funding arrangements are suitable

Where further checks are required in order to assess a 'fit and proper' status an officer will contact the applicant by telephone or by writing, or may invite applicants to attend Council offices with a view to establishing the exact circumstances of the matter.

Wherever possible, applicants who are assessed as not being fit and proper will be encouraged to propose an alternative person or company to act as the licence holder.

Where the accommodation is occupied by persons of a particularly vulnerable group, then the applicant may be required to support their declaration by obtaining a Disclosure and Barring Service (DBS) Basic Checks. Existing Basic Checks or higher-level DBS certificates will be acceptable provided they are dated not more than 12 months prior to the application.

The licence may be revoked where the Council no longer considers that the licence holder is a fit and proper person to be the licence holder and where the Council no longer considers that the management of the house is being carried on by persons who are not in each case fit and proper persons to be involved in its management.

This requirement is to ensure that those responsible for operating the licence and managing the property are of sufficient competency and good character to be involved in the management of the particular residential property and as such they do not pose a risk to the welfare or safety of persons occupying the property.

The Council may apply discretion where appropriate. Multiple offences or a series of offences over a period of time are likely to give cause for concern and may demonstrate a pattern of inappropriate behaviour which should be taken into account. A particularly serious view may be taken where the victim of any offence is vulnerable.

Each case will be considered on its own merits.

The Council will adopt a common sense approach, exercising its discretion reasonably and proportionately, taking into account relevant considerations and disregarding irrelevant considerations.

13 Licence Conditions

All licences granted are subject to conditions with which the licence holder must either comply with immediately or within a specified period of time.

Breach of any licence condition could result in enforcement action including a financial penalty of up to £30,000 or the court can impose an unlimited fine on prosecution. Furthermore a significant or persistent breach of a licence condition may be grounds for revocation of the licence and/or the issue of a shorter licence.

The conditions detailed in Schedule 4 of the Act are mandatory and must be included in every licence granted. In addition the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 No. 616 set out further mandatory conditions in respect of HMO licences. Taking into account any mandatory conditions, the Council has produced a set of Standard Conditions for both HMO and Selective licensed premises relevant to Manchester which are attached to every licence.

[Manchester's Houses in Multiple Occupation Licence Conditions](#) and [Manchester's Selective Licensing Conditions](#) are on the Council's website.

The Council may also impose other specific licensing conditions that are considered necessary for regulating the management, use and occupation of the premises concerned, including its condition and contents.

14 Temporary Exemption from Licensing

If a landlord or a person in control of a licensable property intends to stop operating as a licensable property and can give clear evidence of this then he or she can apply for a Temporary Exemption Notice (TEN).

Where it is intended that a property will cease to be privately rented the landlord must be able to provide evidence that any existing tenants have made suitable alternative housing arrangements and that they will have moved out within 3 months from the date of application for the TEN.

In exceptional circumstances consideration may be given to issuing a further TEN for another 3 months, however no more than two consecutive TENs may be granted.

Upon expiry of a TEN, the property must either be licensed, or no longer be licensable.

15 Houses in Multiple Occupation (HMO) Declarations

Where a building, or part of a building, is partly occupied by persons as their only or main residence, but is also partly occupied otherwise than as a residence e.g. a Bed & Breakfast (B&B) establishment providing accommodation for both homeless people or asylum seekers and for holidaymakers, the Council may declare the building a HMO if it is satisfied that the occupation by persons as their only or main residence is a significant use of the building, or part of the building.

16 Rent Repayment Orders

The Council can apply to the Residential Property Tribunal (RPT) to reclaim any housing benefit or the housing element of Universal Credit (up to a maximum of 12 months) that has been paid during the time that a licensable property was operating without a licence. This is known as a Rent Repayment Order (RRO). The Council will exercise this right in the majority of cases.

Any tenant living in a property that should have been licensed, but was not, can also apply to the RPT for an RRO to claim back any rent they have paid during the unlicensed period (up to a maximum of 12 months).

Tenants will be advised that they may pursue a RRO themselves as they consider appropriate.

RRO's can be applied for where other housing and tenant law offences have been committed (e.g. breach of an Improvement Notice).

17 Refusal to Grant a Licence

Where a licence application is refused the Council may be required to take on the management of the property by making an Interim Management Order (IMO). A full options appraisal will be carried out before any decision to refuse to grant a licence is made and the making of a Management Order (MO) should be regarded as a last resort.

18 Representations and Provisions for Appeal

Representations

Before the Council can grant a licence, it must consider any representations made in accordance with the Notice of Intention to Grant a Licence. A representation is a formal statement made to an official body by a person expressing a point of view about some aspect of the Licence.

A representation to the Council should be made in writing to The Neighbourhoods Service (see contact details at the beginning of this document). However, in exceptional circumstances, the Council will accept an oral representation. Representations should be submitted before the date marking the end of the consultation period, which is stated on the notice.

If a person connected to the property, makes a representation the Council will consider the issues raised and make a decision as to whether any action needs to be taken. This action could include modifying some aspect of the Licence, e.g. the conditions attached or carrying out further investigations. The Council will always contact the applicant and all relevant persons to notify them of the decision made. If you disagree with the Council's decision, you have the right to appeal against the decision with the RPT

Appeals

Appeals can be made if the Local Authority decides to:

- Grant a licence with conditions;
- Refuse a licence;
- Vary a licence;
- Refuse to vary a licence.
- Revoke a licence;
- Refuse a TEN

Appeals should be made to the RPT, normally within 28 days.

19 Enforcement of Licensing

Failure to Apply for a Licence

Under sections 72 and 95 of the Act it is an offence for a person having control of or managing a licensable property to do so without a licence. In line with the Corporate Enforcement Policy the person responsible will be given adequate opportunity to apply for a licence before legal proceedings are instigated.

In cases where it is found that there has been gross neglect of proper management standards which has resulted in the health and safety of the occupants being put at serious risk, consideration may be given to enforcement action for failure to obtain a licence forthwith without having given any prior opportunities to apply.

Where it is found an offence has been committed the receipt of an appropriate application will not prevent enforcement action being taken.

Permitting Excess Occupation

Under Section 72(2) of the Act, it is an offence for a person having control of or managing a licensed HMO to knowingly permit it to be occupied by any additional person or persons so as to exceed the maximum number of occupants or households authorised by the licence.

Breach of Licence Conditions

Under Section 72 (3) and 95 (2) of the Act, it is an offence if the licence holder or a person on whom restrictions or obligations are imposed under the terms of a licence fails without reasonable excuse to comply with any condition of the licence. A serious breach or repeated breach of licence

conditions may also be grounds to revoke the licence. Legal proceedings will be considered in all cases where a licence is revoked on these grounds.

Enforcement Action

Enforcement action for any of the above offences could result in a financial penalty (Civil Penalty) of up to £30,000 or upon prosecution the court can impose an unlimited fine. A Landlord may also be required to pay back any rent received in the period for which a property was not licensed.

Following a successful prosecution or two Civil Penalties, a Banning Order can be issued – preventing the letting of any properties for a minimum of 12 months. The Local Authority may also apply for Management Orders for the premises – taking full control of the premises for up to 5 years.

20 Planning Permission and Other Statutory Requirements

Compliance with the provisions of the licencing does not confer exemption from the need to obtain any planning permission necessary for operation of an HMO or from action by the Council under other legislation.

The Council may serve a range of notices in respect of private rented properties. These include notices requiring the execution of works to remove safety hazards, notices requiring steps to be taken to reduce the level of occupancy and notices to remedy neglect of management. The Council also has powers to take over poorly managed properties.

These powers operate independently of any licensing scheme.

You are advised to establish lawful use of your premises under planning legislation. It is also advisable to contact the Council's Planning and Building Control departments for advice.

Planning

PO Box 532, Manchester, M60 2LA

planning@manchester.gov.uk

0161 234 4516

Fax: 0161 234 4508

Building Control

Building Control, PO Box 532, Manchester, M60 2LA

building.control@manchester.gov.uk

0161 234 4490

Fax: 0161 274 0031

21. Non-Licensable private rented properties

There are many private rented properties throughout the city which do not fall within any licensing requirements at the present time; for instance non

HMO private rented properties or HMOs having less than five occupants and not falling within a selective licensing designation. In these cases it is considered important that appropriate standards of amenity provision, fire precautions and room size should be achieved wherever possible.

Part 1 of the Act brings in a method of assessing housing conditions known as the Housing Health and Safety Rating System (HHSRS) plus associated enforcement powers to deal with any hazards identified. For further details about the HHSRS (See Section 3 of HMO Guidance and Amenity Standards document). Furthermore, part 4 of the Act contains provisions for dealing with overcrowding in HMOs.

By application of these powers similar overall standards may be achieved as those required for licensable properties. Landlords and managers of non-licensable properties should must consider the advice given in this document together with HMO Guidance and Amenity Standards document in order to lessen the possibility of any enforcement action being taken under these other provisions of the Act.

Non-licensable HMO's must also comply with The Management of Houses in Multiple Occupation (England) Regulations 2006 which sets out duties of managers and occupiers for all HMO's (other than certain blocks of flats described in section 257 of the Housing Act 2004 ("the Act")).

All relevant supporting documents for [HMO Licensing](#) and/or [Selective Licensing](#) can be downloaded from Manchester City Councils website