

# Mansfield District Council

## SELECTIVE LICENCE CONDITIONS 2025

The licence holder (or their nominated agent where specified) must adhere to the following licence conditions in Schedule I and II. These conditions will be monitored by the Council and inspections will be carried out to ensure these are being complied with during the period of the licence.

Failure to adhere to one or more of these licence conditions could result in formal proceedings against you, with an unlimited fine, a civil penalty and/or the loss of your licence. The Council may also consider whether it is appropriate to make a Management Order to take over management of the premises.

Compliance inspections will be carried out to ensure the premises are safe, free from disrepair and well maintained by using the Housing Health and Safety Rating System. Any issues found will be dealt with via the enforcement means available under the Housing Act 2004 (as amended) and other relevant legislation.

### SCHEDULE I - Statutory conditions in Schedule 4 Housing Act 2004

#### 1. Gas Safety

If gas is supplied to the licensed premises the licence holder must produce annually to Mansfield District Council (the Council) for their inspection, a gas safety certificate obtained in respect of the house named on the licence within the last 12 months. The licence holder shall provide a copy to all tenants/occupiers at the beginning of their tenancy, and keep a written record that it has been provided

Details of “Gas Safe” engineers can be found here: <http://www.gassaferegister.co.uk/>

#### 2. Safety of Electrical Appliances

- a) The licence holder must keep electrical appliances and furniture supplied by him in a safe condition
- b) The licence holder must supply to Council, on demand, with a declaration by him as to the safety of such appliances and furniture;
- c) The Licence holder must ensure that every electrical installation in the house is in proper working order and safe for continued use; and
- d) The licence holder must supply to Council, on demand with a declaration by him as to

the safety of such installations;

- e) (NB. “electrical installation” has the meaning given in regulation 2(1) of the Building Regulations 2010.)

### **3. Smoke Alarms, Fire Detection, Carbon Monoxide**

- a) The licence holder must ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation and keep each such alarm in proper working order (Note: For the purpose of this condition a bathroom or lavatory is to be treated as a room used as living accommodation.)
- b) The licence holder must supply the Council, on demand, with a declaration by him as to the condition and positioning of such alarms.
- c) The licence holder must ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and to keep any such alarm in proper working order; (Note: for the purpose of this condition a “room” includes a hall or landing and a bathroom or lavatory is to be treated as a room used as living accommodation.)
- d) The licence holder to supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm.
- e) The licence holder shall ensure that the furniture made available by them at the house is kept in a safe condition at all times
- f) The licence holder shall supply a declaration as to the safety of the furniture made available by him at the house within 7 days of the council’s demand.

### **4. Tenancy Agreement/References**

- a) The licence holder must supply to the tenant/occupiers of the house a written statement of the terms on which they occupy it. The following information must be included in the written statement of terms under which the premises is occupied:
- The amount of rent payable and the mechanism for any rent increases
  - Tenancy start and end dates
  - The details of any deposit required and the deposit scheme in which it is held
  - Details of what the deposit covers and arrangements for the return of the deposit
  - The frequency of payments
  - The details of any utilities or other charges included in the rent
  - The responsibility for payment of the Council Tax

- The responsibility for the payment of utilities and arranging for the provision of such
  - Tenants' responsibilities in regard of the use, occupation and condition of the licensed premises
  - Notice periods for ending the tenancy/ licence to occupy
  - Clauses relating to nuisance and/or anti-social behaviour
  - The location of any stop taps
- b) The licence holder must demand references from persons who wish to occupy the house.

## **SCHEDULE II - General Conditions Applicable to all Selective Licenses**

### **5. Property Management**

- a) The licence holder must ensure occupiers are aware of how to report any faults or disrepair to the landlord and provide anticipated timescales for undertaking repairs when reported.
- b) The licence holder must ensure that the premises and their grounds are in a clean, safe and habitable state prior to new occupiers moving in.
- c) The licence holder must supply to the Council an original of the following documents:
- d) Electrical Installations Inspection Certificate on demand (this should be carried out every 5 years)
- e) Portable Appliance Test (P.A.T) Certificate on demand where electrical appliances are provided
- f) Where the premises are alley gated the licence holder is responsible for providing the key to the tenant free of charge at the start of the tenancy.
- g) The licence holder must give the occupiers reasonable notice of arranged access requirements to carry out work to the premises. Save in an emergency, at least 24 hours' notice must be given in writing, and as far as practicable access will be arranged at a convenient time for the occupier.
- h) Except in an emergency any major works that may have a significant impact on the tenant's quiet enjoyment of the property shall not be undertaken until suitable alternative accommodation has been found for the tenant (whether by the tenant, the licence holder or otherwise) for the duration of such works, unless the tenant agrees otherwise in writing.

- i) The licence holder must ensure that the premises have adequate security measures on all exit doors and windows and that all keys are provided to occupiers. Where a burglar alarm is fitted to the premises, the licence holder will change the code at the onset of each new period of occupation.
- j) The licence holder must ensure that the full range of recycling and refuse bins are available at the start of a tenancy.
- k) The licence holder must ensure that the occupier is made aware of the arrangements for the collection of refuse and bulky goods and that the occupier is requested to return the refuse containers within the boundary of the premises on the day of collection.
- l) The licence holder must co-operate with the Council to address problems caused by occupiers failing to dispose of refuse in the correct manner.
- m) The licence holder must make adequate checks during a tenancy and during void periods to ensure that the premises and anywhere within the premises boundary is being kept in a clean condition and all refuse is disposed of in an appropriate manner
- n) The Licence Holder must ensure that old furniture, bedding, rubbish or refuse from the house is not left on, or immediately outside, the house or private land (unless for the purposes of collection).
- o) The licence holder must make appropriate arrangements for the disposal of any waste at the end of a tenancy and produce waste transfer notes for inspection on request.
- p) The Licence Holder must ensure that the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.
- q) The Licence Holder or his property manager must make regular inspections (at least every 6 months) of the property to ensure that the property is in a decent state of repair and that the occupiers are not in breach of tenancy terms and conditions.
- r) The Licence Holder must ensure that all outbuildings, yards, forecourts and gardens surrounding the house and alleyways within the property curtilage are maintained in reasonable repair. They must also be kept in a clean, tidy and safe condition, and free from infestations.

## **6. Tenancy Management**

- a) The licence holder must provide the occupier(s) with written information, including contact details, explaining how they can make a complaint about the property and the arrangements in place to deal with emergencies and other repairs. The contact and telephone number details should be applicable for contact between 9am – 5pm Monday to Friday and should also include out of hours contact details for use in emergencies. Any change in contact and/or telephone number details should be provided to occupiers within 24 hours of the changes being made. Copies of the written information provided to tenants must be provided within 7 days of the council's request.
- b) The licence holder shall indicate to the occupier(s) how they intend to respond to the complaint including a timescale for the steps they intend to take.
- c) The licence holder shall respond to any complaint within a reasonable timescale. Copies of all correspondence relating to complaints shall be retained during the period of the occupation and for 6 months thereafter and shall be provided to the council within 7 days of the council's demand
- d) The licence holder must ensure occupiers are aware of behaviour that may constitute nuisance and/or antisocial behaviour, what is acceptable use of the premises and what the consequences of causing nuisance or ASB may be.
- e) The licence holder must take all reasonable steps to deal with nuisance and/ or antisocial behaviour perpetrated by occupiers and/ or visitors to the premises. This includes taking proactive action (e.g. warnings, legal action) as soon as the licence holder becomes aware of a problem and by co-operating fully with the relevant agencies e.g. MDC or Nottinghamshire Police.
- f) The licence holder must provide the occupants of adjoining properties with direct contact details in case of an emergency or to enable them to inform the licence holder of problems affecting their properties.
- g) The licence holder shall comply with all relevant landlord and tenant law and shall ensure that all legal processes are followed when requiring occupiers to leave. If a complaint of illegal eviction is made to the council, the licence holder shall provide information as to the steps taken to evict an occupant within 7 days of the council's demand.
- h) Where a deposit is taken the licence holder must provide any tenant with the relevant information about the deposit scheme to which it relates, and any other information required under section 213 of the Housing Act 2004. The information must be provided to the council within 7 days of the council's request.

## 7. Licence Holder Details and Training

- a) The Licence Holder must inform the Council in writing or via email of any changes in their address and contact details within 28 days of any changes.
- b) The licence holder must make all sufficient and reasonable enquires to satisfy themselves that any persons involved with the management of the house including themselves to the best of their knowledge are "fit and proper persons" for the purposes of the Act. Any change in these circumstances that they become aware of shall be notified to the local authority in writing within 28 days.
- c) The Licence Holder must advise the Local Authority immediately if there will be any transfers in ownership, sale of the licensed property OR management of the property
- d) The Licence Holder must (if applying as a company/partnership etc.) inform the Council in writing within 14 days of any changes affecting the company/partnership status, i.e. bankruptcy, changes in Directors, Partners or Company Secretaries.
- e) The licence holder is required to have in place suitable emergency and other management arrangements in the event of their absence. The name and contact details of the licence holder and/or manager must be supplied to each occupier and must also be on display in a prominent place.
- f) Where the licence holder has not attended relevant training in the previous 3 years, they must as a minimum attend suitable training on the law and legal requirements relating to managing privately rented housing within 12 months of the date the licence is issued. This requirement can be satisfied in one of the following ways:
  - By attending training course or undertaking online training arranged and delivered by our accreditation partner DASH Services and submitting a certificate to the Council following this training. Visit [www.dashservices.org.uk](http://www.dashservices.org.uk) or call 01332 641111 to arrange this.
  - By completion of the accreditation training of the National Residential Landlords Association (NRLA) or other equivalent recognised landlord accreditation body and submitting the pass certificates to the Council for confirmation.
  - By completion of other suitable training on the law and legal requirements relating to managing privately rented properties as provided by East Midlands Property Owners Ltd (EMPO) or other recognised landlord training subject to approval by the Council in advance and subject to submitting a pass certificate or similar document to the Council for confirmation.