



Mansfield
District Council

Mansfield District Council

Selective Licensing Policy 2025

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1.0 Introduction

This policy sets out Mansfield District Council's framework for the Selective Licensing scheme, which targets privately rented properties to improve housing standards, tenant safety, and community well-being. The scheme aims to address issues such as poor property conditions, anti-social behaviour, and rogue landlord practices. Aligned with the Housing Act 2004, this policy offers a structured approach to licensing, supporting landlords, tenants, and stakeholders in understanding their roles and responsibilities.

1.2 Equality statement

The council is committed to treating all customers fairly and all enforcement decisions will be fair, independent and objective. A priority for the private sector housing service is to improve standards in private rented accommodation that is occupied by the most disadvantaged persons living in this sector.

1.3 Partnership Working

The success of the Selective Licensing Scheme, and this policy overall, relies on proactive collaboration with a wide range of internal and external stakeholders. Working in partnership enables the Council to address the complex challenges found in the private rented sector more effectively, ensuring properties are safe, well-managed, and supportive of thriving communities. All partnership arrangements comply with relevant data protection legislation and the Council's data sharing policy.

1.4 Decent and Safe Homes (DASH)

DASH Services is a joint initiative involving Local Authorities, property owners, landlords, and tenants across the East Midlands. Its goal is to improve housing conditions and tenancy relations in the private rented sector. Mansfield District Council (MDC) works closely with DASH, which facilitates a Landlord Accreditation Scheme in the district. DASH also provides assistance with tenancy issues through its Call B4 You Serve service. Where mediation is possible between landlords and tenants, officers will refer cases to help prevent homelessness and reduce illegal evictions.

1.5 Nottinghamshire Fire and Rescue Service (NFRS)

MDC is a signatory to the Nottinghamshire Fire and Rescue Service Joint Working Agreement, which outlines collaborative principles for improving fire safety in residential accommodation. Officers can refer residents at risk to NFRS for fire safety risk assessments, and both MDC and NFRS may conduct joint site visits to ensure the most suitable outcome in each case.

1.6 Housing Options

The Mansfield Homelessness Service processes homelessness applications, and if a serious housing condition in the private rented sector is involved, the

Private Sector Housing (PSH) team will assess the property. When complaints of landlord harassment or illegal eviction arise, the PSH team, Housing Options team, and Housing Solutions team work together to investigate and support those affected.

1.7 Social Services

If the Council becomes aware of safeguarding issues involving children or vulnerable adults during compliance and enforcement activities, it has a duty to make appropriate referrals to protect those at risk. PSH officers may also collaborate with Social Services on complex cases where housing and public health matters significantly impact a resident's wellbeing.

1.8 Neighbourhood Services

Anti-social behaviour complaints often require joint working with Neighbourhood Services, particularly when properties under mandatory or discretionary licensing schemes are causing problems in a local area.

1.9 Environmental Health

The PSH team and the Environmental Health team cooperate on issues like filthy premises, pest control, and hoarding. By sharing expertise and resources, they ensure effective responses to potential hazards and promote resident wellbeing.

1.10 Civil Service / Home Office / Police

The PSH team assists the Police and the Gangmasters and Labour Abuse Authority (GLAA) on issues relating to modern slavery and the exploitation of workers, which are often connected to overcrowded or unsafe housing conditions. PSH officers may also be accompanied by Nottinghamshire Police when executing warrants or conducting enforcement duties that require additional support.

1.11 Health and Safety Executive (HSE)

Any suspected breaches of Gas Safety Regulations are reported to the HSE. Given the importance of gas safety, the HSE can take substantial action to ensure compliance, including imposing fines or custodial sentences if necessary.

1.12 Sector Recognised Bodies

Accreditation schemes aim to raise standards in the private rented sector by offering tangible benefits to landlords who meet required benchmarks for property conditions and management. MDC supports the Decent and Safe Homes (DASH) Landlord Accreditation Scheme and endorses other recognized schemes (for example, those offered by the National Residential Landlords Association). EMPO is a professional association representing private landlords

in the East Midlands. MDC collaborates with EMPO to encourage good practice, offer training and advice, and foster professional standards among local landlords

1.13 Overall Impact of Partnership

By sharing expertise, resources, and local insights, these partnerships support a holistic, multi-agency approach to selective licensing and enforcement. They help tackle issues ranging from poor property conditions to anti-social behaviour, ultimately benefiting landlords, tenants, and the wider community. Effective partnership working is essential to achieving the policy's objectives, promoting safer, better-managed homes, and building resilient neighbourhoods throughout the district.

2.0 Scope of the Selective Licensing Scheme

The Mansfield Selective Licensing Scheme applies to privately rented properties located within designated areas identified as facing significant housing-related issues. These issues include poor housing conditions, anti-social behaviour, and high levels of deprivation.

- 2.1 The council has designated the following areas for the scheme based on evidence and consultation:

Area 1 – “Victoria Street Area” Streets within the Central ward

Area 2 – “Howard Road Area” Streets within West Bank ward and Wainwright ward

Area 3 – “Market Warsop” Streets within the Market Warsop ward

Area 4 – “Newgate Lane” Streets within the Rock Hill ward and Eakring ward

Area 5 – “Rosemary St” within the Central ward and Bancroft ward

Maps and street lists for each designated area can be found on the councils Selective Licensing webpages.

- 2.2 This scheme applies to landlords or managing agents operating private rented properties within these areas:

2.3 Properties Covered

The scheme applies to the following property types within designated areas:

- **Privately rented single-let properties:** Homes rented to a single family or household under a residential tenancy agreement.

3.0 Exclusions

- 3.1 This section defines the circumstances under which certain properties may be excluded from the licensing scheme. It includes Statutory and Temporary Exemption Notices (TEN) for short-term exemptions and outlines the types of

properties or scenarios that may not require licensing, such as those already regulated under mandatory HMO licensing or other housing provisions.

3.2 Statutory Exemptions

Not all privately rented properties require a selective licence. Some are automatically exempt by law, meaning the licensing requirements do not apply regardless of location or condition. These exemptions are set out in national legislation and typically relate to the type of tenancy, the nature of the property, or who manages or lives in it. The following section outlines the main categories of exemption in plain English to help landlords and managing agents understand when a property does not need to be licenced.

3.3 Properties That Cannot Be Lived In

If a property is legally prohibited from being occupied (for example, due to serious safety issues), it is not eligible for a licence.

3.4 Tenancies That Cannot Be Assured Tenancies

Certain types of tenancies are not classed as assured tenancies and are therefore exempt.

These include:

- Properties used mainly for business purposes.
- Pubs or licenced premises where alcohol is sold on site.
- Properties with more than two acres of agricultural land.
- Farmhouses where the person living there manages or works the land as part of a farm business.

3.5 Properties Managed by Public Bodies

Properties are exempt if they are managed or controlled by:

- A local authority
- Registered Social Landlords (Housing Associations)
- The police.
- The fire and rescue service.
- An NHS organisation.

3.6 Properties Covered by Other Laws

Some types of housing are already regulated under other legislation and are therefore exempt. These include:

- Care homes
- Children's homes
- Approved premises for people on bail or probation
- Secure accommodation such as prisons, young offender institutions, or immigration detention centres

3.7 Student Accommodation

Student housing is exempt if:

- It is owned or managed by a recognised education provider.
- All occupants are full-time students at that institution.
- The property is managed in line with a government-approved code of practice.

3.8 Holiday Lets

A property is exempt if it is let specifically for holidays and not as a main or long-term home.

3.9 Resident Landlord Lettings

A property is exempt if the landlord lives in the property and shares kitchen, bathroom, or living room facilities with the tenant.

3.10 Temporary Exemption Notice

A TEN is issued in specific circumstances where a property may be exempt from requiring a licence for a defined period. This is designed to allow landlords flexibility in short-term situations while maintaining oversight.

3.11 The following conditions may lead to a Temporary Exemption Notice:

(a) Short-term vacancy:

A property undergoing significant repairs, refurbishment, or awaiting new tenants. The notice allows the landlord to complete necessary work without requiring immediate licensing.

Example: A landlord undertaking a full property renovation over 3-6 months can apply for a TEN to temporarily exempt the property from the scheme.

(b) Change of use:

Properties transitioning between rental categories, such as converting from a private rental to a holiday let or business property.

(c) Pending sale or transfer of ownership:

A property that is in the process of being sold and is unoccupied or managed by a new landlord undergoing the licensing process.

Example: A landlord selling their property to another who has applied for a licence may receive a TEN until the new application is approved.

3.12 Applying for a Temporary Exemption Notice

Landlords must submit a formal request to Mansfield District Council, providing:

- Clear justification for the exemption.
- Supporting evidence, such as renovation plans, sale agreements, or documentation of a change of use.

The council will assess the request on a case-by-case basis and may grant the notice for up to **three months**. Extensions may be considered under exceptional circumstances but will require further supporting evidence.

To request a Temporary Exemption, please download, fill out, and return the **TEN Exemption Request Form** to: selectivelicensing@mansfield.gov.uk

4.0 Who Can Apply for a Licence?

A selective licence must be held by the **person who has control of the property or receives the rent**—this is usually the landlord. However, it doesn't always have to be the landlord themselves.

- 4.1 A managing agent or another person involved in letting or managing the property can apply for the licence, but they must be able to demonstrate that they are responsible for the property and are a suitable person to hold the licence.

Whoever holds the licence must:

- Be a **fit and proper person** (i.e. no serious criminal convictions or breaches of housing laws)
- Be able to **manage the property effectively**, including dealing with repairs and tenant issues

Before applying, landlords and agents should agree who will be the licence holder, as only **one licence** is issued per property.

5.0 How to Make an Application for a Licence

Landlords must complete an online application form for a Selective Licence through the Mansfield District Council website, full instructions on how to do this are on the councils Selective Licensing web pages. To ensure your application is valid, you must provide the following:

- **Payment of the First Part of the Fee:** The first portion of the fee must be paid at the time of application. Details of the fee structure are outlined in the policy.

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- **Proof of Address:** Submit documentation such as a driving licence, utility bill, or council tax statement for the proposed licence holder(s). For partnerships, proof is needed for each partner. This is not required for licence holders who are limited companies.
- **Property Details:** Include key information such as the property's age, number of rooms and bathrooms, fire safety measures, and management arrangements.
- **Tenancy Agreement:** The full tenancy agreement for your current tenant is required. This should include the name/s and persons living in the property and the conditions of which they rent the property from you.
- **Details of Relevant Persons:** Provide information on all individuals or organisations with an interest in the property, including owners, leaseholders, mortgage providers, and managing agents.
- **Accreditation Details:** If the licence holder or manager is accredited, include their accreditation number.
- **Fit and Proper Declarations:** Confirm that the proposed licence holder, manager, or their associates do not have unspent convictions, enforcement notices, revoked licences, or other relevant compliance issues.
- **Notice of Application:** Confirm that all relevant parties (e.g., mortgage providers, owners, leaseholders, managing agents) have been notified of the application.
- **Declarations and Agreements:** At the end of the application, you must agree to statements regarding the accuracy of the information provided and consent to communication and licence conditions.

Important Notes:

- **Supporting Documents:** Ensure all required documents are uploaded during the application process. Failure to provide sufficient or accurate information may result in your application being deemed incomplete or invalid.
- **Consequences of Incomplete Applications:** Incomplete or poor-quality applications may be refused, requiring you to reapply. This may incur additional fees.
- **Competency Assessment:** The Council must be satisfied that the proposed licence holder and/or manager are competent to manage the property. Inadequate applications reflecting poor management standards may also result in refusal.

5.1 Submitting a complete and accurate application with all supporting documents will help avoid delays and ensure a smooth licensing process, this process is shown below:

- 5.2 **Mansfield District Council's Approach to Processing Selective Licensing Applications** *(under Part 3 of the Housing Act 2004, in line with Regulation 19 of the Provision of Services Regulations 2009)*
- 5.3 Mansfield District Council ("the Council") aims to process your Selective Licensing application as promptly as possible. For applications submitted under Part 3 of the Housing Act 2004, the Council generally expects to reach a decision within **16 weeks**. However, this period will only begin once you have:
- Submitted a complete application that meets the Council's requirements,
 - Paid the required application fee, and
 - Provided all the necessary supporting information and documentation.
- 5.4 Should the Council require any additional fees, information, or documentation, you will be notified promptly. The timeframe for determining your application begins when the Council confirms it has all required details and any existing licence for the property has expired. It ends when the draft licence is issued.
- 5.5 Occasionally, the Council may need a longer period to reach a decision, particularly if your application is complex or if there is a surge in applications (for instance, at the start of a new licensing scheme). In these circumstances, the Council may extend the usual timeframe once, informing you before the original period ends. You will be told the reason for and the duration of any extension. The length of an extension will depend on factors such as the complexity of your application and any additional steps needed by the Council.
- 5.6 If the Council has not decided within the original or extended period, no automatic licence or authorisation is granted under Regulation 19(5) of the Provision of Services Regulations 2009. It is crucial, both in the public interest and for the safety of current and future occupants, that the Council fully investigates each application before deciding whether to grant a licence. If you have not received a decision within the stated timeframe, you may request a review by a more senior officer, who will respond within 20 working days.

6.0 Fees and Charges

This section explains the fees associated with obtaining a licence, ensuring transparency in the financial obligations for landlords and outlines the Council's policy as regards the levying of Part 3 licence fees. The Council has exercised its powers to charge under section 87(3) and (7) HA 2004 and does so taking into account the Provision of Services Regulations 2009, which themselves implement the Services Directive.

6.1 Licence Fee

Part A relates to the cost to process the application, **Part B** is payable on a successful application and when the licence is granted. Discounts will be made of **£50** if a licence application is made within the first 3 months of the designation of the scheme, if an application is made after this period, then enforcement

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action can be taken for not having a licence to operate in the selective licensing area's.

- 62 A further reduction of **£100** will be made if the licence applicant is a member of a recognised accreditation scheme. This will only be recognised if an application is made during the first three months of the scheme. The accreditation schemes that the council recognises are DASH, the NRLA (National Residential Landlords Association) and membership of East Midlands Property Owners (EMPO).

6.3 The standard fee for an Individual Property Licence is:

- Part A (Application Fee): **£500**
- Part B (Licence Fee): **£300**

Applicant	Early Application	Licence Granted	Total
	Part A	Part B	
Accredited	£450	£200	£650
Non-Accredited	£450	£300	£750

- 6.4 New landlords who either purchase a property or had the property transferred to them in one of the selective licensing areas will have the opportunity to qualify for the £100 accreditation discount if they can prove that they are a member of a qualifying body at the time of application. This discount will be applied if the application is successful and granted.

6.5 Individual and Block Licences

Under this designation, each property, including those within blocks, will require its own licence. This approach simplifies the licensing scheme and provides greater flexibility for landlords and agents to ensure that each individual property meets the necessary conditions. For landlords, individual licences are more responsive to changes such as switching managing agents, undertaking major works, or selling individual flats. For tenants, this arrangement removes any ambiguity when the Council enforces the landlord's obligations and duties.

7.0 Refunds & License Management

7.1 Eligibility for Refunds

A refund of the licence fee may be issued under the following circumstances:

- If, upon evaluation of the application, the Council determines that the Property did not require a licence at the time of application (for example, if the Property falls under an exemption).

- If an application was submitted by mistake for a property that is exempt, or if a duplicate application was submitted in error.

7.2 Situations Where Refunds Will Not Be Issued

The Council will not provide a refund in the following situations:

- The Property did require a licence at the time the application was submitted.
- The Property is sold at any point during the application process.
- The Council refuses the application and does not grant a licence.
- The application is withdrawn by the applicant at any stage of the process.
- The licence is revoked (cancelled) by the Council.
- The licence is varied (amended) by the Council in a way that reduces the remaining period of validity.
- The Property is denied planning permission.

7.3 Duration of Licence and Fee Implications

The licence fee is not tied to the length of the licence's validity. If a licence is no longer needed, the holder must request its revocation before the licence expires. The Council is unable to offer a refund for any portion of the licence fee that remains unused.

7.4 Licence Variations and Transferability

Once a licence has been granted and issued, certain modifications may be requested without incurring any additional charges. However, under the Housing Act 2004, a licence cannot be transferred to another party. If the current licence holder no longer wishes to retain the licence, they must inform the Council, which will then revoke the licence and notify all relevant parties.

Proposed Licence Variation	Variation Application Fee
Change of address details of any existing licence holder, manager, owner, mortgagor, freeholder, leaseholder, etc.	No fee
Change of mortgagor, owner, freeholder, and leaseholder (unless they are also the licence holder or manager)	No fee
Variation of licence initiated by the Council	No fee
Change of manager (unless they are also the licence holder)	No fee

7.5 Transferring Between Licensing Schemes

The table below outlines how licence fees will be managed and applied when the Council receives a request to transfer between HMO (Part 2) Licensing and Selective (Part 3) Licensing schemes.

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Scenario	Licensing Switch	How is the Property Occupied?	Is a Refund Granted?	Process
1. Application for an HMO Licence → Switch to Selective Licensing	Original application was for an HMO Licence, now requesting Selective.	Occupied as an HMO at the time of application	No refund on the Part A fee	If the final HMO licence has not yet been issued, the application will be switched to a Selective Licence. Applicant must pay the Part B fee for Selective Licensing.
2. Application for an HMO Licence → Switch to Selective Licensing	Original application was for an HMO, now requesting Selective.	Not occupied as an HMO at the time of application	Full refund of the HMO Part A fee (because the property was not actually licensable as an HMO at the time of application)	Applicant withdraws the HMO licence application. A new Selective Licence application must be submitted, and the appropriate Selective Licensing fee applies.
3. Application for a Selective Licence → Switch to an HMO Licence	Original application was for a Selective Licence, now requesting HMO.	Occupied (or intending to be occupied) as an HMO	Full refund of the Part A Selective fee if no draft licence has been issued - No refund if a draft licence has already been issued	Applicant withdraws the Selective Licence application. A new HMO Licence application is submitted, and the full HMO licence fee is payable.

7.6 Accredited Licence Fee Policy

To qualify for the Accredited Licence Fee, applicants must meet the eligibility criteria and provide evidence of accreditation at the application stage.

Accreditation discounts will only be applied to the Part B licence fee and cannot be applied retrospectively once the licence has been granted. The key points of the policy are as follows:

(a) Eligibility and Evidence

- Applicants must provide proof of accreditation when submitting their application.
- If evidence is not provided within a reasonable timeframe, the Council will determine the licence fee based on the information available, and the full Part B fee will apply at the assessed rate.

(b) Timing of Accreditation

- Accreditation must be valid at the time of application to qualify for a reduced Part B fee.
- If accreditation is achieved after the application is submitted, the Part A fee reduction will not be applied retrospectively. However, the Part B discount may be granted if proof of accreditation is submitted prior to payment.

(c) False or Misleading Information

- Submitting false or misleading information to improperly claim an accreditation discount will lead to an investigation and may result in enforcement action.
- If accreditation lapses or is withdrawn during the licence period, the Council may seek to recover the fee difference from the landlord or managing agent.

7.7 Accreditation Criteria

The Accredited Licence Fee is offered to recognise that accredited landlords typically maintain high housing standards, which reduces the Council's need for compliance checks.

- 7.8 To qualify for the Accredited Licence Fee, applicants must meet one of the following criteria at the time of application:

(a) Landlord Applicants:

- Be the proposed Licence Holder.
- Hold full accreditation with DASH, the National Residential Landlords Association (NRLA) or be a member of EMPO at the time of application and maintain it for the duration of the licence.

(b) Managing Agent Applicants:

- Be the proposed Licence Holder or the manager listed in the application.

- Be responsible for the management of the entire property.
- Hold 100% accreditation with the National Residential Landlords Association (NRLA) at the time of application and maintain it for the duration of the licence.
- Be a member of a recognised professional body, such as the Chartered Institute of Housing (CIH), Royal Institution of Chartered Surveyors (RICS), Propertymark, Safeagent (formerly NALS), or equivalent.

7.9 This policy ensures the Accredited Licence Fee is applied fairly and transparently, while encouraging high standards of property management.

7.10 DASH, NRLA and EMPO Membership

DASH (Decent and Safe Homes) is a collaborative initiative with local authorities, landlords, and tenants, aiming to improve housing standards in the private rented sector. Landlords in Mansfield are eligible to join if they have had no legal or civil enforcement actions in the last two years and no ongoing issues with the Council.

7.11 Key criteria for DASH Accreditation:

- Landlords must own the property(ies) and commit to the accreditation process personally.
- Non-local landlords must appoint a local agent or contact to address tenancy issues.
- Letting agents or managing agents cannot apply for DASH Accreditation.

7.12 Only landlords accredited through DASH who are the proposed licence holders will qualify for the Accredited Licence Fee. Agents managing properties they do not own will not be eligible for the discount. For more information, visit the [DASH website](#).

7.13 **The National Residential Landlords Association (NRLA)** supports landlords by promoting good practices and providing resources to help maintain high standards in the private rented sector. NRLA accreditation is open to landlords who commit to ongoing professional development and uphold the organisation's standards.

7.14 Key criteria for NRLA Accreditation:

- Applicants must own the property(ies) and maintain their accredited status for the licence period.
- Only landlords who are the proposed licence holders are eligible for the Accredited Licence Fee.

7.15 **East Midlands Property Owners (EMPO)** is a professional association representing private landlords in the East Midlands. EMPO offers training and advice, and foster professional standards among local landlords

- 7.16 Accreditation with either DASH, NRLA and EMPO provides landlords with access to the Accredited Licence Fee, recognising their commitment to maintaining quality housing standards.

8. Fit and Proper Test

- 8.1 To promote professional property management and tenant safety, this section explains the fit and proper person test, which assesses whether a landlord or managing agent is suitable to hold a licence. It also outlines key conditions that licenced properties must meet, such as maintaining health and safety standards, ensuring appropriate tenancy agreements are provided, and managing anti-social behaviour effectively. These conditions are designed to improve the overall quality of rented homes.
- 8.2 To ensure effective property management and tenant safety, all licence holders and managing agents must meet the fit and proper person requirement under Section 89 of the Housing Act 2004. Mansfield District Council requires applicants to self-declare their eligibility as part of the licensing process.

9.0 Self-Declaration

- 9.1 Applicants must confirm that they:
- Have no unspent convictions for offences such as fraud, dishonesty, violence, or drug-related crimes.
 - Have not breached housing or landlord-tenant legislation, including unlawful evictions, harassment, or failure to comply with housing enforcement notices.
 - Have not been subject to banning orders under the Housing and Planning Act 2016.
- 9.1 The council expects applicants to provide accurate and truthful declarations. Failure to Provide a Correct Self-Declaration. If Mansfield District Council finds that a self-declaration is false or misleading, this will be considered a breach of licence conditions under Section 95 of the Housing Act 2004.

10.0 Standards for Licenced Properties

Under the statutory conditions for selective licensing, all licenced properties must meet minimum standards to ensure tenant safety, health, and comfort. These requirements cover fire safety, structural integrity, gas and electrical safety, and energy efficiency (including minimum EPC ratings). Landlords must also carry out timely repairs and maintain properties in line with the Housing Health and Safety Rating System (HHSRS). For the full set of licensing conditions, please refer to the separate Licensing Conditions document.

11.0 Property Inspections

During the designation period, each licenced property will be inspected at least once to ensure compliance with the Selective Licensing Scheme. Where a

licence has not yet been granted, or if there is a particular concern about property conditions or management standards, Section 239 of the Housing Act 2004 allows the council to enter and inspect the property.

- 11.1 For licenced properties, inspections may be carried out without prior notice under the specific powers granted by the Selective Licensing designation. These inspections help monitor adherence to licensing conditions, identify issues early, and protect tenants' wellbeing.
- 11.2 The council will usually coordinate with landlords and tenants to arrange these visits, unless urgent entry is required. During inspections, council officers will explain the process and provide feedback on any issues they identify.
- 11.3 If any non-compliance or urgent safety concerns arise, they will be addressed following the council's Enforcement Policy. Follow-up inspections may be carried out to confirm that any problems are resolved promptly and, if necessary, enforcement action may be taken.

12.0 Enforcement Policy

The Private Sector Housing (PSH) team plays a crucial role in supporting the aims of Selective Licensing through effective enforcement. This enforcement approach aligns with the Private Sector Housing Enforcement Policy, ensuring consistent and robust action to improve housing conditions and tenant safety.

- 12.1 While the Housing Act 2004 serves as the primary legislative framework, other legislation may be used where appropriate to address specific challenges. Officers are empowered to use professional judgment to determine the most suitable enforcement tools and, where necessary, apply a combination of measures to achieve compliance.
- 12.2 For further details on enforcement actions and procedures, landlords and stakeholders are encouraged to refer to the Private Sector Housing Enforcement Policy.

13.0 Penalties for Non-Compliance of Licensing Conditions

The Council's authority to enforce the Selective Licensing Scheme arises primarily under Part 3 of the Housing Act 2004, which provides the legal framework for selective licensing of privately rented properties. In addition, the Housing and Planning Act 2016 grants local authorities the power to impose civil penalties for certain housing-related offences. This section explains how these legislative provisions guide the Council's approach to enforcement, outlining the key measures, ranging from financial penalties to licence revocation, that may be used to ensure compliance and protect tenants. Failure to comply with any of the licence conditions is a criminal offence and may lead to:

- 13.1 Financial Penalties

The Council may impose civil penalties of up to £30,000 for breaches, in accordance with the Housing and Planning Act 2016. For more information please refer to the Council's Civil Penalty Policy on its website.

13.2 Prosecution

In cases of serious or repeated non-compliance, the Council may initiate prosecution. If convicted, landlords can face an unlimited fine.

13.3 Licence Revocation

Where there is a significant breach of licence conditions or other serious concerns, the Council may revoke the Selective Licence, effectively requiring the landlord to cease letting the property until a new licence is granted.

13.4 Rent Repayment Orders

If a landlord fails to obtain or comply with a required licence, the Council or tenant(s) may apply to the First-tier Tribunal for a Rent Repayment Order. This can require the landlord to repay rent or housing benefit for any period during which the property was unlicensed or significantly in breach of licence conditions.

14.0 Appeals Process

Landlords and property managers have the right to challenge licensing decisions, including refusals, penalties and revocations. This introduction explains how to appeal such decisions, specifies the evidence required, and highlights the role of independent reviews in resolving disputes. By providing a clear framework for appeals, the licensing process remains transparent, fair, and open to scrutiny.

- **Notification of Decision**

After a licensing decision (e.g., refusal, revocation, or penalty) is made, the Council issues a formal notice to the landlord or property manager. This notice explains the reasons for the decision and outlines the right to appeal.

- **Submitting an Appeal**

The landlord or property manager typically has a set period (for example, 21 days from the date of the decision) to submit an appeal in writing to the Council's Private Sector Housing Manager. The appeal must detail the grounds for challenging the decision and include any supporting evidence.

- **Council Review**

Upon receiving the appeal, the Private Sector Housing Manager will review the submission. This may involve requesting further information or clarification from the appellant. In some instances, an internal review

panel—separate from the original decision-makers—will assess the appeal to ensure impartiality.

- **Outcome of the Review**

Following its assessment, the Council will provide a written response within 28 days. If the original decision is upheld, the appellant will be informed of any remaining steps available for external appeal, should they wish to continue.

- **Independent Tribunal**

If the appellant remains dissatisfied, they may escalate the matter to an independent body, such as the First-tier Tribunal (Property Chamber). The Tribunal will consider the Council's reasons, the appellant's evidence, and relevant legislation before making a final determination.

15.0 Granting a Licence with Additional Conditions

15.1 In certain circumstances, the Council may grant a Selective Licence on the condition that the landlord takes additional steps to address specific concerns. These conditions might include requirements such as completing relevant training, implementing improved waste management arrangements, or demonstrating robust anti-social behaviour procedures, these conditions are at the discretion of the council.

15.2 Licence holders are legally obligated to meet any additional conditions within a specified timeframe. Failure to do so may result in enforcement action, including the possibility of licence revocation or prosecution. This approach ensures that properties meet and maintain the standards necessary for the wellbeing of tenants and the wider community.

16.0 Communication

16.1 Effective communication is essential to the success of the Selective Licensing Scheme. The Council's Housing Team can be contacted by phone, dedicated selective licensing email, or through the Council's website to provide information, guidance, and support. Through these channels, landlords and tenants can submit queries, report issues, and receive updates about the scheme.

16.2 To keep stakeholders informed about progress and developments, the Council will produce an annual newsletter that highlights key achievements from within the schemes, outlines any policy or legislative changes. All landlords will also be invited to attend the Landlord Forum, offering a valuable opportunity to discuss issues, share experiences, and help shape the future direction of the scheme. Transparent and timely communication ensures everyone is fully engaged and supported throughout the licensing process.

17.0 Landlord Training

- 17.1 To promote high standards of property management, the Council may provide official training sessions and advice opportunities to help landlords understand and meet their obligations under the Selective Licensing Scheme. Where the licence holder has not attended relevant training within the past three years, they must, as a minimum, complete suitable training on the legal requirements of managing privately rented housing within 12 months of the date their licence is issued. These sessions offer guidance on best practices, health and safety requirements, tenancy management, and other legal responsibilities, ensuring landlords are equipped to provide safe and well-maintained homes for their tenants.

18.0 Support for Landlords

- 18.1 The Council is committed to helping landlords succeed under the Selective Licensing Scheme by offering a range of supportive services and resources. Through regular drop-in sessions, landlords can receive one-to-one guidance on the application process, ensuring all necessary documents and requirements are met for a successful licence application. The Council also provides property management templates and housing standards checklists to assist landlords in maintaining safe and compliant homes.
- 18.2 To further encourage improvements in property conditions, the Council shares information about financial assistance, such as grants or loans that may become available for energy efficiency measures. By promoting these resources, the Council aims to foster better housing quality and create a constructive environment where landlords can meet their obligations while maintaining viable and well-managed properties.

19.0 Tenant Engagement

- 19.1 Tenant engagement is vital for ensuring the success of the Selective Licensing Scheme. The Council provides easy-to-access information on its website, including regular scheme updates, and maintains a selective licensing email inbox where tenants can report concerns about property conditions or poor management. Additionally, anonymous letter drops may be used to encourage tenants who wish to remain confidential to share feedback on problematic properties or practices.
- 19.2 This approach helps tenants understand their rights and responsibilities, including the standards they should expect in licenced properties, while ensuring their concerns are promptly addressed. Where needed, council officers, including a dedicated Community Protection Officer, offering support and guidance for matters of anti social behaviour, reinforcing the Council's commitment to safeguarding tenants and promoting high-quality housing throughout the district.

20.0 Monitoring and Reporting

- 20.1 To ensure continuous improvement and transparency, the Selective Licensing Scheme will be monitored monthly against a set of defined performance measures. Key data, such as the number of licences issued, property inspections conducted, and enforcement actions taken will be collected and reviewed regularly.
- 20.2 An annual report will be published to share these findings with stakeholders, highlighting progress, challenges, and areas for further development. In addition, a full review of the scheme will be conducted at the three-year mark of its introduction, providing an in-depth assessment of its overall impact and effectiveness. The insights gained through ongoing monitoring and periodic reviews will inform any necessary adjustments to maintain high standards within the private rented sector and to make sure that the schemes are on track to meet their objectives.

21.0 Data Protection and Privacy

- 21.1 The Council is committed to safeguarding personal information in accordance with the General Data Protection Regulation (GDPR) and relevant data protection laws. All data collected through the Selective Licensing Scheme, such as application details, inspection records, and enforcement actions, will be handled securely and used strictly for administering and enforcing the scheme.
- 21.2 Where necessary, information may be shared with relevant agencies (e.g., Police, Fire and Rescue Service, or other local authorities) to ensure compliance and protect public safety. Any sharing of data will be carried out lawfully, with appropriate safeguards in place. The Council's broader data protection policies and procedures also apply to this service, and full details can be found at:
<https://www.mansfield.gov.uk/data-protection-foi-transparency>.

22.0 Making a Complaint about Our Services

- 22.1 If you would like to make a complaint about the services provided by Mansfield District Council, please refer to our Corporate Complaints Policy. This policy outlines how we manage complaints and ensures they are handled efficiently and effectively.
- 22.2 It is important to note that this process is separate from the Selective Licensing Appeals process, which is designed specifically to handle appeals related to decisions made under the Selective Licensing Scheme. Complaints unrelated to appeals can be submitted as outlined below.

22.2 How to Make a Complaint

You can make a complaint about our services in the following ways:

- **Online:** [Make a Complaint](#)
- **By Email:** mdc@mansfield.gov.uk
- **By Phone:** 01623 463463
- **By Post:** Mansfield District Council, Chesterfield Road South, Mansfield, Nottinghamshire, NG19 7BH.
- **Through a Representative or Advocate:** (See Section 4 of the Corporate Complaints Policy for more details).
- Once we receive your formal complaint, we will acknowledge it within five working days and aim to provide a full response within 10 working days.
- For issues specific to the Selective Licensing Scheme that require an appeal, please refer to the **appeals process** outlined in this document.

23.0 Policy Review and Updates

This policy will be reviewed regularly, to ensure it remains effective and compliant with any changes in legislation. Reviews will also consider feedback from landlords, tenants, and other stakeholders, as well as emerging challenges or opportunities to improve the scheme. Updates will be made as necessary to maintain the policy's relevance and effectiveness.