

House in Multiple Occupation Licence Management Arrangements – 84 Marchmont Road

Licensing Sub-Committee of the Regulatory Committee

4 March 2011

1 Purpose of report

- 1.1 The Licensing Sub-Committee of the Regulatory Committee at its meeting on 8 October 2010 considered a new application for an HMO licence at 84 (2f2) Marchmont Road and a renewal application for 84 (3f2) Marchmont Road; the applications each received one objection.
- 1.2 The Committee repelled the objections and granted both applications, subject to the Council's standard conditions for this category of licence.
- 1.3 The Committee asked the Director of Services for Communities to report on tenancy management arrangements for the HMO properties in the tenement.
- 1.4 This report informs the Committee of the findings of officers in Services for Communities (SfC).

2 Summary

- 2.1 84 Marchmont Road is a tenement with six flats accessed from a common stair; all six flats are licensed HMOs. There are also two main door properties at 82 and 86.
 - Flat 1f1 is owned and managed by Mr Amir Khan.
 - Flat 1f2 is owned by Gladys Davidson and managed by Trinity Factors.
 - Flat 2f1 is owned by Joseph William Meikle Gochran Harper and managed by the University of Edinburgh.
 - Flat 2f2 is owned by John Jackson and managed by Arden Property Management.
 - Flat 3f1 is owned by Linda Mary Palmer and managed by Edinburgh Property Management (EPM).

- Flat 3f2 is owned by Robert Jackson and managed by Arden Property Management.
- 2.2 The main concerns raised by the objector have been:
- the door entry system was broken leading to issues of anti-social behaviour in the stair;
 - lack of cleaning of the common stair.

3 Main report

Tenancy Management

- 3.1 Six complaints were made to the Council between 1 January 2010 and 3 October 2010. No complaints have been received since the Committee meeting on 8 October 2010. A note detailing the complaints and the action taken is attached as an appendix.
- 3.2 Officers are generally satisfied with the action taken by managing agents in response to complaints when they were brought to their attention. A concern was raised about the length of time it took the managing agent of flat 3f1 to repair a water leak reported on 24 August 2010; this has been discussed with EPM which has agreed to improve its repair procedures.
- 3.3 Officers in SfC contacted the tenants of all licensed HMO flats during October and November 2010 to discuss tenancy management arrangements. A number of minor outstanding repair issues were reported, but otherwise the tenants were happy with the arrangements in place. The repairs have now been completed.
- 3.4 Officers met the five managing agents between October 2010 and January 2011. Officers found that the tenancy management standards were satisfactory. However, recommendations were made to four of the agents to improve standards:
- Arden Property Management – Officers recommended that the agent has to improve its procedures to ensure that HMO renewal applications are submitted on time.
 - Trinity Factors – Officers recommended that the agent has to improve its procedures to ensure that HMO renewal applications are submitted on time.
 - Mr Khan – Officers recommended that the landlord should use the Council's model tenancy agreement. Although the current agreement is compliant with the standards, the Council's model agreement would offer the landlord more protection.
 - EPM – This agent is a member of the Edinburgh Landlord Accreditation scheme. Officers recommended that EPM has to make improvements in how it handles communications and complaints and also improve its repair procedures to comply with ELA standards.

- 3.5 The recommendations made by officers have now been implemented.

Common Maintenance

- 3.6 The objector reported that the door entry system was repeatedly damaged by tenants and as a result, the stair was being accessed by non-residents who were causing noise and disruption. The objector was also concerned about the lack of stair cleaning of the common stair.
- 3.7 The door entry system was repaired in March 2010 and it is still working. A contract with the Council's Edinburgh Stair Cleaning Service is now in place to regularly clean the common stair.
- 3.8 During meetings with the managing agents, officers discussed the arrangements for dealing with common repairs and maintenance. Although no formal arrangement is in place all agents demonstrated willingness to participate in organising common repairs.

4 Financial Implications

- 4.1 There are no financial implications directly from this report.

5 Environmental Impact

- 5.1 The regulation of HMOs improves the physical and management standards of property in the city and so minimises the impact of high density living.

6 Conclusions

- 6.1 Officers are satisfied that the landlords and agents have appropriate tenancy management arrangements in place and that appropriate action is taken when problems or complaints are brought to their attention. The recommendations made by officers to make improvements have been implemented.
- 6.2 The door entry system has been repaired and a stair cleaning contract is now in place. The managing agents have demonstrated a willingness to organise future communal repairs.

7 Recommendations

- 7.1 Committee is requested to note the contents of this report.

Mark Turley
Director of Services for Communities

Appendices	1 – Record of reported incidents.
Contact/tel/Email	Alistair Somerville, Private Rented Services 0131 469 5787 alistair.somerville@edinburgh.gov.uk
Wards affected	10 – Meadows/Morningside
Single Outcome Agreement	Supports National Outcome 11 – “We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.” Supports National Out come 10 – “We live in well-designed, sustainable places where we are able to access the amenities and services we need.”
Background Papers	Inspection reports for all the properties are held by the author of the report

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