

House in Multiple Occupation Licence Monitoring Report - 14 (3f1) and (3f2) Henderson Street

Licensing Sub-Committee of the Regulatory Committee

19 August 2011

1 Purpose of report

- 1.1 To inform the Licensing Sub-Committee of the Regulatory Committee of the results of the monitoring period of 14 (3f1) and (3f2) Henderson Street throughout the 6 month licence period as requested at its meeting on 3 December 2010.

2 Summary

- 2.1 At its meeting on 3 December 2010, Committee considered two renewal applications for HMO licences at 14 (3f1) and (3f2) Henderson Street, each to accommodate a maximum of three people.
- 2.2 The Committee granted the licences for 6 months and requested a report from the Director of Services for Communities on the tenancy management of the properties throughout the six month period. In addition to this request, Committee required that good quality underlay and carpets be fitted in both properties and a 24 hour telephone number be provided to neighbours.
- 2.3 14 Henderson Street is a tenement with six flats accessed from a common stair. On either side of the main door there are commercial premises. There are two licensed HMO properties in the stair. Flat 3f1 is owned and managed by Catherine McNamara. Flat 3f2 is owned and managed by Grant Jones. Gayle Jones, the daughter of Catherine McNamara and wife of Grant Jones, assists with the management of both flats.

3 Main report

- 3.1 Objectors to the licences were informed in writing of the Committee's decision on 9 December 2010 and were provided with the landlords' contact details. The objectors were asked to report any concerns, should they arise, to the landlords and the Council.
- 3.2 The landlords of the flats were contacted by officers on 18 January 2011 to discuss the licence conditions and to explain the monitoring period. They confirmed that the fitting of carpets had been arranged and confirmed that they

would be sending out neighbour notifications with their 24 hour number. A further meeting was held on 13 May 2011 to discuss their management of the properties during the monitoring period. Procedures in place were found to be satisfactory.

- 3.3 The tenants of flat 3f1 were contacted on 18 January 2011 by officers from SfC. It was confirmed that there were no concerns about the tenancy management of the flat. The tenants of flat 3f2 were contacted on 12 May 2011. They declined to meet officers, but in a brief telephone call confirmed they were satisfied with their landlord's management arrangements.
- 3.4 The carpets and underlay were fitted at the end of March 2011. Officers visited both flats on 4 April 2011 and confirmed the underlay and carpets had been fitted.
- 3.5 Two of the objectors contacted the HMO team on 18 January 2011 and 21 April 2011 to provide updates on the monitoring period:
 - a) On 18 January 2011 the objectors noted that the Committee requests for carpets and neighbour notifications were outstanding. This was resolved by the end of March. They also reported that they had not received stair cleaning monies from Flats 3f1 and 3f2 and they were experiencing noise from the washing machine in Flat 3f2. Officers advised the landlords of these concerns and the landlords took action to remedy the concerns.
 - b) On 21 April 2011 they advised that the stair cleaning monies remained up to date, the problems of noise from the washing machine from flat 3f2 had been resolved and footfall noise had decreased following the fitting of the carpets. It was also reported that there was litter in the stair, which had been caused by tenants or visitors to flat 3f1 or 3f2. Officers contacted the landlords who investigated the matter, however could not find any evidence that their tenants were causing this problem. The landlords arranged for the litter in the stair to be removed and spoke to the tenants informally about this matter.
- 3.6 On 18 May 2011 a second letter was sent to the objectors advising them the monitoring period was coming to an end and to invite comments. A response was received on 7 June 2011 from two neighbours stating there had been an improvement with litter in the stair, the flooring in the kitchen of 3f2 was creaking and squeaking, the neighbours were awaiting stair cleaning money that had been requested on 1 June 2011 and they also questioned whether the flats had been occupied by three persons during the monitoring period.
- 3.7 Officers contacted the landlords and revisited Flat 3f2 on 7 July 2011 to examine the flooring in the kitchen. The flooring is a linoleum style tile covering over a wooden base on top of floorboards. In the officers' opinion the noise is no worse than in many other tenement properties of this age and style. However, in response to this complaint, the landlord is arranging to have a specialist company inspect the floor to suggest possible solutions and will advise officers of the outcome of this inspection.

- 3.8 At this time the landlords confirmed that the stair cleaning bill had been paid. Officers have confirmed with both the landlord and tenants that there have been three people staying in each property during the monitoring period.
- 3.9 An officer contacted the landlords by telephone on 4 July 2011 to establish whether any complaints had been made to them directly during the period. It was confirmed that the landlords had been notified of the litter complaint in April and had received requests for stair cleaning money. No other contact had been made by neighbours.
- 3.10 Renewal applications were received on 14 June 2011. The licences expired on 30 June 2011. No objections to the renewals have been received.

4 Financial Implications

- 4.1 HMO inspection and enforcement services are funded directly from HMO fee income. There are no financial implications flowing directly from this report.

5 Equalities Impact

- 5.1 There are no direct equalities impacts from any of the proposals in this report.

6 Environmental Impact

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

7 Conclusions

- 7.1 Officers note that the objectors have provided updates throughout the monitoring period. It is considered that the landlords have promptly investigated the issues raised and have taken appropriate action.
- 7.2 Officers are confident that there are appropriate tenancy management arrangements in place.

8 Recommendations

- 8.1 Committee is requested to note the content of this report.

Mark Turley
Director of Services for Communities

Appendices	None
Contact/tel/Email	Alistair Somerville/ 0131 469 5784/ alistair.somerville@edinburgh.gov.uk
Wards affected	13 – Leith
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 Outcome 10 – “We live in well-designed, sustainable places where we are able to access the amenities and services we need.”
Background Papers	A background papers and reports are available from the author.

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