

Proposed Houses in Multiple Occupancy (HMO) Best Practice Guide for HMO Licence Holders and Agents in Edinburgh

- 1.1. The following guide for the holders of HMO licences in Edinburgh was approved by the City of Edinburgh Council's ("the Council) Regulatory Committee at its meeting on 6 February 2023.
- 1.2. Failure to follow this best practice guide may be relevant to the Licensing Sub-Committee's consideration of whether a landlord or agent is, or continues to be, a fit and proper person to be authorised to permit persons to occupy any living accommodation as an HMO in terms of section 130 and/or section 139 of the Housing (Scotland) Act 2006.

The following requirements set out the practices that the Council considers to demonstrate best practice by HMO licence holders and their agents:

General Refuse Disposal

- 2.1. The Licence Holder should provide tenants, no later than two days from the commencement date of the Tenancy Management Agreement, with information on how to dispose of refuse and bulk items (including general and recyclable refuse and any furniture) properly and appropriately from the licensed property.
- 2.2. The Licence Holder should ensure that tenants are aware how to use the refuse facilities at the property and in the communal surrounding areas of the property appropriately.

Maintenance, Insurance and Repairs of Common Areas

- 3.1. The Licence Holder should act reasonably in relation to the payment of their share of all maintenance costs, insurance costs and repair costs of areas in common use relative to the property and in all dealings with other co-owners and any relevant factor.
- 3.2. The Licence Holder should ensure that any undisputed invoice or notification of their share of maintenance costs, insurance costs and repair costs received in respect of common areas relative to the property is paid in full without unreasonable delay and in adherence to the payment terms stipulated.

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- 3.3. The Licence Holder should act reasonably to ensure that any defects they find in common areas are brought to the attention of the other owners and any relevant factor. The Licence Holder should cooperate with neighbours in resolving any repairs wherever possible.
- 3.4. Those who have HMO licences for tenement property should give due regard to the Shared Repairs Tenement Toolkit – found [here](#).

Bulk Refuse

- 4.1. The licence holder should take reasonable steps to ensure that tenants are advised likewise to make arrangements for uplift of such items from the licensed property prior to the tenants presenting items for collection
- 4.2. Bulk refuse should only be presented immediately outside the property on the date for collection specified by the Council or other collecting contractor. Due regard should be given to the information on bulk uplifts [here](#).

Neighbouring Residents

- 5.1. The Licence Holder must act reasonably in relation to the management of the licensed property in respect of any dealings with neighbouring residents of the property.
- 5.2. The Licence Holder should take reasonable steps to investigate any complaint made by residents of neighbouring properties relating to the behaviour of the Licence Holder's tenants or their visitors, at or in the immediate vicinity of the licensed living accommodation.

Statutory Notices

- 6.1. The Licence Holder should respond appropriately and timeously to any statutory notices served on them under the Housing (Scotland) Act 2006 and any other relevant legislation, including the Environmental Protection Act 1990, in relation to the licensed property and the communal areas surrounding the property.