

64318 HMO Licences issued for large HMOs

Please can you confirm that the City of Edinburgh Council has adopted the Statutory Guidance on HMO licensing issued by the Scottish Government as the physical standards HMOs are expected to meet before they are granted an HMO licence. Microsoft Word - HMO licensing - Guidance - updated for overprovision and discretionary link - 20 January 2012.doc If so when did the Council formally adopt that guidance and where do you state publicly that applicants for HMO licences are expected to meet the physical standards set out in the Guidance? Also please advise if and when the City of Edinburgh Council has created and adopted any different or additional standards to the Statutory Guidance and where that policy is published.

The City of Edinburgh Council's [Regulatory Committee](#) considered a report on the HMO statutory guidance on 09/03/12 and has been used to consider whether properties are suitable for HMO licensing since.

The Council also has a set of [standard conditions in place for all HMO licences](#).

Below is a list of properties that hold HMO licences to house a large number of people or seem to be operating as large HMOs.

Please can you confirm that the information listed below is correct in relation to addresses of premises that have been granted an HMO licence in terms of address and postcode, licence number, number of permitted occupants, number of rooms and licence expiry date.

Address HMO Licence number Occupants Rooms Expiry date –

most recent 10 Links Place EH6 7EZ 906147297 50 35 None on HMO Register 12 Poplar Lane EH6 7HD 906200811 44 41 May 2028 6 John's Place EH6 7HD Register blank 29 21 June 2027 9 John's Place 906155491 16 11 June 2025 10 John's Place EH6 7EL 906135437 20 17 None on HMO Register 130 Constitution Street EH6 6AJ 906059215 50 32 November 2028 132 Constitution Street Address not found on Register 57 Constitution Street EH6 7AF 906059373 16 12 November 2028 10 East Hermitage Place EH6 8AA 906086763 12 10 March 2027 20 East Hermitage Place EH6 8AD 906086777 10 8 October 2028 26 East Hermitage Place EH6 8AD 906088784 18 14 December 2028 2-3 Hermitage Place (Merith) EH6 8AF 906124775 17 17 June 2027 8-9 Hermitage Place (Culane) EH6 8AF No number on register 43 19 None on Register 46 Marine Drive EH4 5EP 9060591333 150 98 November 2028

Where a property listed above has no licence or licence expiry date listed on the HMO licensing Register could you please provide the missing information, and any records you have of previously held HMO licences for the address given – ie whether there has ever been an HMO licence granted and if so when the last licence expired.

Please provide the date on which you last inspected each of the properties listed above that hold an HMO licence granted by the City of Edinburgh Council.

[Please see '64318 Q2-4 data' attached.](#)

Please provide a copy of your records of the information that you gathered/collected concerning physical facilities at the property in any inspections carried out prior to granting the HMO licence including any floor plans and photographs of physical facilities. If you

consider this information is commercial, please explain why it is not in the public interest for information about the physical standards at HMO licenced properties to be in the public domain for all to see, including tenants and prospective tenants.

[Please see records attached.](#)

[We will not disclose detailed copies of layout plans held by the Council, as we consider this level of detail of the internal layout of an individual's home to be their personal data.](#)

Please provide in relation to each of the properties listed above that hold an HMO licence granted by City of Edinburgh Council the specific information that you have about the kitchen facilities at the property showing clearly whether the premises fully meets the requirements of Statutory Guidance issued to you Microsoft Word - HMO licensing - Guidance - updated for overprovision and discretionary link - 20 January 2012.doc and specifically paragraph 4.6.5 of that guidance.

For each premises provide the following information which should have been gathered before you decided to grant a licence:

How many cookers/fridges/sinks with wholesome drinkable water supply should the property have for tenants to use to meet the HMO physical standards?

How many cookers/fridges/sinks with wholesome drinkable water supply are at the property available for tenants to use to prepare their own food?

How much food storage space, food preparation surface area and activity space should the property have available for tenants to use to store and prepare their own food to meet the HMO physical standards?

How much food storage space, food preparation surface area and activity space is at the property available for tenants to use to store and prepare their own food

Where at any property the answers to b) and d) above show that a) and c) requirements of the HMO standards are not met please explain why the Council decided it was appropriate to grant an HMO licence to this premises for the number of occupants and what, if any, conditions were attached to the Licence to address the shortfall in meeting physical standards for food preparation by tenants.

[Please see records attached. Third-party personal data has been redacted from the attached documents.](#)

Please confirm that HMO licence holders are expected to provide all their tenants with tenancy agreements and that you would regard failure to do so as a breach of the requirements of an HMO licence you have issued.

[There is no strict obligation placed upon an HMO licence holder to ensure that a "tenancy agreement" is provided to the occupants of the HMO. However, standard condition HMO7 requires that a licence holder provide each tenant with a clear statement, in a form they can understand and keep for reference, of what is expected of them and what they can expect from the licence holder. The agreement must accurately describe the subject of let, the start and end dates of the agreement, rent to be paid, period of written notification of intention to enter the property \(which shall not be less than 24 hours\), and where the agreement is in the](#)

form of a lease and the licence holder intends to retain a key for the property, the agreement will specify how the tenant will grant explicit permission for the key to be used.

Please explain what steps, if any, you have taken to check that all tenants at these properties are issued with tenancy agreements by the landlord to whom you have granted an HMO licence.

Please provide this information in the form of a list of the properties above showing which properties you know are complying with the obligation to provide tenants with a tenancy agreement, which ones you are aware are not doing so and which ones you have not checked whether this is being done.

There is no requirement for HMO licence holders to provide this information to the Council. Where alleged breaches of licence conditions occur, these can be reported to the Council's Private Rented Services Enforcement Team by email at PRSEnforcement@edinburgh.gov.uk