



**Northern Ireland  
Assembly**

**COMMITTEE FOR SOCIAL DEVELOPMENT**

**Please use this form to submit written submissions in relation to the Houses in Multiple Occupation (HMO) Bill. Return to [committee.socialdevelopment@niassembly.gov.uk](mailto:committee.socialdevelopment@niassembly.gov.uk) by Tuesday 6 October.**

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**Organisation: (if applicable)** Belfast Holyland Regeneration Association (BHRA)

**Date:** 5<sup>th</sup> October 2015

The BHRA is well placed to comment on HMOs and the problems associated with an over abundance of the same.

Points that should be addressed:

- 1) Make properties with more than 20% one bedroom flats subject to HMO regulations.
- 2) Increase HMO registration fees on an exponential scale related to the percentage of HMOs in the street greater than 30%.
- 3) Refuse to renew licences for HMO registration in streets that have over 30% HMOs

**Clause 11 addresses satisfactory management arrangements.**

Anti social behaviour from Houses of Multiple Occupancy was a key issue in the 2005 judicial review of the HMO Registration Scheme. The Scheme failed to establish landlords responsibility for tenants ASB. Tenancy agreements can often also contain unfair terms and conditions resulting in insecure tenancies.

We object that clause 11 of the Bill stops short of securing landlords responsibility for addressing tenants ASB and for ensuring fair tenancy terms.

HMO management arrangements cannot be deemed satisfactory without a review of the tenancy agreement governing the landlord / tenant relationship. Social housing tenancy agreements already include clauses on security of tenure and managing ASB. There is no obvious reason why HMO landlords should be treated any differently.

We propose introducing a paragraph d) to Clause 11. The paragraph would require review of tenancy agreements for unfair terms and ASB, as part of the test for satisfactory management arrangements.

**Clause 20 addresses renewal of HMO licenses.**

Over provision of Houses of Multiple Occupancy is a major issue for areas such as South Belfast, where communities have been overrun by Houses of Multiple Occupancy. The issue is addressed in the BCC Subject Plan for Houses of Multiple Occupancy.

While we acknowledge that overprovision is tested when a HMO license is applied for, we object that Paragraph 20(4) of Clause 20 excludes the overprovision test when renewing HMO licenses.

Overprovision of Houses of Multiple Occupancy is unjustifiable in any circumstances. Current proposals for c6000 new student bedspaces around Belfast City Centre are in the planning process. If even some of these are approved, they will have impact on 'HMO need' in Belfast. When it comes time to renew HMO licenses, the housing need profile will likely have changed dramatically. Excluding the overprovision test at renewal time makes no sense: and will only serve to undermine the Councils contributions to addressing housing need.

We propose deleting paragraph 20(4).

**Clauses 30 - 33 deal with enforcement, offences and penalties.**

Enforcement will play an essential part in securing the effectiveness of the regulations. Neglected Houses of Multiple Occupancy can be squalid, hazardous and could potentially result in injury or death.

We object that penalties proposed under Clauses 30 - 33 may be disproportionate to the level of mismanagement or non-compliance.

We propose an additional level of penalty, under Clauses 30 to 33, to deal with the more extreme cases of mismanagement or non-compliance. The additional level of penalty should include jail terms for extreme cases of mismanagement or non-compliance.

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