



**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: Supporting Communities NI**

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

**Supporting Communities NI is an independent charitable organisation which champions community participation by developing groups, supporting active citizenship and building cohesive communities; the Housing Community Network is a unique structure which was formed in response to the need for housing related policies to be developed both with and on behalf of community groups working in partnership with NI Housing Executive and Supporting Communities NI. The most significant part of the workload of Supporting Communities NI involves working with and developing locally based multi- and inter-agency partnerships which have housing services, community participation and regeneration and related matters at their core. These observations and comments in response to the Bill as presented are supported by extensive experience in working with community groups by Supporting Communities NI staff over many years and, where it has been possible, following discussion with voluntary committee members.**

**Supporting Communities NI welcomes the opportunity to consider the proposed Bill as presented and offer the following comments as encouragement to and in support of the Committee's deliberations.**

**We have provided a number of brief comments and observations on the Bill and look forward to engaging with the Committee on these matters in due course.**

## **General Comments**

It is our experience through our work with the Housing Community that there are increasing concerns in local communities about the proliferation of Houses in Multiple Occupation in many locations across Northern Ireland. We understand that HMO's provide an essential housing option for many groups, including students and incoming workers; we would also take the view that HMO's provide one of the few affordable and accessible housing options for people unable to access the first steps on the housing ladder. It has also been pointed out to us that the move to Belfast city centre by the University of Ulster will have an impact on the local housing market leading to a likely increase in the number of HMOs in the north of the city. It is therefore timely the Bill is being presented and it is hoped that the introduction of a new definition of HMO, a licensing scheme, fit and proper person test, new enforcement powers etc will give the public confidence in this form of housing provision.

Supporting Communities NI certainly welcomes the revised scheme to introduce HMO licensing and we hope that it will bring Northern Ireland into line with other UK jurisdictions.

## **Specific Comments**

Clause 1-2; We concur with the definition of a House in Multiple Occupation as stipulated in the Bill.

Clause 3 states that people count as occupants only if the accommodation is their only or main residence. The Bill proposes that domestic violence refugees are to be included in the definition of an HMO, citing that those residing there are to be treated as occupying the accommodation as their only or main residence. However, this is also the case for residents occupying hostel accommodation and for this reason buildings owned by public sector bodies, such as the Housing Executive, Housing Associations or religious communities should not be excluded from the requirement to register as an HMO.

Clause 5 makes provision for a council to serve a notice on the occupants of a house where the council believe there are more than three people residing in the property and these people form more than two separate households. If insufficient evidence is provided that the house is not an HMO, the house is to be regarded as being one. We would be interested in learning from the Department what test will be employed by Councils to allow them to form belief that the property is indeed an HMO. We would be interested in any potential guidance being issued to ensure

a consistency of approach across all eleven Councils. We would expect also that the Department issues detailed guidance on what constitutes 'sufficient evidence' and should take into consideration the difficulties that some people from abroad may have in obtaining proof of family relationships.

Clause 6; We support the introduction and use on 'continuation' notices.

Clause 7-11; We support the mandatory licensing of all HMO's and the requirement that applications must be made to the Council in question on the basis provided for in the Bill.

We also agree that an appropriate Fit and Proper Test should be applied across all council areas and that the Department provides appropriate guidance and where necessary training to ensure consistency of approach.

Clause 12; Whilst we recognize that Councils are proposed to have responsibility for the licensing of HMO's, they also have planning powers and some consideration ought to be given to the criteria and tests which should apply to establish appropriate levels of provision.

Clause 13; It is disappointing to see that the standard of fitness has not been addressed in the proposed Bill and we believe that this may have provided an opportunity to commence that conversation. The current fitness standard used in Northern Ireland we believe is outdated and warrants consideration with a view to the introduction of a Housing Health and Safety Rating System like that which operates in other parts of the UK.

Clause 14-40; We support the conditions of the license as outlined in the Bill, including the duration, variations and revocation. Supporting Communities NI also believes that the application of sanctions where licenses are breached should be suitably robust.

Clause 41-43; We welcome the definition of overcrowding as specified in the Bill; however the Bill suggests that 2 children over 13 of different sexes sharing a room contravenes the room standard where this was previously 12 years of age. The Bill has increased this but does not provide any rationale for this discrepancy. Furthermore, Housing Executive criteria sets the age at 7 and perhaps a lower age is more appropriate to modern standards.

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