

## Fit and Proper Persons, Declaration

\* Indicates a mandatory field

The Authority must satisfy itself that the proposed licence holder, the proposed manager and all the people proposed to be involved in the management of the property (if they are different people) are fit and proper persons to hold a licence or to manage an HMO.

We therefore require a separate signed fit and proper person (F&PP) declaration from all proposed licence holders and managers (including managing agents) to assist us in making this judgement

To enable us to satisfy this legal requirement you must answer the following questions.

**It is not necessary to disclose convictions which are spent under the Rehabilitation of Offenders Act 1974. (See Notes on p 5 )**

Those signing the declaration should note that any offences etc. committed by an associate or family member involved in the management of the property are also relevant

In the event that your Licence is revoked, the licence fee will not be returned. The council will also require you to make a new application with a different proposed licence holder for which you may also need to pay a new licence fee.

Please read our HMO Privacy Notice: [HMO-Licence-in-time-Privacy-Notice.pdf](#)

Full address of the HMO \*:

Full name:\*

Home address:

or

Registered Business Name & Address (as registered with Companies House)

Trading Name & Address (if different)

I hereby declare that I am (select from list below):\*

- i. Proposed Licence Holder
- ii. Joint Proposed Licence Holder
- iii. Manager of the property (if different to i or ii)
- iv. Proposed Licence Holder and Manager
- v. Other

Please state position held:

**All persons**

Have you been convicted of any offence involving fraud, dishonesty, violence, drugs or offences listed in schedule 3 of the Sexual Offences Act 2003 (offences attracting notification of requirements)?\*

Yes

No

If Yes, please provide details:

Has any Tribunal or Court found that you have practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability?\*

Yes

No

If Yes, please provide details:

Have you ever contravened any provision of any laws relating to Housing, Public Health, Environmental Health or Landlord and Tenant law (including harassment or illegal eviction) which led to any civil or criminal proceedings resulting in a judgement against you?\*

Yes

No

If Yes, please provide details:

Has any HMO or house you have owned or managed been subject to enforcement action under Section 5 (2) of the Housing Act 2004 (concerning a category 1 hazard)?\*

Yes

No

If Yes, please provide details:

Has any HMO or house you have owned or managed been subject to a Control Order under section 379 of the Housing Act 1985 in the five years preceding the application?\*

Yes

No No

If Yes, please provide details:

Has a property you have owned or managed been refused a licence under Part 2 or 3 of the Housing Act 2004?\*

Yes

No

If Yes, please provide details:

Has any property you have owned or managed had a licence under part 2 or 3 of the Housing Act 2004 revoked?\*

Yes

No

If Yes, please provide details:

Has any property you have owned or managed been the subject of an interim management order, special interim management order, or final management order under the Housing Act 2004?\*

Yes

No

If Yes, please provide details:

Have you ever been convicted or received a Civil Penalty Notice for non-compliance of a Statutory Notice under Housing, Environmental Health, Landlord and Tenant, Public Health, Health and Safety, Building Regulations or Planning Laws?\*

Yes

No

If Yes, please provide details:

Have you been in control of a property where works have been carried out in default by the local authority?\*

Yes

No

If Yes, please provide details:

Have you ever breached conditions of a Housing Act 2004 licence?\*

Yes

No

If Yes, please provide details:

Have you been found by any local authority to have contravened an Approved Code of Practice under the Housing Act 2004 section 233?\*

Yes

No

If Yes, please provide details:

**Declaration:**

I declare that the information contained in this application is correct to the best of my knowledge.

I understand that I commit an offence if I supply any information to a local housing authority in connection with any of their functions under any of Parts 1 to 4 of the Housing Act 2004 that is false or misleading and which I know is false or misleading or I am reckless as to whether it is false or misleading.

I understand that the Council may require to verify my declaration from Criminal Records Bureau information and/or from other statutory bodies such as the police authority, Fire & Rescue Service, Trading Standards other Councils etc for further information and confirmation.

Name:

Date:

**THIS FIT & PROPER PERSON DECLARATION FORM SHOULD BE SUBMITTED AS AN ADDITIONAL SUPPORTING DOCUMENT WITH THE HMO LICENCE APPLICATION**

**Complete a separate declaration for each licence holder, company or managing agent.**

**Notes:**

Information on Spent Offences

Under the Housing Act 2004, licence holders and managers of houses in multiple occupation must be fit and proper persons to undertake the responsibilities of running them.

In order to assist the Council in making proper assessment of your suitability, you are asked to provide details about previous convictions for criminal offences.

Under the Rehabilitation of Offenders Act 1974, you are not required to provide details about previous convictions which are "spent". A conviction becomes spent after a certain length of time, which changes depending upon the sentence and your age at the time of conviction.

(The periods are halved if the conviction took place when you were aged 17 or less).

**Sentence**

**Period of good conduct needed**

**for conviction to be spent**

6 months to 2½ years imprisonment	10 years
Less than 6 months' imprisonment	7 years
Borstal Training	7 years
A fine or Community Services Order	5 years
Probation Order, Conditional Discharge, or Bind Over	1 year
An Absolute Discharge	6 months

**Note:**

If a person is sentenced to more than 2½ years in prison, his/her conviction can never become "spent".

Any information given will be treated as confidential and used only in connection with this application.

If you have any doubts about whether you have to declare a previous conviction, you should contact your local Probation Office or the Citizens' Advice Bureau or your Solicitor.