

## **HMO Overprovision**

An HMO Overprovision Policy has been agreed by Fife Council Community & Housing Services Committee which means, in principle, that there will be no further growth in HMO's in the defined boundary of the St Andrews area from **11<sup>th</sup> April 2019**.

## **The Future**

This does not mean that Fife Council will no longer be accepting applications, each valid application will be determined on its own merit. It is for the applicant to persuade Fife Council that the application should be granted. In determining an application Fife Council must have regard to –

- 1**, whether there is an existing HMO licence in effect in respect of the accommodation.
- 2**, the views (If known) of the applicant and/or the occupant/s of the living accommodation.
- 3**, the number and capacity of licensed HMO's in the locality.
- 4**, the need for housing accommodation in the locality and the extent to which HMO accommodation is required to meet that need.

## **Key Points**

### **Existing licence**

The policy does not affect where an existing licence is in force. However, in the event the licence lapses, then the policy would apply. To avoid allowing the licence to lapse, the application must be validated before the expiry of the current licence.

### **Transfer of HMO between owners**

The HMO Overprovision policy would apply if the application is invalid, the existing licence expires or where the new owner does not have a valid Landlord Registration.

### **Where an HMO Owner has deceased**

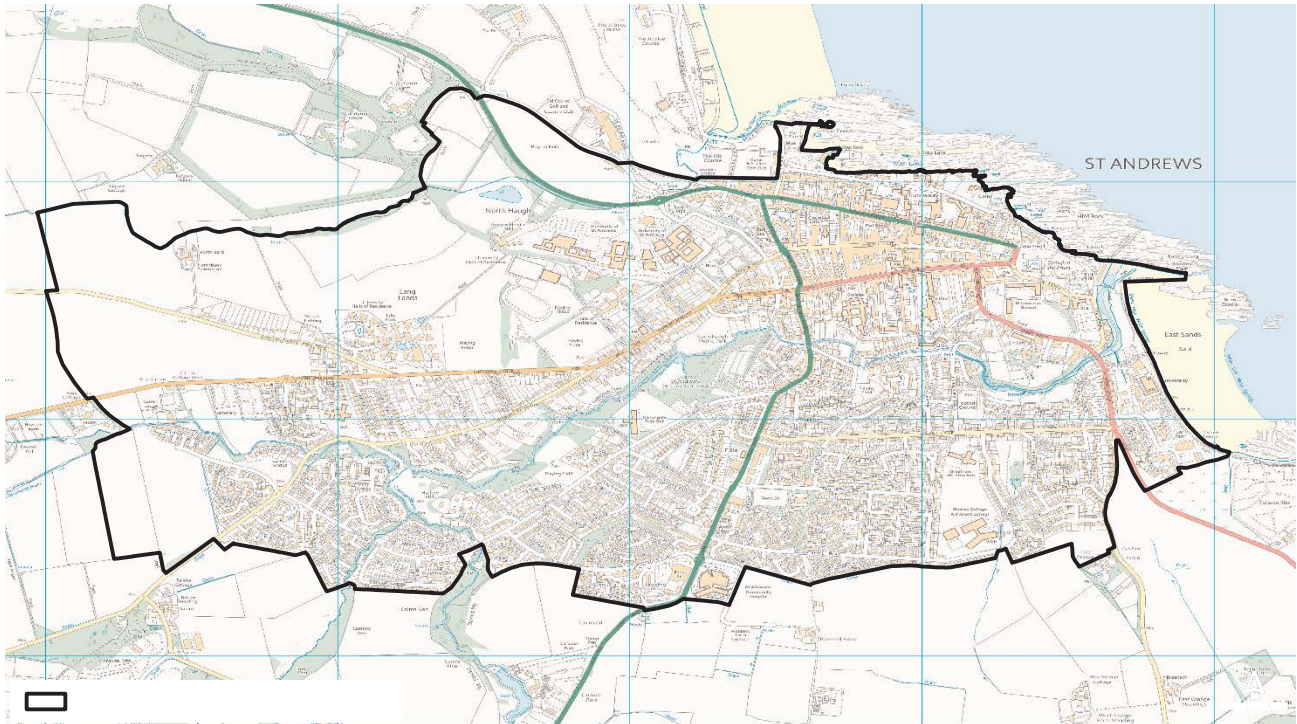
Where a sole licence holder dies, the HMO licence is to be treated as having been granted to the licence holder's executor, but expires 3 months after the date of the death. This can be extended by the local authority on the application of a licence holder's executor, if it is satisfied that it is reasonable to do so for the purposes of winding up the licence holder's estate.

### **Planning Permission**

Not every HMO requires planning permission. However, a landlord considering setting up an HMO is recommended to contact Development Management on 08451 551122 or email [development.central@fife.gov.uk](mailto:development.central@fife.gov.uk) to establish the position. Please be aware that any required Planning permission has to be in place at the time of submission of an HMO application, this **does not guarantee** that an HMO application will be successful.

## **St Andrews' Boundary**

St Andrews, in terms of the HMO Overprovision Policy is defined as being the following area. Further information on this boundary is available on request.



## **Help & Advice**

Any questions in relation to HMO Licensing please contact us directly at [HMO.Licensing@fife.gov.uk](mailto:HMO.Licensing@fife.gov.uk) or by calling 01592 583162.

Further advice can also be obtained at -

[www.fifedirect.org.uk/PrivateRentedSector](http://www.fifedirect.org.uk/PrivateRentedSector)

[www.fifedirect.org.uk/PrivateTenants](http://www.fifedirect.org.uk/PrivateTenants)