



**Neighbourhoods, Regeneration
and Sustainability**
Glasgow City Council
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Executive Director
George Gillespie
BEng (Hons) CEng MICE

MEMORANDUM

CASE 19

Our Ref: HMO/DB
Application Ref: HMO7353 (Amended)
Date: 24th September 2024

From: B Carroll
Principal Officer, Housing Intervention & Support Team, NRS

To: M Millar
Legal Manager (Licensing), Corporate Services

Subject: Consultation: Housing (Scotland) Act 2006
Application for a New House in Multiple Occupation Licence

Applicant: William McDevitt **Ward:** 06

Address: 1 Queen Square **House Position:** 2-2

Recommendation:

The following items be satisfactorily completed prior to the grant of the licence and the under noted conditions would be applicable.

Items for Completion:

Inspection

The premises were inspected on 17th June 2024 in respect of the Council's living standards for houses in multiple occupation. The following matters were directed to the attention the applicant, William McDevitt and also confirmed to the applicant by email.

1. Private Residential Tenancy (PRT) – The tenancy agreement provided does not reflect the Scottish Government's PRT model that was introduced from 01 December 2017. The applicant has given an undertaking that he will use the Scottish Government's PRT model going forward.
2. The house must not be used as a house in multiple occupation until the licence has been granted by the Licensing & Regulatory Committee.
3. Combination Boiler – the boiler needs to be swiftly repaired to reinstate the provision of heating and hot water. Without this provision the flat is not

meeting either the Tolerable Standard nor are you ensuring that the flat is complying with the Repairing Standard.

Conditions

1. A minimum of one (01) suitable bin with lid for storage of refuse produced by the tenants of the house shall be provided at a suitable location with suitable means of access thereto.
2. The number of residents to be accommodated within the licensed premises shall not exceed three (03) persons.
3. At least once in every five years all electrical systems within the premises shall be examined by a competent person and a certificate provided indicating that all such systems are functioning properly and are safe.
4. At least once in every year all portable appliances within the premises provided for the use of the tenants shall be examined by a competent person and certificates provided indicating that all such appliances are functioning properly and are safe. If the application is for the grant of an existing licence then copies of the portable appliance test certificates for the previous two years also require to be submitted.
5. At least once a year all gas appliances provided for the use of the tenants must be examined by a competent person (i.e. GAS SAFE REGISTERED ENGINEER) and a certificate provided (i.e. LANDLORDS GAS SAFETY CHECK) indicating that they are functioning properly and are safe. Gas certificates must be retained for three years and must be submitted when applying for the renewal of a licence.

Background Information

Description of Property: Three storey tenement property.

Number of Bedrooms: Three (03)

History of Multiple Occupation: New proposed HMO property.

Occupied: Currently occupied by three (03) tenants as a HMO.

History of Complaints:

10th February 2024 - Complaint received that the property was operating as an unlicensed HMO. Following investigation by the HMO Unit it was established on 03 April 2024 that the property was an unlicensed HMO and enforcement action was commenced. An application for a HMO license was subsequently submitted.

27th August 2024 – Complaint received from a tenant that the boiler providing both the central heating and the hot water was not working. The applicant was contacted on 17th September 2024 to ascertain why the boiler had not yet been repaired but to date the applicant has not responded.

Standard of Management: At time of inspection and following subsequent dialogue with tenants there are three outstanding items for completion identified that have been brought to the attention of the owner under “Items for Completion”. These matters are relevant in considering the standard of management and only once addressed can the standard of management be said to be satisfactory.

Other information: None