



MEMORANDUM

Our Ref: HMO/CDO
Application Ref: HMO02470
Date: 23/04/25

CASE 15

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

To: G McNaught
Legal Manager

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

Applicant: Christopher Sagan **Ward:** 11

Address: 11 Kersland Street **House Position:** 3-2

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 23 April 2025 in respect of the Council's living standards for houses in multiple occupation. The following matters were directed to the attention of the applicant and by letter to the applicant.

1. The Electrical Installation Condition Report (EICR) dated 26 October 2023 highlighted that not all sockets are protected by Residual Current Devices (RCD) and was classified as a Code C3 on the report. However, the amendment to the Repairing Standard effective from 01 March 2024 requires RCD protection in all privately rented homes. Please can you ensure that the property meets the amended Repairing Standard and have any additional works carried out to comply with the new regulations. A Minor Works Certificate (MWC) should be obtained for the electrical upgrade and submitted to the HMO Unit.
2. The Portable Appliance Test (PAT) certificate dated 07 November 2024 highlighted that the washing machine 'failed', However if appears still to be in place and in use and thus must be repaired or replaced immediately. In the interim the tenants should be instructed not to use the appliance.

3. The communal kitchen was noted to be requiring an element of refurbishment to ensure it remains suitable for the use of the occupants of a licensed HMO property. You should consider an appropriate scheme of refurbishment and a suitable timescale for implementation. I would be obliged if once this has been done the HMO Unit could be kept advised.

Conditions

1. A minimum of **one (1)** 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 **five (5)** 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: The property is a third floor tenement flat.

Number of Bedrooms: Five (5)

History of Multiple Occupation: The property has been known to be an HMO since 11 September 1979.

History of Complaints: None

Occupied: The property was occupied as an HMO with five tenants.

Standard of Management: At the time of inspection several items for completion brought to the attention of the applicant under the heading 'Items for Completion'. These items are relevant in considering the standard of management. Subject to effective steps being taken to address these items the standard of management may be said to be satisfactory.

Other Information: None