

Improving the Private Rented Sector in Brent

Additional HMO Licensing Consultation

**Brent Council's response to comments
and representations received during
the public consultation**

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1. Introduction

In order to improve the standard of privately rented property in the borough, Brent Council is proposing to introduce a boroughwide additional HMO licensing scheme which will apply to all HMOs (excluding those licensed through the mandatory HMO licensing scheme). During the consultation, the Council received a range of responses regarding the proposed new scheme and the wider private rented sector in Brent. The Housing Act 2004 requires the Council to consider any representations made in accordance with the consultation which are not withdrawn. The following is the Council's formal response to these representations, which have been considered and have informed a number of changes to the proposed schemes.

2. Changes made to the proposed scheme in response to consultation feedback

Licence Conditions

In response to the consultation feedback, the Council has **amended 3** proposed licence conditions.

Condition Number	Condition Subject
6	Rent Payments
16	External Areas
26	Fire Routine Notice

Details about these changes, including original conditions, comments and agreed amendments can be found in Section 4.1 of this report

3. Positive responses to the proposed scheme

The Council would like to acknowledge some of the comments received during the consultation in support of the proposed scheme. These have helped to validate the Council's approach and highlight the strengths of the proposal, which will be built upon to make the scheme even more effective.

This is an excellent initiative - well done Brent. Irresponsible landlords need to be forced to fit and proper landlords.

This is such a huge area of focus - i'm really happy brent are addressing it. there needs to be further regulation

I am fully agree with HMO license it makes safe housing for teannat and some tax income for Brent

4. Main themes from consultation feedback

The consultation focused on the extent to which respondents agree or disagree with the Council's proposal to introduce the additional HMO licensing scheme. The consultation also looked at views on the proposed licence conditions, fees, discounts and scheme objectives

The consultation questionnaire featured free text boxes which provided respondents with opportunities to comment on the proposals in their own words, specifically:

- If you disagree with the proposals for an additional HMO licensing scheme, please explain why
- [If you disagree with the proposal for an additional HMO licensing scheme] What alternatives do you think should be considered to address the problems?
- If you disagree with any of the discretionary conditions for additional HMO licensing, please explain why
- If you disagree with any of the objectives for additional HMO licensing, please explain why
- The Council wants to make sure that additional HMOs are safe and well-managed. Do you have any other suggestions the Council should consider in helping improve the condition and management of HMOs in Brent?

The comments and feedback from the online survey, written representations received and those made during online public forum events have been analysed and categorised into themes. The Council's response to these comments and themes are shown in the sections below.

4.1 Licence conditions

The following section outlines the comments received about *specific* licence conditions.

Condition number	Condition text	Example comment	Source	Council response
Note 5	The property licence must be displayed within a communal area of the property and a copy of the conditions should be made available to all the occupying tenants.	<i>Insisting a property licence must be displayed in the tenant's home can create an unwelcome institutional feel, particularly when the property is let to a small group of friends on one joint tenancy agreement. We would request flexibility to display a copy of the licence or give a copy to the tenants at the start of the tenancy. If this is intended as an enforceable licence condition, it should also be moved from 'Notes' into licence conditions</i>	Safeagent	This note is consistent with the HMO Management Regulations, which requires certain information to be clearly displayed in a prominent position within the HMO.
3	The licence holder must ensure that the number of occupiers and households allowed to occupy the property will relate to the amenities that are provided within the property and the size and layout of the rooms available as decided by the Council at the time of licence approval.	<i>We are unsure what this condition means in practice. It is for the local authority to assess the maximum occupancy limit when the licence is granted, and the responsibility of the licence holder to comply with that limit. If the purpose of this condition is simply to reinforce this point, we would suggest it is reworded so the meaning is clear.</i>	Safeagent	<p>The purpose of this condition is to ensure that the number of occupiers and households residing in a licensed property is appropriate to the size, layout, and available amenities, in line with the Council's adopted standards.</p> <p>While it is correct that the Council determines the maximum permitted occupancy at the point of licence approval, this determination is based on the information provided in the application, without a pre-licence inspection.</p>

Condition number	Condition text	Example comment	Source	Council response
				<p>The condition serves to reinforce the licence holder's ongoing responsibility to ensure that the property remains suitable for the number of occupiers permitted. This includes maintaining the property in a condition that continues to meet the required standards for space and amenities, as verified during the compliance inspection.</p> <p>We acknowledge your suggestion regarding clarity. However, our experience to date indicates that landlords have not raised concerns about the wording of this condition.</p>
5	<p>The licence holder must demand references from persons who wish to occupy the HMO.</p> <p>No new occupiers should be allowed to occupy the property if they are unable to provide a suitable reference. When referencing consideration must be given to the tenant's history, credit and right to rent checks.</p> <p>The licence holder must provide evidence of such reference and checks carried out when</p>	<p><i>We would encourage the Council to review this referencing condition. The wording should be sufficiently broad to avoid excluding vulnerable groups from the private rented sector. For example, prison leavers, people granted asylum, people fleeing domestic violence and homeless people trying to move into secure accommodation may all struggle to source a reference. We would ask that the Council consider the risk of exclusion as part of the equalities impact assessment and make any</i></p>	Safeagent	<p>The Council agrees that the absence of references should not automatically disqualify individuals from being considered for a tenancy, particularly in cases involving vulnerable groups.</p> <p>Enforcement action is considered on a case-by-case basis and factors impacting on the ability to obtain references will be taken into consideration. However, the Council agrees to reword the condition as follows:</p> <p>No new occupiers shall be allowed to occupy the house if they are unable to provide suitable references. (References should be as</p>

Condition number	Condition text	Example comment	Source	Council response
	requested by the Council within 14 days on demand.	<i>necessary adjustments to avoid that happening.</i>		<p>a minimum, checks to ensure the tenants identity, whether they have the right to rent a property [see https://www.gov.uk/check-tenant-right-to-rent-documents/who-to-check], their ability to pay rent and their past history as a tenant.)</p> <p>The licence holder must provide evidence of such reference and checks carried out when requested by the Council within 14 days on demand.</p>
6	<p>The licence holder must protect any deposits taken from the occupiers under an assured short hold tenancy agreement by placing them in a statutory tenancy deposit scheme.</p> <p>Information about the scheme being used must be given to the occupier at the time the deposit is taken. When requested this information must be provided to the Council within 14 days on demand.</p>	<i>This condition duplicates condition 7 and relates to tenancy deposits. It also incorrectly says tenancy deposit information must be provided at the time the deposit is taken, whereas condition 7 correctly explains the timescale is within 30 days. This condition should be deleted.</i>	Safeagent	<p>The Council agrees to amend the wording of condition 6 to the following:</p> <p><i>6. Rent payments</i> <i>The licence holder must ensure that there is a record of all rent payments received in respect of the property. Evidence of rent records must be provided to the Council within 14 days on demand</i></p>
8	The Licence Holder must ensure that all tenants are given a	<i>We think it is excessive to require every private landlord, even if they</i>	Safeagent	We note your reference to the forthcoming Renters' Rights Bill, which includes provisions

Condition number	Condition text	Example comment	Source	Council response
	<p>suitable written complaints procedure at the start of their tenancy.</p> <p>The procedure must include how complaints of the property conditions will be handled.</p>	<p><i>let out just one property, to develop a written complaints procedure. The condition also fails to make clear if this is referring to complaints about something the landlord has, or has not done, or whether it is referring to repair reporting arrangements which are something quite different. With the Renters Right Bill soon to implement a national landlord register and a mandatory landlord redress scheme, we would suggest this condition be deleted and let the new legislative framework to cover this topic.</i></p>		<p>to establish a Private Rented Sector Landlord Ombudsman. This new body is expected to offer a comprehensive and impartial mechanism for resolving tenant complaints, thereby strengthening accountability and transparency across the sector.</p> <p>In light of these anticipated reforms, we agree that it may be appropriate to review local licensing conditions to ensure alignment with the emerging national legislative framework. Accordingly, we will consider the necessity and wording of this particular condition, with a view to either refining it for greater clarity or removing it altogether, subject to the full implementation of the Renters' Rights Bill and associated regulations.</p>
9	<p>The licence holder must take reasonable and practical action to prevent or reduce anti-social behaviour by the occupiers of the property or their visitors.</p> <p>The licence holder must ensure that the occupiers of the property receive written confirmation detailing the procedure in place to</p>	<p><i>We think it is excessive to require every private landlord, even if they let out just one property, to develop a written procedure to tackle any ASB that might occur, and to provide a copy to every tenant at the start of their tenancy. What might be appropriate for a large public sector landlord like the local authority or an institutional build to rent</i></p>	Safeagent	<p>The Council's intention is to promote transparency and ensure that tenants are aware of the expectations and consequences relating to ASB from the outset of their tenancy. We will apply a proportionate approach when reviewing procedures taking into account the size and capacity of the landlords operations.</p>

Condition number	Condition text	Example comment	Source	Council response
	deal with anti-social behaviour at the start of their tenancy. Please refer to 12a and 12b below.	<i>landlord, may not be reasonable for every small private landlord. We would suggest more general wording that requires the licence holder to take all reasonable and practicable steps in accordance with the procedure outlined in condition 9b.</i>		
9a	<p>To help prevent anti-social behaviour occurring the licence holder must:</p> <ul style="list-style-type: none"> i. Obtain tenant references prior to granting a tenancy as to their previous conduct, and be satisfied that they are not likely to cause any anti- social behaviour. ii. Ask anyone wishing to occupy the property to disclose unspent criminal convictions. If unspent criminal convictions are disclosed the licence holder must consider if those convictions indicate a risk that the person is likely to commit acts of anti-social behaviour, before granting a tenancy. 	<i>In relation to 9a(i), we disagree with the prescriptive requirement a private landlord cannot allow anyone to rent a property in the borough unless they are satisfied they are not likely to cause anti-social behaviour. This has huge implications for exclusion. It could also effectively stop Councils using the private rented sector to house chaotic families in temporary accommodation. We would invite the Council to consider where families can live if they cannot afford to buy a home, are not eligible for Council housing and yet are excluded from the private rented sector by this clause. We would strongly encourage the Council to delete or substantially amend this clause.</i>	Safeagent	<p><u>Condition 9a(i)</u></p> <p>The purpose of condition 9a(i) is to encourage landlords to undertake reasonable due diligence when selecting tenants, not to impose an absolute bar on individuals with complex needs. Landlords should make informed decisions based on available references and information, without creating undue barriers to housing access.</p> <p><u>Condition 9a(ii)</u></p> <p>We appreciate the concerns regarding the handling of sensitive personal data under the General Data Protection Regulation (GDPR). The Council agrees that any request for disclosure of unspent convictions must be lawful, proportionate, and compliant with data protection legislation. We will seek legal advice to ensure that this condition is appropriately framed.</p>

Condition number	Condition text	Example comment	Source	Council response
	<p>iii. Respond to any reference requests received for a current or former tenant from another licence holder in writing within 21 days.</p> <p>iv. When giving a reference state whether or not they are aware of any allegations of anti-social behaviour made against the tenant. If allegations have been made, they must give details, to the best of their knowledge, of whether the allegations have been admitted or have been found proven in any court or tribunal.</p> <p>v. Make, a minimum of quarterly inspections of the property to ensure that it is in a decent state of repair and that the occupiers are not in breach of tenancy terms and conditions.</p> <p>vi. Ensure that all tenants are aware that if they or their visitors behave in a way that</p>	<p><i>We equally have concerns about condition 9a(ii). Criminal convictions, whether spent or unspent, are sensitive personal data under GDPR for which additional data handling restrictions apply. We do not think it is appropriate, and potentially not lawful, for the Council to insist landlords obtain this information from every prospective tenant. We would encourage the Council to seek legal advice and also seek input from the Information Commissioner's Office to ensure no sensitive data handling breach occurs. We also think it is highly irregular for a landlord or agent to be required to review a tenant's criminal convictions and decide if they should be excluded from renting a property in Brent.</i></p> <p><i>In relation to 9a(iv), we do not agree the Council can stipulate what information must be disclosed to a third party when providing a reference for a current or former tenant. What information, if any, is disclosed would need to be decided</i></p>		<p><u>Condition 9a(iv)</u></p> <p>We acknowledge your concerns regarding the disclosure of information in tenant references. The Council's intention is to promote responsible information sharing between landlords, not to mandate the disclosure of personal data in breach of data protection laws.</p> <p>We will review the condition to ensure it reflects that any disclosures must be made in accordance with GDPR and based on factual, documented incidents.</p>

Condition number	Condition text	Example comment	Source	Council response
	the licence holder, manager or Council considers to be anti-social they may face eviction.	<i>on a case by case basis having regard to GDPR restrictions.</i>		
9b	v: Make, a minimum of quarterly inspections of the property to ensure that it is in a decent state of repair and that the occupiers are not in breach of tenancy terms and conditions.	This feels like quite an imposition on the tenants, to have to have their home inspected every 3 months. Feels like it's treating them like untrustworthy students. I would've hated it when I was a renter.	Consultation survey comments	The Council considers that due to the higher risk factors associated with HMO properties, it is appropriate to require landlords to inspect HMOs every three months.
15(c)	<p>The Licence holder must ensure that:</p> <ul style="list-style-type: none"> a. The common parts in the premises are kept free from obstruction, in a clean condition and in good order and repair. b. Common areas, including shared living rooms, kitchens, and hallways are 	<i>We suggest this clause is deleted. The government acknowledged over 10 years ago that most people were familiar with the no smoking rules and so detailed regulations on no-smoking signs were no longer needed. The challenges of correctly capturing this within a licence condition is not easy. For example, we understand this would not apply within shared accommodation let on a joint tenancy but would apply in</i>	Safeagent	<p>While it is true that the legal obligation to display no-smoking signs has been reduced, the Health Act 2006 continues to impose a legal duty on those responsible for managing smoke-free premises to ensure that at least one compliant no-smoking sign is displayed in a prominent position at each entrance.</p> <p>The condition is intended to reinforce this statutory duty and to promote clarity for both landlords and tenants.</p>

Condition number	Condition text	Example comment	Source	Council response
	<p>not used for sleeping by tenants or their guests.</p> <p>c. Smoking is not permitted in any common area and 'no smoking' signs are clearly displayed (Health Act 2006)</p> <p>For the purposes of this condition "common parts" means—</p> <p>(i) the entrance door to the HMO and the entrance doors leading to each unit of living accommodation within the HMO; and</p> <p>(ii) all such parts of the HMO as comprise staircases, lifts, passageways, corridors, halls, lobbies, entrances, balconies, porches and steps that are used by the occupiers of the units of living accommodation within the HMO to gain access to the entrance doors of their respective unit of living accommodation.</p>	<p><i>the common parts of a property containing individual room lettings. The 'common parts' definition within this condition does not accurately capture that.</i></p>		<p>It applies specifically to common parts of properties that fall within the definition of smoke-free premises, which includes areas shared by occupants of separate dwellings—such as in HMOs or properties let on individual room agreements .</p>

Condition number	Condition text	Example comment	Source	Council response
16	<p>The licence holder must ensure that:</p> <ul style="list-style-type: none"> a. The exterior of the property including the roof, walls, drainage, window and door elements are maintained in a reasonable decorative order and state of repair. b. Gardens, fencing, paths, etc., and other external elements are kept in a clean, clear and/or sound condition. c. Outbuildings such as garages, sheds are properly maintained and are not used for sleeping purposes 	<p><i>The wording should be adjusted to recognise that maintaining the outside of the building and communal grounds are not the licence holder's responsibility if they are the long leaseholder of a self-contained flat within a freehold block of flats.</i></p>	Safeagent	<p>The intent of this condition is to ensure that properties let under licence are maintained to a reasonable standard and do not contribute to environmental degradation or nuisance. However, we recognise that licence holders should not be held accountable for matters outside their legal control. Accordingly, the Council will amend the condition as follows:</p> <p>Licence holders, within their legal responsibilities must ensure that:</p> <ul style="list-style-type: none"> d. The exterior of the property including the roof, walls, drainage, window and door elements are maintained in a reasonable decorative order and state of repair. e. Gardens, fencing, paths, etc., and other external elements are kept in a clean, clear and/or sound condition. f. Outbuildings such as garages, sheds are properly maintained and are not used for sleeping purposes
19	<p>The Licence holder must ensure that any works found to be necessary by the Council to ensure that the property complies with the Council's standards for</p>	<p><i>It is unclear how this condition is intended to be applied in practice. If any work is deemed necessary, we think it should be included as part of the licence with a clear timescale for compliance.</i></p>	Safeagent	<p>A compliance schedule will be provided to the licence holder after the property has been assessed. This will clearly identify any works required and the timeframe within which the works must be completed.</p>

Condition number	Condition text	Example comment	Source	Council response
	HMOs, are carried out within the specified time period given.			
26	<p>The licence holder should ensure that all residents are fully aware of the procedures to be followed in the event of a fire.</p> <p>They should also ensure that the fire routine notice detailing action to be taken in the event of fire, is clearly worded and displayed in a central location e.g. next to the main entrance/exits.</p>	<p><i>Whilst fire procedure signs might be appropriate in a large or high risk HMO with a complex layout, it can be excessive for a shared house occupied by three friends on one joint tenancy. There is a danger that excessive signage and legal notices displayed in the tenant's home creates an unwelcome institutional feel. We would request flexibility to display the information or give a copy to the tenants at the start of the tenancy.</i></p>	Safeagent	<p>The intention of this condition is to ensure that all residents are informed of the fire safety procedures relevant to the property. While displaying a fire routine notice in a central location (e.g. near the main entrance/exit) is considered best practice particularly in larger or higher-risk HMOs - we accept that in smaller, lower-risk properties, alternative methods may be suitable.</p> <p>The condition will be amended as follows:</p> <p>The licence holder should ensure that all residents are fully aware of the procedures to be followed in the event of a fire.</p> <p>They should also ensure that the fire routine notice detailing action to be taken in the event of fire, is clearly worded and displayed in a central location e.g. next to the main entrance/exits or a copy of the fire procedure is provided to each tenant at the start of their tenancy.</p>

Condition number	Condition text	Example comment	Source	Council response
				For larger HMOs i.e. 5 or more occupiers and/or high-risk HMO with a complex layout, the fire procedure signs must be displayed
29	<p>The licence holder must ensure that all means of escape from fire are free from obstruction and that adequate fire precautions are maintained.</p> <p>In determining adequate fire precautions reference should be made to the LACoRS guidance: HOUSING – FIRE SAFETY, Guidance on fire safety provisions for certain types of existing housing</p> <p>N.B. where the fire safety provisions in place are below the LACoRS recommended standard, the Council must be notified of any amendments/alterations.</p>	<p><i>We have concerns about the last paragraph which says "...where the fire safety provisions in place are below the LACORS recommended standard, the Council must be notified of any amendments/alterations". The LACORS guidance is non statutory risk based guidance that imposes no prescriptive standards. It does include some case studies but says they are not intended to be applied as prescriptive standards. That requirement should therefore be deleted.</i></p>	Safeagent	<p>Although LACoRS guidance is non-statutory it is widely recognised as a benchmark for good practice and is commonly used by local authorities to inform risk assessments and enforcement decisions.</p> <p>The purpose of the notification requirement is not to enforce the LACoRS guidance as a rigid standard, but to ensure the Council is informed when alternative safety measures are used. This allows us to assess whether they are suitable for the specific property.</p> <p>Where a licence holder adopts measures that significantly differ from commonly recommended approaches, it is reasonable for the Council to be notified. This enables a case-by-case evaluation to ensure that resident safety is not compromised.</p>
33	The licence holder is required to have in place suitable emergency management arrangements in the event of their absence. These	<i>We assume this condition is intended for situations where the landlord is the licence holder and has decided not to appoint a managing agent.</i>	Safeagent	Accepted

Condition number	Condition text	Example comment	Source	Council response
	<p>details must be given to the occupiers and displayed in a prominent place in a common area, preferably near to the entrance door.</p> <p>Should the Licence Holder be unable to fulfil the licence conditions he should appoint a person to manage the HMO during the period of the licence, he must:</p> <ol style="list-style-type: none"> Obtain from the manager a signed declaration identifying the licence conditions by which he agrees to be bound, and that the manager understands the consequences of failing to comply with the licence conditions; Provide the Council a copy of the signed declaration within 14 days of the said change of circumstance. 	<p><i>Where the landlord has appointed a safeagent accredited firm to manage their property, and this is disclosed in the licence application, no additional safeguards would be required as the Council will already have the managing agent's details on the HMO licence file.</i></p>		
35	The licence holder and/or manager may be required by the Council to attend an accredited	<i>We would like to make the Council aware that safeagent offers two relevant Ofqual regulated</i>		We would be happy to look at the training support Safeagent could provide to landlords in Brent.

Condition number	Condition text	Example comment	Source	Council response
	management training course, in the event of significant and/or continuous deficiencies in the supervision and/or maintenance of a licensed HMO being identified by the Council.	<i>qualifications. A Level 2 Foundation Lettings Course (England) and a Level 3 Award in Letting & Property Management (England). These two courses are supplemented by a multitude of CDP courses and Lettings Learning Snacks. You can find more information on our website: https://safeagents.co.uk/online-courses/</i>		
36	<p>The following documents should be displayed in a prominent position in a common area, preferably near the entrance door:</p> <p>a. A copy of the licence (incorporating where the licence conditions can be viewed).</p> <p>b. A Copy of the current Gas Safety Certificate.</p> <p>c. The name, address and telephone number (including an emergency contact number, if</p>	<i>We repeat the comment made earlier that insisting on documents being displayed in the tenant's home can create an unwelcome institutional feel, particularly when the property is let to a small group of friends on one joint tenancy. We would request flexibility to display a copy of the licence, gas safety certificate and energy performance certificate or give copies to the tenants at the start of the tenancy.</i>	Safeagent	This condition is consistent with the HMO Management Regulations, which requires certain information to be clearly displayed in a prominent position within the HMO.

Condition number	Condition text	Example comment	Source	Council response
	different) of the Licensee and/or Manager of the premises. d. Energy Performance Certificate(s) (EPC) carried out for new tenancies.			

4.2 General comments about licence conditions

The following outlines comments received about the licence conditions *generally*.

Theme	Issue	Example comment	Source	Council response
Disagreement with (any) conditions/scheme, broadness/vagueness of conditions	Respondents expressed that they believed the conditions and scheme themselves were unnecessary (and onerous) or, that the conditions were too broad and/or vague	<i>The conditions seemed to cover everything, just not sure what is meant by mandatory and discretionary conditions.</i>	Consultation survey comments	<p>The purpose of these licence conditions is not to impose unnecessary burdens on landlords, but to ensure that tenants are protected from unsafe or poorly maintained HMOs, and that consistent standards are upheld across the private rented sector. They also serve to support responsible landlords by creating a level playing field and addressing poor property management where it occurs.</p> <p>The Council considers the proposed conditions necessary, proportionate, and reasonable to improve safety, quality, and accountability in HMOs. While many landlords already meet these standards, licensing provides a vital mechanism to act where minimum requirements are not met.</p>
		<i>The discretionary conditions will apply a prohibitive burden of costs on landlords which will likely make then letting of some properties no longer viable and therefore make worse the housing crisis. The mandatory regulations that are already in place are sufficient.</i>		
		<i>After reading the conditions, I am still not quite sure what is meant by discretionary conditions. Hence the I don't know.</i>		

4.3 Fees, discounts and the financial impact of the scheme

Theme	Issue	Example comment	Source	Council response
Cost of licence fee	Respondents expressed concern that the proposed fee is too high, and will create an unnecessary financial burden on landlords, which could be passed to tenants. Also, considered to be high when compared to other Councils	<i>Adds additional costs to landlords which will then be passed on to tenants in increased rents. Council already has sufficient powers to deal with any reported problems.</i>	Consultation survey comments, PropertyMark	The proposed fee has been calculated based on the cost of setting up and operating the licensing schemes. The aim is to ensure that the costs are covered by the expected income from the number of licence applications that the Council anticipates under the proposed designations. Councils are not permitted to make a profit from licensing schemes and careful consideration and financial modelling has gone into the licence fees and discounts.
		<i>All additional costs will be passed to tenants, along with additional costs to cover extra administrative time.</i>		
		<i>It's a huge amount of money for a license fee.</i>		An additional HMO licence obtained at the start of the scheme will pay a one-off fee of £1040 for a 5-year licence, which equates to £4 per week. The Council has also elected to offer a discount to eligible landlords in order to reward and incentivise high property management standards.
		<i>we recognise that costs to implement schemes are generally more expensive to run in London Boroughs than for other areas. We also recognise that Brent have made significant efforts to keep fees as low as possible for previous schemes. However, with fees of up to £1,040 for an additional licence, the fee is high given the economic challenges and costs faced by landlords operating in the area. It is also</i>		
				Whilst the Council recognises that the licence fee is a cost to the landlord, this is not considered unaffordable compared to the average rental income obtainable in Brent at present. According to the ONS, the average monthly rental price in Brent is currently £2067 (meaning that the additional HMO licence fee would represent a less than

Theme	Issue	Example comment	Source	Council response
		<i>high when compared to other local authority licensing schemes including £650 in Newcastle and £550 in Liverpool. The fee is also higher compared to fees for many additional licenses schemes in London Boroughs where costs are typically high.</i>		<p>one percent reduction in rental revenue for the average property).</p> <p>The Council notes that the boroughs mentioned in the Propertymark submission are not neighbouring Brent. The total cost of an HMO licence in Liverpool is £1283 and not the £550 referenced.</p> <p>In regard to Newcastle the fee of £650 quoted is for part 2 of a selective licence or part 2 of a renewal of a mandatory HMO licence; the whole fee for an additional HMO licence in Newcastle is £1000 . Given the average monthly private rental cost in Newcastle was £1097 in April 2025 , and the average for Brent was £2067 for the same period, as a proportion of average monthly rent, Brent's licence fee is lower than Newcastle's.</p> <p>The proposed additional HMO licence fee is also below many other London Councils, including Waltham Forest (£1200), Southwark (£1300) and Lambeth (£1518). As a result of inflation the costs of administering and enforcing licensing schemes has also risen, leading to higher fees in more recent schemes.</p>

Theme	Issue	Example comment	Source	Council response
				We are mindful of financial pressures that landlords may currently be under. Landlords are encouraged to claim reasonable business expenses related to rental properties which may help reduce their tax bill.
Opposed to extra £25 per room fee if there are more than five habitable rooms.	Respondents expressed concern that the additional surcharge is makes the fee structure complicated	<p><i>We understand the Council is intending to charge an additional licence application fee of £1,040 plus an extra £25/ room if there are more than five habitable rooms.</i></p> <p><i>We think the extra £25 / room if there are more than five habitable rooms causes unnecessary complication, particularly as most additional licences will be for properties with two, three or four bedrooms. It creates confusion about how to classify an open plan kitchen / dining / living room and could have the unintended consequence of discouraging shared living or dining rooms and space to study. We would encourage the Council to remove this extra cost.</i></p>	Safeagent	<p>The Council considers its fee structure to be fair, proportionate, and reflects the additional resources required to assess larger properties.</p> <p>Properties with more than five habitable rooms typically require more intensive inspection and regulatory oversight. The additional £25 per room helps cover the cost of officer time and administrative processing, ensuring that the scheme remains cost-neutral to the Council and funded by those who benefit from or create greater regulatory demand.</p> <p>The majority of licensed properties are expected to fall below the five-room threshold, meaning this surcharge will apply only in a minority of cases. The Council will provide clear guidance on how habitable rooms are defined, including treatment of open-plan spaces, to minimise confusion and ensure consistency.</p>

Theme	Issue	Example comment	Source	Council response
				This fee structure has been in place for over a decade without significant issues being raised. Nonetheless, we will continue to monitor its implementation and remain open to reviewing the approach if substantive concerns are identified.
Costs of implementing the scheme and value for money	Concern about whether the scheme is the most cost-effective method of improving the PRS.	<i>We hope that Brent Council can clarify how much these schemes will cost. Many additional and selective licensing schemes are a significant investment for local authorities, and we would ask that Councillors consider carefully if such a scheme offers value for money for their residents and is the most cost-effective method to improve the quality of the PRS. We note that the additional licensing scheme is being reintroduced. Accordingly, what has been the overall cumulative cost for the Council in implementing licensing. The costs should include the total costs for the Council in administering property licensing.</i>	PropertyMark submission	The licence scheme is designed to be cost neutral and will not make a profit; the fee has been designed to be as low as possible whilst ensuring the cost of the licensing scheme is covered.
Licence Renewal Discount	Respondents suggest the scope of the	<i>We welcome the proposed £100 discount for licence renewals.</i>		The Council will not be offering a discount. However, it will accept licence applications at

Theme	Issue	Example comment	Source	Council response
	proposed £100 renewal discount be extended to landlords and agents licensed under the previous scheme	<i>However, we note is says the discount will only be offered if the renewal application is submitted before the expiry of the existing licence. Given the significant gap between the old scheme ending and new scheme starting, this could unfairly impact on landlords with licences that expired before the new scheme was implemented. If the scheme is renewed, we would recommend this discount is extended to all landlords and 4 agents licensed under the previous scheme provided their renewal application is submitted within three months of any new scheme being introduced.</i>		the previous fee of £840 per licence, during the transitional period between Cabinet approval being granted, and the scheme formally going live. This period is anticipated to run from November 2025 to end of January 2026.
Landlord Accreditation Discount Eligibility	Respondents suggested firms eligible for accreditation discount be widen	<i>We note Brent Council is proposing a £40 accreditation discount and says this is restricted to landlords and managing agents accredited through the London Landlord Accreditation Scheme. We express concern that this appears to exclude safeagent accredited firms. We believe firms that pass our stringent annual verification</i>	Safeagent	The council have a partnership working group with LLAS as part of London alliance. The council welcomes the opportunity to continue working and communicating with Safeagent and other landlord groups on how their members can best engage with the scheme.

Theme	Issue	Example comment	Source	Council response
		<i>checks to obtain accreditation status, including redress scheme membership and client money protection for any client funds held, should be eligible for the accreditation discount. We would encourage the Council to give this matter further consideration. It incentivises landlords to appoint an accredited managing agent and drive up standards in the private rented sector.</i>		
		<i>We are disappointed that no consideration has been given for members of such bodies as being a member of Propertymark demonstrates that the letting agent is suitably qualified, has access to regular training and meets compliance and regulatory standards, so encourage the Council to consider discounts for Propertymark member letting agents</i>	Propertymark	
Accreditation discount should be increased	Concern about the type and level of discounts applied, and suggestion to widen the scope of	<i>We note the accreditation discount says it only applies to 'first time applications'. We would not support this approach</i>	Safeagent, Propertymark	Part A of the licence fee covers the cost of processing, administration and validation of the application, including inspection. The overall administrative burden remains

Theme	Issue	Example comment	Source	Council response
	the accredited landlord discount	<i>as it is equally important to incentivise accreditation when licences are renewed.</i>		significant; the licence fee is set to reflect this and as such a reduced fee has not been afforded for a subsequent licence.
		We encourage the Council to increase the accreditation discount which represents less than 4% of the licence application fee. We note some Councils offer accreditation discounts up to 20%.		The Council has taken into account the recommendation of an increase in the scope and amount of the accredited landlord discount but concludes that the current discount is a sufficient incentive and reward,
		We also note that there is no discount for additional licensed properties which specifically disadvantages landlords with large portfolios.		
Money-making scheme	Respondents express belief that the scheme is a means of revenue-generation for the Council rather than a means of improving the PRS.	<i>The new licensing process feels more like an extra tax than anything else. There are very little checks and the cost is very high.</i>	Consultation survey comments	Under the law, the Council is not allowed to make money from the licensing scheme. The proposed fee has been calculated based on the cost of setting up and operating the licensing scheme, so that the costs would be met by the expected income from the number of licence applications the Council anticipate, under the proposed designations.
		<i>This is nothing more than a money generation / taxation scheme for the Council that won't improve conditions for tenants!</i>		

Theme	Issue	Example comment	Source	Council response
		<i>Licencing is just a money earner for the Council with no social benefit.</i>		The fee will be kept under annual review to ensure the scheme remains cost neutral.
Cost of raising standards of older properties	Concern about the cost to landlords of raising the standard of pre-1919 housing stock, particularly in relation to energy-efficiency, and a request for clarity over available grants and loans	<i>Outside of certain wards, large parts of Brent are characterised as including significant levels of older housing stock. Areas that have these characteristics are often inner-city communities with large section of pre-1919 built housing. Accordingly, a significant amount of investment is required to improve the condition of stock including the energy efficiency of properties. We would be grateful if Brent Council could clarify if they have any proposed financial grants or loans available for landlords to improve stock.</i>	Propertymark	<p>The Council currently offers empty property grants. Further details can be found on the Council's website. We also intend to seek funding from sources such as MHCLG, DESNZ, and others to support property improvement initiatives.</p> <p>The Council currently offers financial support through empty property grants, aimed at bringing vacant homes back into use and improving housing standards. Full details of these grants, including eligibility criteria and application procedures, are available on the Council's website.</p> <p>In addition to this, the Council is actively exploring opportunities to secure external funding from national bodies such as MHCLG and DESNZ, and other relevant agencies. These funding streams will be used to support wider property improvement initiatives across the borough, helping to enhance housing quality, energy efficiency, and overall living conditions for residents.</p>
Effect on rental supply and prices	Respondents expressed concern that property	<i>There is a growing demand for simple, affordable, and clean</i>	Consultation survey	From administering its HMO licensing schemes, the Council has seen no evidence

Theme	Issue	Example comment	Source	Council response
	licensing could cause landlords to leave the market/sell up, decreasing housing supply and increasing the price of renting within the borough	<p><i>accommodation. However, the increasing number of regulatory schemes and additional costs being imposed on landlords will inevitably lead to these expenses being passed on to tenants.</i></p> <p><i>exiting the market is especially a concern for smaller landlords who are more likely to sell their properties and further shrink the supply of much sort after PRS properties leaving remaining private tenants with higher rents</i></p> <p><i>Because it will put off landlords from renting and will reduce availability for tenants.</i></p> <p><i>theres only so much landlords can take. If you keep hounding them they will sell up and leave meaning less supply of good quality homes and higher rents</i></p>	comments, Propertymark	<p>that landlords have increased rents to cover their licence fee costs or that landlords have moved elsewhere.</p> <p>This is supported by the findings from the many other Councils in London and nationally that run discretionary property licensing schemes (selective and/or additional) and have no evidence to support that licensing has pushed landlords out of the rental market.</p> <p>If a landlord decides to increase the rent for their property, there are procedures which must be followed and any increase above market rents levels can be challenged by the tenant via the Residential Property Tribunal.</p>

Theme	Issue	Example comment	Source	Council response
Impact on low income families	Concern that an unintended consequence of licensing could be that low-income families will be priced out of Brent	<i>Renting in Brent can be expensive with a median rent in some Brent post codes for a three-bedroom property being £2,448 per calendar month (September 2024⁶). It is likely that many low waged and people in receipt of benefits access the PRS in Brent live in HMO property. We are concerned that landlords may increase rent due to the added and significant costs of licenses. Consequently, some renters living within the Borough will require cheaper accommodation due to being on a low income and the continued challenges in the cost-of-living crisis.</i>	Propertymark	As detailed previously, the licence fee is a relatively small proportion of the average monthly rental income in Brent (the licence equates to around £4.00 per week over the 5-year scheme), and therefore should not have an impact on rents charged in a competitive market. However, if landlords want to increase the rent, there are procedures which must be followed and any increase above market rents levels can be challenged via the Residential Property Tribunal.

4.4 'Good' landlords and collaboration

Theme	Issue	Example comment	Source	Council response
Target rogue landlords	Respondents suggested that the Council focus its efforts solely on targeting rogue landlords	<i>Prosecution of rogue landlords doesn't need to mean demonizing 95% of landlords</i>	Consultation survey comments	The Council understands that many landlords who rent out HMO properties in the private sector manage their properties responsibly. However, the evidence shows that the borough is experiencing large scale issues in HMOs with poor housing conditions and poor management.
		<i>If you have knowledge of the rogue landlords, hand them fines and stop them becoming landlords. Do not penalise the landlords doing a good job.</i>		The Council's intention is to use the regulatory framework provided by the additional HMO licensing scheme to focus on those that do not comply and impact negatively on the reputation of those responsible landlords as well as having a detrimental effect on tenants and neighbourhoods.
		<i>Good landlords are already doing the right and correct things for their properties and tenants. Resources should be focused on targeting rogue landlords and not penalising all landlords with this additional extortionate cost.</i>		Non-compliant landlords will be subject to more scrutiny and put to greater cost than responsible, compliant landlords as they will be given a reduced-term licence. Furthermore, we will use robust enforcement against wilfully non compliant landlords to ensure HMO properties are protected by the licensing scheme. We will continue to robustly enforce against wilfully non-compliant landlords

Theme	Issue	Example comment	Source	Council response
				and the licence fee will enable the Council to have a significant proactive enforcement capability.
Work with 'good' landlords	Respondents expressed concern that the scheme would treat 'good' landlords and rogue landlords the same, penalising good landlords	<i>Work with landlords more rather than taking an aggressive approach when contraventions occur</i>	Consultation survey comments, Propertymark	The Council is committed to providing robust support for landlords, and we have several measures already in place to ensure this.
		<i>Consider more workshops or training sessions for landlords to help them navigate regulations and improve property management skills.</i>		Our guidance for landlords, available on the Council's webpage, provides comprehensive information and advice to landlords to support them in meeting their obligations when letting a property.
		<i>Propertymark would prefer a regulatory framework, which seeks to educate landlords in improving their stock rather than punitive measures that are difficult to enforce and only punish compliant landlords letting those that require improvements to go undetected</i>		<p>We shall continue to provide landlord forums and educational opportunities to support landlords.</p> <p>The Council welcomes engagement with all agents' representatives and will strengthen our links with member organisation over the licensing scheme period.</p> <p>The Council has considered a range of alternatives to additional HMO licensing</p>

Theme	Issue	Example comment	Source	Council response
		<i>Propertymark has a network of Regional Executives and a series of Regional Conferences that take place throughout the year. We would be very happy to work with the Council to engage with local agents over a virtual roundtable discussion on how standards can be improved.</i>		but does not believe they are as effective in dealing with the poor housing conditions and management standards in HMOs in the borough. The Council is satisfied that the proposed additional HMO licensing scheme, in conjunction with other initiatives, will bring about the required improvements.
Work collaboratively with letting agents	Respondents suggest that the Council should work collaboratively with letting agents.	<i>Letting agents have a critical role to play in effective management of the private rented sector. We would encourage the Council to explore mechanisms for effective liaison with letting agents and to acknowledge the benefits of encouraging landlords to use regulated letting agents such as safeagent accredited firms.</i>	Safeagent	The Council agrees and is indeed open to exploring ways for effective collaboration with letting agents.

4.5 Anti-Social behaviour

Theme	Issue	Example comment	Source	Council response
Landlords' responsibility for dealing with ASB and tenant behaviours	Respondents expressed concern about landlords being held accountable for ASB and other tenant-related behaviours along with concerns about the Council supporting landlords in addressing ASB	<i>More definition and accountability of TENANT responsibilities for the general upkeep and maintenance of the property. They should also bear some responsibility as per the terms defined in the tenancy agreement.</i>	Consultation survey comments, Propertymark	The Council understands that it is the responsibility of all residents in the borough not to partake in anti-social behaviour.
		<i>Landlords have a role here but tenants are responsible for maintaining gardens, putting out waste and recycling and their behaviour.</i>		The Council does not expect landlords to be solely responsible for the behaviour of their tenants, but the Council would expect landlords to meet the proposed licence conditions, which lay out how to help address issues with ASB in licensed HMOs.
		<i>Unfortunately, landlords are not the best equipped to deal with anti-social behaviour and certainly do not have the skills or capacity to deal with some tenants' problems such as mental health or drug and alcohol misuse.</i>		The Council will work with landlords who are experiencing issues with tenants to address issues of ASB, including guidance on how to manage ASB caused by tenants.
		<i>Issue i believe is that tenants should be responsible for some issues at the property, the landlord should not be liable for everything, also with number of tenants if overcrowded tenants</i>		The Council would encourage landlords to include clauses in their tenancy agreements about ASB, and to manage their tenancies and ensure that ASB caused by their tenants is effectively addressed and if necessary appropriate action taken. The licence conditions give actions which landlords should take to indicate that they are dealing with ASB associated with their properties. Evidence presented to the Council

		<p><i>should have to pay a penalty not landlord.</i></p> <p><i>The principle is great and we do need a baseline for standards for private rented accommodation but the onus here is on landlords and more costs and regulations will reduce the size of the sector and drive up rents.</i></p>		<p>may be used in claims for possession. The Council's (ASB) officers will work in partnership to support landlords in dealing with tenants causing ASB.</p>
Environmental crime	<p>Clarity over the extent to which the ASB and enviro-crime referred to in the Evidence Pack is attributable to the PRS</p>	<p><i>The evidence document has highlighted additional licensing as a tool to tackle environmental crimes such as fly tipping, poor waste, husbandry and street cleaning. Brent also says that there has been a reduction in repeated waste related incidences (such as fly tipping) linked to HMOs. We would be interested in further evidence to highlight this point. Essentially, while we welcome efforts to tackle fly tipping, unless the perpetrator is caught doing the fly tipping or there is some sort of evidence, such as an addressed letter, within the fly tip, then it is impossible to suggest to what extent fly tipping is a problem in the PRS. Even if the link between</i></p>	Property mark	<p>While it is not always possible to identify individual perpetrators of fly tipping, the licensing framework enables the Council to engage directly with landlords and managing agents to ensure that adequate waste storage facilities are provided, tenants are informed of their responsibilities, and waste management arrangements are clearly documented and monitored. This proactive approach contributes to a reduction in repeat waste-related incidents associated with licensed HMOs.</p> <p>We fully acknowledge that landlords cannot be held responsible for actions beyond their control. However, through licensing, they are well positioned to set clear expectations, maintain appropriate property standards, and work collaboratively with tenants to prevent environmental issues. The Council's objective is not to assign blame, but to promote shared</p>

		<p><i>fly tipping and the PRS could be proved, there is very little that landlords could do for any behaviour outside the tenancy unless the fly tip was done within the grounds of the property.</i></p>	<p>responsibility and improve the overall quality and cleanliness of neighbourhoods.</p> <p>All data within the Evidence Pack and the Housing Conditions Report (Appendix 1) relating to ASB is specifically linked to HMOs. Where no link could be found or maintained, this data was excluded. Section 6 (page 55) of the Housing Conditions Report states: <i>"It is important to note, where incidents could not be matched directly at the property level with HMO, ASB incidents have been discarded from this study. For example, ASB incidents investigated on a street corner that cannot be directly linked to an HMO property have been excluded."</i></p>
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4.6 Administration of the proposed scheme

Theme	Issue	Example comment	Source	Council response
Use existing regulations and powers	Respondents expressed they felt that the current regulations around the PRS and powers granted to the Council were sufficient to solve any issues and that any additional regulations add an unnecessary layer of bureaucracy.	<i>It's too bureaucratic and landlords are already selling up to the detriment of tenants who will have nowhere to live</i>	Consultation survey comments	<p>The Council acknowledges that landlords are subject to existing regulations and laws. However, the existing mandatory HMO regulations and powers do not require landlords of smaller HMOs to declare themselves to the Council. This means that without an additional HMO licensing scheme there is no obligation for landlords to make their properties known to the Council or to be proactive in improving conditions, including minor issues (that may still pose a health and safety risk) but still need to be addressed, but which a tenant may not complain to the Council about. Formal action under the Housing Act can be a slow process, and improvements to properties can take many months.</p> <p>Whilst the Council acknowledges that many HMO landlords operating in the borough keep their properties to a high standard, the evidence presented during the consultation shows that there are large scale issues with poor property conditions in HMOs in the borough.</p> <p>The Council have considered a range of alternatives to additional HMO licensing, but</p>
		<i>Additional unnecessary burden on landlords that are already squeezed for money.</i>		
		<i>Government legislation is already in place to cover most licensing conditions, local licensing just doubles bureaucracy.</i>		
		<i>Use existing legislation where necessary. The Council already has extensive powers to enforce property maintenance and anti-social behaviour and put the Council's resources into specifically targeting problems and property.</i>		

Theme	Issue	Example comment	Source	Council response
				do not believe they are as effective in dealing with poor property maintenance and management in the borough.
Importance of alternative/complementary measures	Respondents encouraged the Council to work in tandem with law enforcement, utilising alternative measures	<i>More investment in community police and policing...Stronger enforcement of existing guidelines</i>	Consultation survey comments	<p>As clearly outlined in the Evidence Pack, the Council maintains strong collaborative relationships with a range of external partners, including the police, to deliver a coordinated, multi-agency response to crime and antisocial behaviour. This joined-up approach ensures that the issues affecting our residents, businesses, and visitors are addressed effectively and consistently.</p> <p>The success of this model was demonstrated during the previous Additional HMO licensing scheme, where collaborative working significantly enhanced enforcement outcomes. In particular, the increase in prosecutions of non-compliant landlords can be directly linked to improved intelligence sharing and operational coordination across multiple disciplines. This integrated approach not only strengthens enforcement but also ensures that resources are used efficiently and that interventions are targeted where they are most needed.</p>
		<i>Police on the streets for ASB and Brent staff walking around the area investigating fly tipping</i>		
		<i>Criminal activity cannot just be passed to a third party (police). The Council must pursue issues and work with police until they are resolved.</i>		
Failure to find/license/penalise rogue landlords	Respondents expressed concerns that rogue landlords would	<i>There is too much pressure on good landlords, while bad landlords continue to operate</i>	Consultation survey comments	The Council recognises the significant challenges posed by landlords who operate HMOs without the required licence,

Theme	Issue	Example comment	Source	Council response
	continue to operate under the radar, resulting in a scheme that only includes good landlords without achieving benefits for them	<p><i>outside of regulations - pursue the bad ones instead of using the good ones as cash cows.</i></p> <p><i>These licensing fees do not get paid by the real perpetrators of bad practice in the rental sector.</i></p> <p><i>The vast majority of landlords and managing agents in Brent operate professionally and within the law. Imposing blanket licensing unfairly penalizes compliant property owners with increased bureaucracy and significant costs, while rogue landlords often ignore such schemes entirely. This approach dilutes resources that could be more effectively used in targeted enforcement against the minority who flout regulations.</i></p>		<p>undermining the integrity and effectiveness of the licensing scheme. Tackling unlicensed properties is therefore a key priority.</p> <p>If a new scheme is approved, the Council will undertake proactive inspections to identify unlicensed HMOs and carry out regular compliance checks to ensure licence conditions are being met. We have set ambitious objectives for this scheme and are committed to deploying resources strategically - focusing enforcement efforts on the properties and landlords of greatest concern.</p> <p>By targeting those who fail to licence or who breach licence conditions, the Council aims to uphold a fair and consistent standard across the sector. This approach not only protects tenants but also supports compliant landlords and contributes to safer, better-managed housing for all residents in the borough.</p>
Efficient administration and robust enforcement	Respondents emphasised the need for proper and efficient administration and,	<i>What Brent needs is better enforcement of the existing framework, not new layers of regulation. The Council already has the powers to deal with</i>	Consultation survey comments, Safeagent	The Council agrees that efficient enforcement and proactive inspections are fundamental to the success of any scheme. Brent Council has one of the strongest

Theme	Issue	Example comment	Source	Council response
	robust enforcement of the scheme	<p><i>poorly managed properties and unfit landlords but often lacks the capacity or will to enforce them effectively. Redirecting resources to enforcement rather than licensing administration would yield far better results.</i></p> <p><i>More regular and mandatory visits and checks by Council to ensure living conditions are met.</i></p> <p><i>Works are being done in these properties without building control approvals nor respect to neighbors. Also soundproofing should be considered in these properties as sound exponentially increases with more people around. Also max amount of people living in these places should be checked occasionally. Maintenance of dwelling and gardens should be regularly checked. This should also help with fly-tipping.</i></p>		<p>records in enforcement and administration of its licensing scheme.</p> <p>The financial model underpinning the scheme builds in enforcement and inspection officers ensuring that visits to HMO properties are routinely conducted, and appropriate enforcement action is taken where necessary.</p> <p>While the Council remains committed to an educational and supportive approach - particularly for landlords who are willing to comply - we will not hesitate to take firm action where there is clear and wilful non-compliance. This dual approach ensures that risk within the private rented sector is managed effectively, and that tenants living in HMOs are afforded the protections the licensing scheme is designed to deliver.</p>
Transparency and accountability in licensing outcomes	If the scheme is approved an annual review should be	<i>If the scheme is approved, the Council should consider providing an annual summary</i>	PropertyMark	We agree that transparency and accountability are essential to building trust and demonstrating the value of the scheme

Theme	Issue	Example comment	Source	Council response
	undertaken and made publicly available	<i>of outcomes to demonstrate to tenants, landlords and letting agents' behaviour improvements and the impact of licensing on the designated area over the scheme's lifetime. This would improve transparency overall.</i>		to all stakeholders, including landlords, letting agents, tenants, and the wider community. The Council is committed to monitoring the impact of the scheme and recognises the importance of sharing this information in a clear and accessible way.

4.7 General comments on the proposed scheme

Theme	Issue	Example comment	Source	Council response
Overall opposition to HMOs in the borough	Respondents expressed general dissatisfaction with the state of HMOs and perceived growth in the HMO tenure within the borough	<i>Brent should NOT take on any additional HMO we are saturated and out of control. Brent seriously have problems as we are</i>	Consultation survey comments	HMO planning and HMO licensing are separate regimes, and their legislative requirements are quite different. Small HMOs (between 3 and 6 unrelated occupiers) have permitted development rights. The Council has no legal grounds to take action or stop the development where change of use is 'permitted'.
		<i>Not just a license, but they need to be capped. The turning of whole areas into HMO's are creating urban ghetto's. I've visited HMO's in appalling conditions in our house searches, and in our 22yrs in the borough, the Council planning and licensing policies have created a ghetto. There are illegal extensions, illegal conversions, antisocial and unsafe behaviour, and properties in appalling conditions. HMO's create over crowding, not only in the property itself, but on numerous whole streets (I can send names if you wish).</i>		Property licensing schemes do not result in increased numbers of HMOs, but they do seek to improve the management and standards of the HMO properties already in existence. The Council believes, therefore, that those areas with large numbers of HMOs will continue to see the benefits of additional HMO licensing that a further scheme would bring.
		<i>Stronger limitations on the number of HMOs permitted in an area, in order to reduce anti-social behaviour, and in</i>		The licensing scheme will enable issues of overcrowding within HMOs to be addressed. There are specific licence conditions relating to the maximum occupancy of both the property and the rooms within it. Licence-holders are required to inspect their properties every three months. This must include evidence of checks that the HMO is

Theme	Issue	Example comment	Source	Council response
		<i>order to limit water use, household waste and strain on public services like GPs and public transport</i>		being occupied by the level of occupancy specified in the licence.
Issues in Council and housing association properties	Respondents expressed that they believed the primary issues within rented properties were primarily related to properties owned/managed by Councils and housing associations.	<i>Finally, the Council also needs to set higher standard for properties owned and managed by the Council. I have several times reported poorly maintained properties , only to find out they were owned/managed by Brent. Shocking.</i>	Consultation survey comments	The proposed additional HMO licensing scheme is set within the context of the Council's wider programmes to improve property standards and reduce ASB throughout the borough.
		<i>The issue is in the area is with Housing Associations who manage HMO's.</i>		The Council's "Moving Brent Forward Together for 2023-2027" borough plan is made up of five key ambitions, including "Prosperity and Stability in Brent", in which the Council sets out its goals of delivering 'safe, secure, decent housing'.
		<i>Focus on Housing Association owned and Council owned properties.</i>		The Council acknowledges there are challenges faced by all tenures of housing, including Council-run and housing association properties as well as owner-occupied properties. However, additional HMO licensing is a tool that enables the Council to mitigate issues <i>solely</i> within the PRS; specifically smaller HMOs. properties let by a local authority or a Registered Provider (housing association) are exempt from licensing by law and thus any

Theme	Issue	Example comment	Source	Council response
				issues with these types of properties must be dealt with separately.
Opposed to boroughwide scheme	licensing should be focused only on wards with the highest number of HMOs of concern	<i>In relation to the evidence base, the data indicates a large spike in HMOs subject to additional licensing in Wembley Park, but very low numbers in wards such as Alperton, Barnhill, Kenton, Kingsbury, Northwick Park, Preston, Queensbury, Sudbury, Tokyngton, Welsh Harp and Wembley Central.</i>	Safeagent, Propertymark	The Council acknowledges concerns about the distribution of HMOs and the suggestion that licensing should focus only on wards with the highest concentrations. However, a borough-wide scheme ensures consistency, fairness, and the ability to intervene wherever poor management is identified. It also enables the Council to allocate resources flexibly and proportionately, targeting the landlords and properties of greatest concern while maintaining oversight across the borough.
		<i>Whilst the data includes some 'hidden HMOs', we could find no definition and no certainty what this was referring to</i>		This approach aligns with the statutory framework and supports the Council's strategic aim to raise standards across the entire private rented sector.
		<i>The data suggests a better use of limited resources could be to focus the licensing scheme on those wards with the highest number of HMOs that are cause for concern to achieve more targeted interventions.</i>		The term "hidden HMOs" in the evidence base refers to properties that are predicted to meet the legal definition of an HMO but have not been licensed under either mandatory or additional licensing powers. These are often identified through inspections, complaints, or intelligence sharing with partner agencies. Including them in the data is essential to
		<i>Essentially, using a borough-wide scheme is difficult to find</i>		

Theme	Issue	Example comment	Source	Council response
		<i>the root cause of issues and the Brent should consider targeting their scheme</i>		<p>understanding the true scale of the sector and the risks posed by unregulated accommodation.</p> <p>While some wards may show fewer reported issues, this does not diminish the need for borough-wide intervention. Underreporting is common, particularly in newer developments or professionally managed blocks.</p> <p>The Council therefore considers the proposed designation to be both proportionate and justified.</p>
Inclusion of Wembley Park	Insufficient evidence to support the inclusion of Wembley Park within the scheme.	<i>The business case for including Wembley Park within a new additional licensing scheme looks particularly weak. Despite having the largest number of HMOs subject to additional licensing, the data shows extremely low levels of hazards, ASB incidents, tenant complaints and enforcement interventions. As the Council point it, the scheme can only be introduced if the Council is satisfied a significant proportion of the HMOs in that</i>	Safeagent, Propertymark	<p>Section 56 of the Housing Act 2004 allows a local housing authority to designate either the area of their district or an area in their district as subject to additional licensing if they consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise to one or more particular problems either for those occupying the HMOs or for members of the public.</p> <p>Brent Council has proposed to designate the area of its district (the London borough of Brent). When considering the evidence for the</p>

Theme	Issue	Example comment	Source	Council response
		<p><i>ward are being poorly managed and are giving rise to problems affecting the occupiers or members of the public. With all the published data indicating this test is not met, there appears to be no sound basis for implementing the additional licensing scheme in this ward.</i></p> <p><i>it should also be considered that in some areas of Brent, there is a very high proportion of properties that are new builds where standards are high including in the Wembley Park area of the borough. We do not think it would be appropriate to have a scheme in areas where there has been a high proportion of new builds built as the standards are generally very high.</i></p>		<p>area as a whole (including Wembley Park) the Council is satisfied that the legal tests have been met and a significant proportion of the HMOs of that description in the whole borough area are being managed sufficiently ineffectively.</p> <p>The evidence base supporting the scheme has therefore been developed at the borough level, taking into account a wide range of indicators including housing conditions, management standards, and the prevalence of HMOs. While some wards may show lower levels of reported issues, this does not negate the overall borough-wide need for intervention. It is also recognised that underreporting can occur in areas with newer developments or professionally managed blocks, where tenants may be less likely to raise concerns directly.</p> <p>Including Wembley Park within the scheme ensures consistency in regulation and enables the Council to proactively engage with managing agents and freeholders to maintain high standards as the area continues to grow.</p> <p>The Council will continue to monitor the area closely and remains committed to reviewing</p>

Theme	Issue	Example comment	Source	Council response
				the scheme's impact over time. However, based on the borough-wide evidence and the need for a consistent and preventative approach, the inclusion of Wembley Park is considered both proportionate and justified.
Necessity for a further additional HMO Scheme	Concern that licensing schemes are not achieving aims and objectives	<i>It is disappointing that Brent Council must renew their previous additional licensing scheme for a further five years especially as they have been operating schemes since 2015. This clearly demonstrates that the aims and objections from the previous scheme were not met, and they should find a new way of improving standards.</i>		<p>The renewal of the scheme does not indicate failure, but rather reflects the ongoing and evolving nature of housing challenges in the borough.</p> <p>Since the introduction of additional licensing in 2015, Brent Council has licensed over 2,500 HMOs and carried out thousands of inspections, leading to significant improvements in property conditions, management standards, and tenant safety. The scheme has enabled the Council to identify and address serious hazards, enforce minimum standards, and support responsible landlords.</p> <p>Despite these achievements, the private rented sector in Brent continues to grow. This growth brings ongoing pressures, including poor property conditions, overcrowding and non-compliance with safety standards. Renewing the scheme allows the Council to build on the progress</p>

Theme	Issue	Example comment	Source	Council response
				made, maintain regulatory oversight, and continue improving conditions for tenants
The inclusion of section 257 HMOs (certain converted blocks of flats)	Difficulty in determining whether a property qualifies as a section 257 HMO	<p><i>The consultation explains the Council intend to include all section 257 HMOs within the proposed additional licensing scheme.</i></p> <p><i>We have concerns about including all such properties within the additional licensing scheme due to the difficulty experienced by letting agents in knowing when a property was converted and whether the conversion satisfies the relevant building standards. It is not something that is reasonable for a letting agent to assess.</i></p> <p><i>In situations where there is a freeholder and separate long leaseholders, the situation is further complicated by the need to determine whether less than two thirds of the flats are owner-occupied. Only the freeholder may possess this</i></p>	Safeagent	<p>The Council has considered the concerns raised regarding the inclusion of section 257 HMOs in the proposed additional licensing scheme. However, we maintain that their inclusion is necessary to address safety risks commonly found in such properties, particularly those with inadequate fire protection and poor conversion standards.</p> <p>We recognise that determining whether a property qualifies as a section 257 HMO may involve some complexity. However, it is reasonable to expect letting agents and landlords to undertake appropriate due diligence when managing properties. The Council will provide clear guidance and support to assist in identifying licensable properties.</p> <p>The presence of multiple leaseholders or changes in tenure over time does not negate the need for regulation, nor does it prevent the Council from enforcing licensing requirements where appropriate. Concerns about mortgage lending and property values are noted but unsubstantiated. Licensing can improve</p>

Theme	Issue	Example comment	Source	Council response
		<p><i>information and the tenure of each flat may vary over time.</i></p> <p><i>This would make it extremely difficult for a safeagent accredited firm to assess whether a licence is required, despite their best endeavours. For example, it may be that the building did not require a licence when a flat was rented out but subsequently requires licensing because another leaseholder in the building has rented out their flat. As such, a letting agent could find themselves committing an offence of managing a flat in a licensable building without a licence, simply because another flat had been rented out without their knowledge. This also has implications for the long leasehold landlord regarding a potential Rent Repayment Order application.</i></p> <p><i>Bringing section 257 HMOs within the additional licensing scheme could also be</i></p>		<p>housing quality and market confidence. The Council has conducted a thorough consultation, engaging a wide range of stakeholders, and is satisfied that statutory requirements have been met.</p> <p>Licensing of only certain section 257 HMOs would create enforcement gaps and undermine the scheme's effectiveness. The inclusion of all section 257 HMOs within the additional licensing scheme will ensure consistency, fairness, and the ability to address poor housing conditions across the borough.</p>

Theme	Issue	Example comment	Source	Council response
		<p><i>problematic for long-leasehold owner-occupiers who find their flat is within a licensable building. The licensing fee may push up their service charge and could cause difficulties with their mortgage lender. As the licence would need to be disclosed to a prospective purchaser, some mortgage lenders may be reluctant to 3 lend on a residential mortgage for a flat within a licensed HMO, thus adversely impacting the property's value.</i></p> <p><i>It is also the case that the 2024 general approval to introduce an additional licensing scheme only applies if the Council has consulted persons likely to be affected by the scheme designation. Without actively consulting long leaseholder owner occupiers and explaining the implications of licensing section 257 HMOs, the conditions in the general approval would not be met and the additional licensing scheme</i></p>		

Theme	Issue	Example comment	Source	Council response
		<p><i>could not be introduced without Secretary of State approval.</i></p> <p><i>Whilst we are opposed to the idea of including all section 257 HMOs within the additional licensing scheme, we recognise there are circumstances where a particular type of section 257 HMO may be worthy of more intensive regulation. For example, where a landlord has converted a property into cramped and poorly designed studio flats entirely for private rental without any planning or building regulation approval.</i></p> <p><i>In such circumstances, the additional licensing scheme could be restricted to section 257 HMOs where the whole building and all the individual flats within it are in single ownership or considered to be effectively under the same control. In response to our</i></p>		

Theme	Issue	Example comment	Source	Council response
		<p><i>feedback, several Councils have adopted this approach.</i></p> <p><i>Other Councils such as Westminster City Council, Newham Council and the Royal Borough of Kensington and Chelsea have listened to our feedback and excluded all section 257 HMOs from their additional licensing schemes.</i></p> <p><i>We would encourage Brent Council to give this further thought and either narrow the section 257 HMO licensing criteria or remove them entirely from the scheme.</i></p>		
Short-term lets	Respondents expressed desire for the inclusion of short-term lets/Airbnb properties within the scheme	<i>Ensure short-term and holiday lettings are licensed as they are very similar to HMO and are used all year round creating lots of rubbish and noise</i>	Consultation survey comments	Properties let through Airbnb are short-term lets and do not legally fall within the HMO licensing scheme which applies to longer term rentals. However, Airbnb properties may require planning permission for a change of use if the property is rented out frequently. Generally, they require planning permission if let for over 90 nights per year:
		<i>Holiday letting limits being exceeded. these are HMO-like rentals that are not monitored nor enforcement action taken</i>		

Theme	Issue	Example comment	Source	Council response
		<p><i>when being used all year round.</i></p> <p><i>Timing - should wait until the new renters bill has passed to identify any overlaps between local licensing rules and national registration requirements</i></p>		The Council will continue to monitor short-term lets and respond to issues caused by Airbnb's, such as noise complaints using appropriate legislation.
EPC ratings	Only a small number of EPC properties below E rating	<p><i>According to the consultation document 'the licensing inspection regime will also enable us to identify tenants on low incomes who are living in homes with an E, F or G EPC rating and those who may be affected by fuel poverty. Tenants will be referred to the appropriate services to ensure they receive the available support, and landlords will be advised accordingly.' However, only a very small number of properties would be below EPC E, and these may be exempt. We would be grateful for further clarity for landlords in this regard.</i></p>	Propertymark	<p>The requirement for HMO properties to meet a minimum band E EPC rating remains relevant and is integral to the Council's efforts to improve housing quality and environmental sustainability.</p> <p>By encouraging landlords to achieve higher EPC ratings, the Council aims to improve the energy efficiency and overall condition of properties. This not only benefits the environment but also ensures better living conditions for tenants.</p>

Theme	Issue	Example comment	Source	Council response
Support for landlords dealing with tenant-related issues	A need for guidelines and support for landlords on how to handle tenant-related problem	<i>Propertymark would like clarification on Brent Council's policy concerning helping a landlord when a section 21 notice is served, the property is overcrowded, or the tenant is causing antisocial behaviour, as per the Council's consultation. What steps will the Council take to support the landlord? It would be useful if the Council were to put a guidance document before introducing the scheme to outline its position regarding helping landlords remove tenants who are manifesting antisocial behaviour. The recent proposed changes to section 21 legislation and how tenancies if implemented could mean landlords will become more risk averse to taking tenants with a perfect reference and history. We would be willing to work with the Council and develop a dispute resolution service with other local authorities.</i>	Propertymark	The Council will work in partnership to support landlords in dealing with tenants causing overcrowding or persistent ASB. Licensing Officers will work closely with the Homelessness Prevention team to support landlords and tenants to sustain tenancies. However, where the sustainment of tenancies is not possible landlords are advised to seek legal advice before taking steps to seek possession of their property.

Theme	Issue	Example comment	Source	Council response
Improving access to the PRS	Request for Council to maintain a database of adaptable property to sign post older and disabled people into suitable prs housing	<i>We understand that an increasing proportion of older and disabled people access the PRS in Brent. Propertymark have called for local authorities to keep a database of adaptable property to sign post older and disabled people into suitable prs housing when there is not appropriate social housing or housing is not near support networks. Given the wealth of data the Council must have from previous Licensing schemes, we would be interested to know if any consideration of such a database has been given. We would also welcome further conversations with Brent on improving access particularly for vulnerable groups.</i>	Propertymark	<p>We recognise the increasing reliance on the PRS among vulnerable groups and share your commitment to ensuring that housing is both suitable and accessible. The Council's Disabled Facilities Grant and Housing Adaptations teams are embedded within our Private Housing Service and play a key role in supporting residents with specific needs. Their work is guided by our Private Sector Housing Strategy, which outlines our approach to improving housing standards and accessibility across the borough.</p> <p>Through our licensing schemes, we have gathered substantial data on PRS properties, including those that have received grant funding for adaptations. While we do not currently maintain a formal database of adaptable properties for signposting purposes, we acknowledge the value of such a resource and will consider its feasibility as part of our ongoing strategy development.</p> <p>In addition, our Temporary Accommodation teams assess the suitability of placements on a case-by-case basis, ensuring that accommodation meets the specific needs of individuals, including proximity to support networks and accessibility requirements.</p>

Theme	Issue	Example comment	Source	Council response
				We welcome your offer to engage in further discussions and would be pleased to explore collaborative opportunities with Propertymark and other stakeholders to improve access to appropriate PRS housing for vulnerable groups.
Renters Rights Bill	Respondents expressed their view that the proposed scheme would duplicate the policies proposed within the Renters Rights Bill	<p><i>Considering the renters bill is going through parliament at the moment I think that a lot of back-tracking can be avoided by waiting with this plan until the provisions in the renters bill are clear and can be implemented at the same time without overlap and duplication.</i></p> <p><i>Also, the Renters Rights Bill will introduce a PRS register which will require submission of many safety documents - this will likely duplicate a lot of the documents required for licensing and therefore increase the burden on landlords which ultimately means smaller landlords existing and those that remain need to increase rents to cover the cost of</i></p>	Safeagent, Propertymark	<p>The Council has carefully considered the proposals in the Renters Rights Bill. While the proposal includes valuable tools for local authorities, like the property portal, it is not a substitute for an additional HMO licensing scheme.</p> <p>However, additional HMO licensing provides a locally tailored, systematic approach to improving housing standards. It is more than just a collection of information; it is a proactive means for local authorities to inspect privately rented housing without the need for tenant complaints. This facilitates targeted action where it is needed most, ensures property managers are fit and proper persons, and protects vulnerable tenants.</p> <p>The property portal proposed in the Renters Rights Bill will aid in the identification of unlicensed properties and inform landlords about local activities. However, it will not</p>

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		<i>increasing administrative requirements.</i>		directly improve property conditions and management. Certificates will still need to be checked for accuracy, and landlords can opt out of receiving notifications from the portal, limiting its impact.
		<i>We think that the proposed scheme on a local authority level would be duplicitous with the provisions of a national landlord's registration scheme being proposed in the Renters' Rights Bill as outlined in the King's Speech 2024 and will soon be at Committee Stage in the House of Lords</i>		In conclusion, while the portal and other parts of the Renters Rights Bill will provide a valuable source of information on the sector, an additional HMO licensing scheme is still necessary. It will ensure effective regulation and improvement of the HMO sector, providing a comprehensive solution that addresses the unique challenges of each targeted local authority area. The Council supports the implementation of both tools in tandem to achieve the best outcomes for landlords, tenants, and local communities.