

Improving the Private Rented Sector in Brent

Additional HMO licensing proposal

Evidence for consultation 2025

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Glossary

Term	Meaning
Private rented sector (PRS)	The portion of housing in the borough that is rented from private landlords.
Privately rented	Homes rented from a private landlord.
Socially rented	Homes rented from the council or a Housing Association.
Mandatory houses in multiple occupation (HMO) licensing	A national scheme which requires landlords to have a licence to legally let eligible HMOs occupied by five or more unrelated persons living in two or more separate households sharing one or more basic amenity
Additional houses in multiple occupation (HMO) licensing	A discretionary licensing scheme which requires landlords to have a licence to legally let eligible HMOs occupied by three or four unrelated persons living in two or more separate households sharing one or more basic amenity, which fall outside the scope of mandatory HMO licensing
Selective licensing	A discretionary licensing scheme which requires landlords to have a licence to legally let their property to a family or no more than two unrelated sharers.
Designation	A geographical area chosen for licensing that meets relevant legal tests
Housing Health and Safety Rating System (HHSRS)	A Government prescribed system that rates housing hazards based on their risk to occupiers' health, safety, and welfare
Category 1 hazard (Category 1)	The most serious hazards under the HHSRS, which include immediate risk to a person's health, safety and welfare
Category 2 hazard (Category 2)	Less serious hazards under the HHSRS. Whilst considered less serious they can still be regarded as placing the occupiers' health, safety and welfare at risk.
Statutory notice	A legal document issued by the council that requires the recipient to complete specified actions within a specified timeframe.

Term	Meaning
Antisocial behaviour (ASB)	Behaviour related to the occupiers of, and/or visitors to, a rented property that causes nuisance, annoyance and irritation to neighbours and the community. Most commonly noise, litter and waste
Deprivation	Living on low income and not having the money to pay for some basic requirements.
Indices of multiple deprivation	A dataset produced by the government to give a relative value to how deprived an area is, compared to the rest of the country.
Barriers to housing and services	One of the Government's measures of deprivation. It combines measures relating to housing affordability, overcrowding and homelessness.
Minimum Energy Efficiency Standard (MEES)	Regulations that set a minimum energy efficiency standard (EPC rating of E) that applies to privately rented properties.
Energy Performance Certificate (EPC)	EPCs rate how energy efficient properties are using grades from A to G (with 'A' the most efficient grade).
Accreditation	Schemes overseen by various organisations, including local authorities and landlord associations, to provide training and encourage good practice by private landlords.
Habitable room	For the purpose of Brent HMO licence fees, a habitable room is any room or portion thereof used or designed for living or sleeping. This includes bedrooms, dining rooms, communal living rooms, dormitories, lounges, and studies. Conservatories, bathrooms, kitchens, hallways, and landings are not considered habitable rooms.

1 Executive Summary

Brent is consistent with the rest of London in that it has a shortage of affordable housing, with house prices remaining out of reach for many. The demand for social housing far outstrips the supply. As a result, privately rented accommodation is increasingly becoming the only viable housing option for many Brent residents, especially for families with children priced out of owner occupation, and those who are vulnerable and on low incomes. Currently, 36% of Brent's housing stock is in the PRS and this is expected to continue to rise in the future¹.

Brent is committed to addressing problems associated with houses of multiple occupation (HMOs) and property licensing is a way of driving up standards and ensuring safer and better managed HMO accommodation. Like all councils across the country, Brent operates a national mandatory HMO licensing scheme for larger HMOs. On 1 February 2020, we introduced a boroughwide additional HMO licensing scheme to ensure safety standards for tenants living in smaller houses in multiple occupation (HMOs) that are occupied by three or four people. This scheme ended on 31 January 2025.

While we have seen significant improvements, we believe that a further additional HMO licensing scheme is necessary to maintain and improve the management of HMOs in the borough. HMOs pose a higher risk to occupants, especially when poorly managed. The previous additional HMO licensing scheme has helped us improve standards and management practices of many HMOs across the borough. However, the evidence shows that there is a significant number of properties that are still substandard and potentially dangerous. Even landlords with good intentions may not always be aware of the latest legal and safety requirements. These HMOs pose a risk to the health, safety, and wellbeing of tenants, cause problems for neighbours, and demand substantial intervention from council enforcement services. It is important that the council uses all available tools to improve conditions for tenants in this sector. Licensing is one of the tools and plays a key role in this effort.

We are therefore consulting on proposals to introduce a further boroughwide additional HMO licensing scheme for all HMOs (excluding those licensed through the mandatory HMO licensing scheme) that if approved, would come into force in Autumn 2025.

Whether you are a private tenant, landlord, managing or letting agent, resident or

¹ Census 2021

business in Brent or a surrounding area, we want to hear your views on the councils' proposal for HMO property licensing in Brent.

2 Introduction

This consultation document provides information about the scale of problems relating to poor housing conditions, ASB and poor property management in Brent's HMO sector and the evidence to support the council's proposal to introduce a further additional HMO licensing scheme. It also provides a detailed description of the proposed licensing scheme, licence conditions, fees, and scheme objectives.

We want to know your views on our proposals before any final decision is made about the future of additional HMO licensing in Brent. We are keen to hear from all those who are likely to be affected by the proposals, including private tenants, landlords, managing agents and members of the community who live, operate businesses or provide services in the borough and/or the surrounding areas.

We would encourage you to complete our online survey [here](#).

We shall also be holding a number of forums during the consultation period. If you are interested in sharing your experiences and views, please email Prslicensing@brent.gov.uk

The consultation will run for 13 weeks from **10 March 2025 until 10 June 2025**.

For further information about the proposed additional HMO licensing scheme, assistance with completing the questionnaire or to request a paper copy of the consultation please contact:

- **Email:** Prslicensing@brent.gov.uk
- **Telephone:** 020 8937 2384/5
- **Post:** Tony Jemmott, Private Housing Services, 6th Floor, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ

Once the consultation has closed the council will review the feedback and responses. A full consultation report, including the council's response to any alternatives suggested, will be published on the council's website.

3 Property licensing schemes

3.1 What is property licensing?

Property licensing allows the council to regulate private rented properties in their area by issuing a licence to the person responsible for the property, usually the landlord. The aim of such schemes is to improve the private rented market by ensuring that the licence holder is a 'fit and proper' person to hold the licence, and that the property is of a decent standard for a landlord to rent out.

Licences come with conditions that relate to the management, use, occupation, condition and contents of the property. Some of these conditions are mandated by Government, however the council has scope to add its own conditions that are tailored to dealing with specific problems in the designation relating to the PRS.

The Housing Act 2004 sets out three types of property licensing schemes and prescribes how the council can implement them.

3.2 Mandatory HMO licensing

The Housing Act 2004 introduced mandatory licensing for certain privately rented HMOs. Generally, these are larger HMO properties occupied by five or more persons living in two or more households, and where those persons share facilities, such as kitchens/bathrooms/WCs. All local authorities in England must operate a mandatory HMO licensing scheme.

For the purpose of this consultation, mandatory HMO licensing is not being considered.

3.3 Additional HMO licensing (discretionary)

The Housing Act 2004 allows local authorities to designate either the entire area of the borough, or areas within the borough as being subject to an additional licensing scheme, in relation to some or all of the HMOs in that area, which are not already subject to mandatory HMO licensing, for a period of up to five years. Generally, these are smaller HMO properties occupied by three or four persons living in two or more households, and where those persons share facilities, such as kitchens/bathrooms/WCs. Additional HMO licensing can be introduced where the evidence demonstrates that a significant proportion of the borough's HMOs are being poorly managed and are giving rise, or are likely to give rise, to problems

affecting their occupiers or members of the public.

Additional licensing can also include properties converted into flats known as Section 257 HMOs. These are buildings which have been converted into and consist entirely of self-contained flats where less than two thirds of the flats are owner-occupied, and the conversion into flats did not comply with the appropriate building regulations.

A proposed additional HMO licensing scheme is the basis of this consultation, and the council welcomes feedback on this proposal.

3.4 Selective licensing (discretionary)

A selective licensing scheme for all other privately rented properties and not just HMOs can be implemented in selected or 'designated' areas of the borough. A selective licensing designation can only be made if the designated area has a high proportion of properties in the PRS and is experiencing one or more of the following criteria:

- low housing demand
- a significant and persistent problem caused by antisocial behaviour (ASB)
- high levels of crime
- poor housing conditions
- high levels of migration or deprivation.

For the purpose of this consultation, selective licensing is not being considered.

4 What are the benefits of HMO licensing schemes?

HMO licensing schemes offers benefits to landlords, tenants, the wider community and the council. These include the following:

Benefits to tenants

- licensing requires licence holders to proactively manage and maintain their HMOs to a decent standard through conditions that accompany a licence
- licensing allows the council to take a more proactive approach to improve the standard and safety of HMO properties for the tenants and families who live in them
- licensing encourages good practices by imposing specific obligations on the property licence that require a landlord to demonstrate that their properties are safe, such as providing fire, gas and electrical safety certificates. Many people who are vulnerable, disabled and living on low incomes rely on private renting. Licensing helps the council to protect as many tenants living in private renting as possible
- through increased communication about licensing, tenants become more aware of their rights and responsibilities, and they also gain a better understanding of and easier access to council services that can support them.

Benefits to landlords

- licensing requires landlords to proactively manage their properties and to take reasonable action to address problems. This ensures higher-quality, safer homes for tenants, which leads to fewer disputes and longer, more sustainable tenancies
- the council will work with landlords to help support them and build their professionalism, especially relating to fire safety
- licensing enables the council to create a 'level playing field' for responsible landlords by taking a much more robust approach to the minority of 'rogue' landlords who neglect their properties and fail to comply with regulation and standards
- licensing provides clear and consistent property management standards for HMOs.

Benefits to the community

- poorly managed privately rented HMOs have a negative impact on neighbourhoods. Licensing will increase the number of landlords managing their properties effectively, including the enforcement of tenancy conditions to combat neighbourhood nuisance caused by their tenants or people visiting their properties
- licensing will reduce ASB by requiring landlords to investigate and address complaints of ASB problems in their properties by imposing a requirement on the licence conditions
- there is a connection between HMOs and poor waste management. All property licences contain a condition that the holder must provide adequately sized bins and sufficient recycling containers for the occupiers.
- when an HMO is overcrowded, this is often linked to an increase in noise complaints. Through licensing the council is able to limit the number of occupants in an HMO, reducing overcrowding and the likelihood of noise nuisance
- licensing increases the council's ability to uncover empty properties and encourage their use back into the housing market.

Benefits to the council

- licensing enables the council to target support and information for both tenants and landlords more effectively
- licensing provides opportunity for easier engagement with landlords, managing agents, lettings agents, and others involved in the sector
- licensing improves data quality, enabling an intelligence-led approach to enforcement
- licensing increases the council's ability to uncover previously unknown HMOs, some of which will fall under mandatory licensing.

5 Planning legislation in relation to HMOs

Certain properties require planning permission to be converted into an HMO. Planning permission defines HMOs as “use classes”. You can perform certain types of work without needing to apply for planning permission. These are called “permitted development rights”.

A local planning authority can issue an ‘Article 4 Direction’. This removes the permitted development rights which allow a change of use from a dwelling house (Class C3) to use as an HMO (Class C4). In November 2022, Brent Council introduced an [Article 4 Direction](#) aimed at controlling the spread of HMOs across the borough. This action has removed permitted development rights boroughwide for the change of use of a building from a dwelling house to an HMO. As a result, a house or flat cannot be lawfully converted into an HMO without first going through the formal planning process and getting planning permission.

The introduction of an Article 4 Direction does not mean that all planning applications for a change of use from a dwelling house to a Use Class C4 HMO will be refused. The Direction requires the submission of a planning application for consideration by the local planning authority. Each application will be determined on its own merits but allows the council to consider the impact of any HMO on the neighbourhood before deciding whether to grant permission. For example, the impact of increased noise and rubbish, the loss of parking spaces, and the loss of family-sized homes.

If I am granted an additional HMO licence, do I still need to obtain planning permission?

You should have the appropriate planning permission and building control approval before you convert the property into an HMO.

The issuing of an HMO licence does not mean the property has the appropriate planning and building permission for this use. It will not have any bearing on the matter should planning or building control consider it necessary to pursue any formal action. The onus is on the applicant to fully consider and address all relevant planning and building control permissions.

6 HMO licensing schemes in Brent

In addition to the national mandatory HMO licensing scheme, on 1 February 2020 Brent implemented a boroughwide additional HMO licensing scheme to improve property and safety standards for tenants living in smaller HMOs.

The additional HMO licensing scheme applies to most HMOs that are not subject to the national mandatory HMO licensing.

- the current HMO licensing scheme has enabled council officers to inspect all HMOs to ensure they meet the minimum property and fire safety standards
- the licensing scheme has helped provide clarity on the required property and management standards for landlords, enabling them to operate legally
- licensing has allowed the council to enforce standards against non-compliant landlords and against those landlords who evade licensing. We have found that landlords who failed to licence also required wider enforcement interventions
- licensing has helped the council to raise awareness of tenants' rights and responsibilities and reach out and give advice to the more vulnerable residents living in HMOs so they can report any concerns that they have regarding their accommodation
- licensing has enabled us to improve communication with landlords to provide advice and information by carrying out HMO compliance inspections, providing fire safety advice and guidance, landlord forums, and dedicated landlord webpages on the council's website.

Since the introduction of the additional licensing scheme, more than 5000 HMO licences have been granted.

Licence type	Current licences granted
Mandatory	2676
Additional	2526
TOTAL	5,202

6.1 Improvements in poor housing conditions through regulation and enforcement

Through the HMO licensing schemes, the council has been able to improve standards, often in the most dangerous housing at the lower end of the housing market, where some of the most vulnerable people in society live. All licences have conditions attached which must be complied with, allowing the council to regulate the PRS, improve housing conditions, and promote better housing management standards.

Brent Council uses a range of interventions to improve standards in the HMO tenure, including regulation and enforcement. This includes using the Housing Act 2004, the Housing and Planning Act 2016, and other public protection legislation to serve statutory notices, impose civil penalties and, in the most serious cases, to take prosecution action and/or issue banning orders. Interventions can be a result of a complaint being made by a tenant about their accommodation or as a result of a proactive inspection by the council.

HHSRS inspections are essential to the councils strategy to improve property conditions. These inspections not only detect hazards but also provide the council with various enforcement options. Following a formal HHSRS inspection, if a local authority identifies a category 1 hazard, they are required to serve a statutory notice compelling landlords to improve property conditions.

A further option open to local authorities in combatting potentially hazardous property conditions and poor management is the issuing of civil penalties. The aim of the civil penalty regime is to improve property conditions and disrupt the business model of the small criminal element in the PRS, without unduly affecting the vast majority of law-abiding responsible landlords.

According to a recent NRLA (National Residential Landlords Association) report on local authority enforcement between 2021 and 2023, Brent was ranked among the top ten local authorities nationally in terms of enforcement action². The council conducts a significant number of HHSRS inspections and issues improvement notices and civil penalties more frequently than many other local authorities.

² [The Enforcement Lottery: Local authority enforcement 2021-2023](#)

Category	Rank out of top 10 local authorities	Details
Top ten local authorities who performed the most inspections in two years	4th	3,093 inspections
Top ten local authorities for issuing improvement notices	3rd	395 improvement notices
Top ten local authorities for issuing HMO related civil penalty	3rd	65 penalty notices

National Local Authority Enforcement (NRLA 2024)

Banning orders are applied to the most serious offenders and in August 2023 the council issued its first banning order against an HMO landlord for multiple housing related offences. The order bans the landlord from letting out houses in England and engaging in any sort of property management work in the country for the next five years. Further details can be found in Case study 1 below.

Case study one

Banning order imposed for repeated HMO management failures

Background

In April 2021, the Private Sector Housing team received a complaint from tenants of a licensed HMO, raising concerns about the safety and management of the property. On inspection significant breaches of HMO Management Regulations were identified, posing serious risks to tenant safety and wellbeing. These included blocked means of escape, expired safety certificates, inadequate fire safety measures, disrepair in communal areas, and the absence of tenancy agreements.



Council findings and action

Further investigation revealed that the managing agent had a history of poor HMO management dating back to 2017, when he had been prosecuted for similar offences. In January 2022, the managing agent was convicted under the HMO Management Regulations for poor property management and fined £33,347.50. Additionally, in August 2022, he was fined £6,190 for providing false and misleading information to the council. Due to ongoing concerns regarding the agents management practices, the council initiated banning order proceedings to prevent him from managing any HMO properties in the future, to protect the safety and welfare of tenants.

Outcome

In June 2023, the Residential Property Tribunal imposed a five-year Banning Order, prohibiting the agent from acting as a landlord, managing, or letting HMO properties for five years. This decision reflected the serious nature of the breaches, his repeated non-compliance, and his history of mismanagement.

Where appropriate, the council will not hesitate in using robust enforcement measures to hold landlords accountable, improve poor housing conditions and protect the safety and wellbeing of tenants.

The council's commitment to enforcement and regulation has resulted in much needed improvements and has helped raise standards of poor-quality accommodation in HMOs in the borough.

6.2 Reduction in antisocial behaviour

Poorly managed privately rented properties have a negative impact on many neighbourhoods. In particular, high levels of noise complaints and accumulations of rubbish can be linked to the failure of private landlords to manage their properties and tenancies effectively.

Poor waste management and fly tipping are linked to the PRS, particularly within HMOs. All HMO licences contain a condition that the licence holder must provide adequately sized bins and sufficient recycling containers for the occupiers. They must also display a notice for the occupiers of the property indicating the day of the week rubbish and recycling is collected. Through partnership working and sharing of intelligence, we continue to educate both landlords and tenants on their responsibilities in terms of waste disposal.

When a property is overcrowded, this is often linked to an increase in noise complaints. Through licensing, we have been able to limit the number of occupants in a property, reducing overcrowding and the likelihood of noise nuisance.

We have seen, through licensing, an increase in landlords managing their properties more effectively in order to ensure they do not breach licence conditions. This includes the enforcement of tenancy rules to prevent ASB by tenants or their visitors.

6.3 Partnership/joint working

Brent Council continues to work collaboratively with external partners, including the Police, Home Office, London Fire Brigade and Department for Work and Pensions, Justice for Tenants, NRLA, London Property Licensing, Brent Advice4Renters, HJA Solicitors, to create a safer and better community for its residents. Collaboration includes information sharing, joint investigations, and coordinated enforcement actions to address fraudulent activities effectively.

In addition, licensing has seen better and more effective working with internal stakeholders too, such as community safety, planning enforcement, The Brent Joint

Action Group (BJAG), Brents Enforcement Practitioners Group (EPG), empty properties team, housing needs, council tax, Brent Connects and others.

Since the introduction of the licensing schemes, co-working has resulted in an increase in prosecutions of rogue landlords which can largely be attributed to the increased and efficient intelligence sharing across multiple disciplines.

Case study two

Working in partnership to uncover an unlicensed HMO

In June 2023, Housing Enforcement Officers along with the Metropolitan Police carried out a dawn raid on a house in Wembley after being tipped off about the number of occupants by local residents. On inspection, 11 people were found living crammed inside the run-down house, with tenants sleeping in every room inside the house, except for the kitchen and bathroom.

The three-bedroom, semi-detached property was not a licensed house in multiple occupation and no licence application had been submitted.

On inspection, the property was found to contain a number of category 1 hazards including:

- a polystyrene ceiling giving way inside the kitchen
- no fire safety doors
- no fire alarm system
- extensive damp and black mould covering the walls and ceilings making it difficult for tenants to breathe.

Outcome

The council served a Housing Act 2004 improvement notice on the owners of the property. This required specified remedial works to be carried out to address the poor condition of the property. At the same time a licence application was pursued from the landlord, who was found culpable of operating without a licence. Further investigations led to the landlord being issued with a financial penalty of £10,000.

Additional HMO licensing provides the council with the necessary regulatory oversight to ensure the safety and wellbeing of HMO occupants. Licensing not only mandates landlords to adhere to stringent safety standards but it also empowers the council to take swift action against non-compliance leading to improved living conditions in HMOs.

We shall continue to work with multidisciplinary teams alongside internal and external stakeholders including the Police to identify properties of concern in order to improve property conditions and management standards.



6.4 Working with and supporting good landlords and agents

We recognise that the majority of landlords in the borough are both responsible and cooperative. We have taken a more educational approach seeking to work with landlords and bring about compliance through informal means.

We have particularly encouraged landlords to become accredited to increase their professionalism in managing their properties. Through accreditation, landlords are able to achieve a level of knowledge and competence before letting a home, which is key to raising standards in the HMO tenure.

As of January 2025, Brent had 2,238 landlords accredited to the London Landlords Accreditation Scheme (LLAS), the sixth highest of all London boroughs. LLAS-accredited landlords are eligible to receive a £40.00 discount on HMO licence fees.

Detailed guidance for landlords on their legal obligations and responsibilities has been produced and made available online.

Through the licensing schemes, a database of circa 12,000 landlords and agents operating in Brent has been compiled, supporting better communication and engagement with the sector.

6.5 Supporting private rented sector tenants

In promoting tenants' rights and responsibilities, tenants' awareness of the minimum standards to be expected in rented accommodation can dramatically be increased. Tenants have been encouraged to report landlords who have not licensed their properties or who do not comply with licensing conditions.

We also work in partnership with Brent Advice for Renters group, Hodge Jones Allen Solicitors, Setting the Standard 2, and the Brent homelessness preventions team to support tenants and help sustain tenancies.

It is clear from running the licensing schemes that licensing allows the council to work proactively with landlords and tenants. Licensing provides clear conditions for landlords to comply with, promotes an improvement in property conditions and enables ASB to be minimised through better, more effective management. Licence conditions can be enforced against much more effectively and quickly than using

other powers available to the council, such as Part 1 of the Housing Act (2004). Formal action under Part 1 is generally a slow process, with appeals allowed for most types of notices, which can significantly delay the time period for compliance.

7 Proposals for an Additional HMO licensing scheme

7.1 Criteria that must be considered before designating an additional HMO licensing scheme

To introduce an additional HMO licensing scheme the council must be satisfied that:

- a **significant proportion of the HMOs are being poorly managed** and are giving rise, or likely to give rise, to problems affecting the occupiers or members of the public
- a decision to implement an additional HMO licensing scheme must be consistent with the council's **housing strategy**
- it is part of a **coordinated approach** for dealing with homelessness, empty homes and other related policies
- there are **no other courses of action** that might provide an effective remedy and that introduction of a licensing scheme will significantly assist in dealing with the problem.

7.2 What is the council proposing?

The evidence base demonstrates that the criteria for a boroughwide additional licensing scheme is met in that a significant proportion of the borough's HMOs are being poorly managed and are giving rise, or are likely to give rise, to problems affecting their occupiers or members of the public. The HMO sector in Brent is affected by poor housing conditions and incidences of repeat ASB, which are worsened by other issues such as overcrowding and poverty.

The council has been evidence-led in proposing a further boroughwide additional HMO licensing scheme. Thorough evidence gathering and research has been carefully carried out to ensure that the most severe problems in each ward can be dealt with.

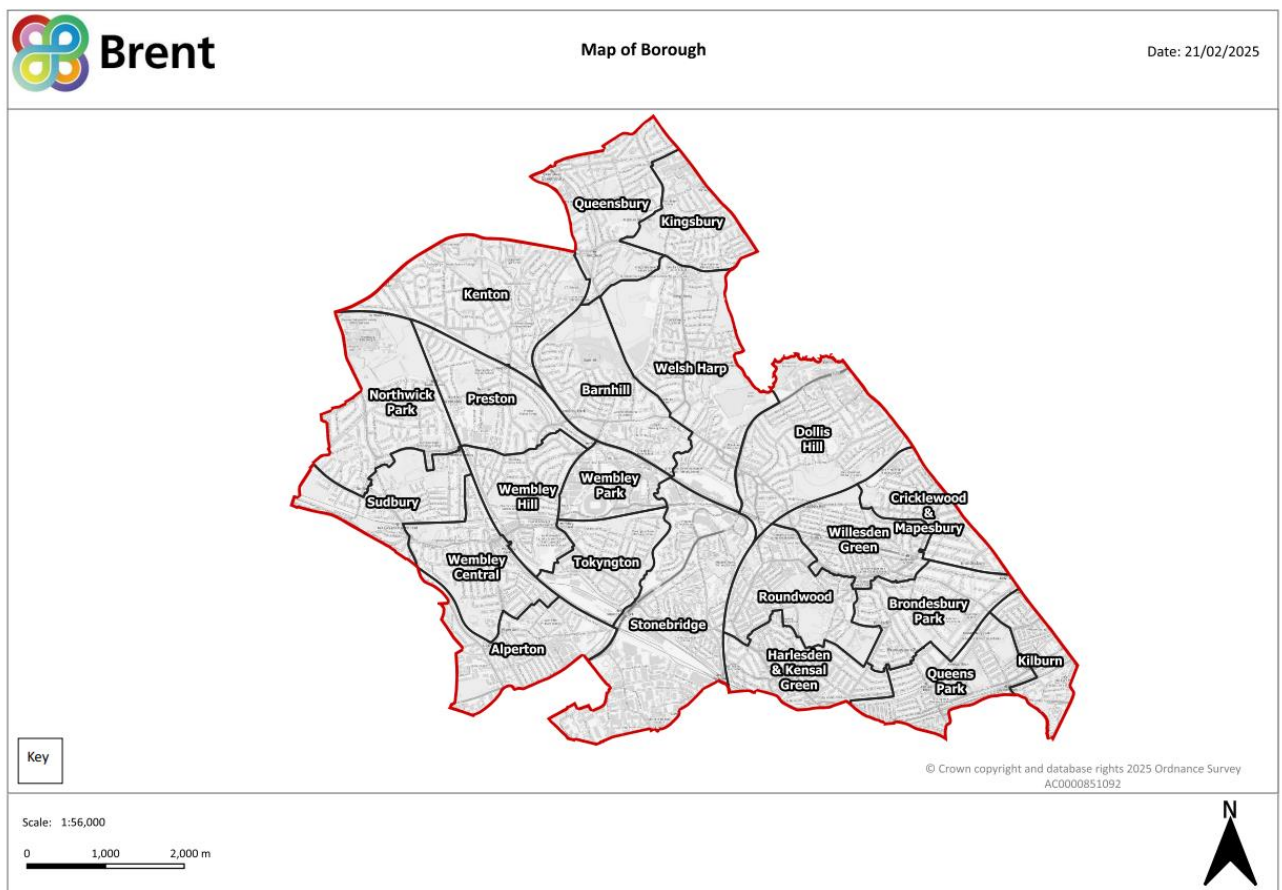
We are therefore proposing to introduce an additional HMO licensing scheme that will apply to all 22 wards in the borough. Subject to consultation and approval, the scheme will come into force in Autumn 2025 and last for five years.

- 1) An additional HMO licence will be required for properties that are rented to three or four occupiers in two or more households that share (or lack) toilet, washing and cooking facilities
- 2) An additional licence will apply to HMOs that do not fall within the remit of the mandatory HMO licensing scheme. These are properties that:
 - have been converted into self-contained flats; and
 - the conversion did not comply with the relevant building regulations in

force at that time and still does not comply; and

- less than two thirds of the flats are owner occupied
- are multiple-occupied flats in purpose-built blocks (with over two flats) where more than three people live in the flat.

7.3 Map of the proposed additional HMO licence scheme designation



7.4 What is the evidence to support the council's proposals to implement an additional HMO scheme?

In order to obtain a greater understanding of the HMO tenure in Brent, the council worked with internal and external agencies to review multiple intelligence sources relating to the housing stock in the borough, with a focus on the following key areas:

- Distribution of HMO properties
- Housing conditions of HMOs
- HMO related stressors, including ASB and service demand
- Quality of management of HMOs, including regulation and enforcement.

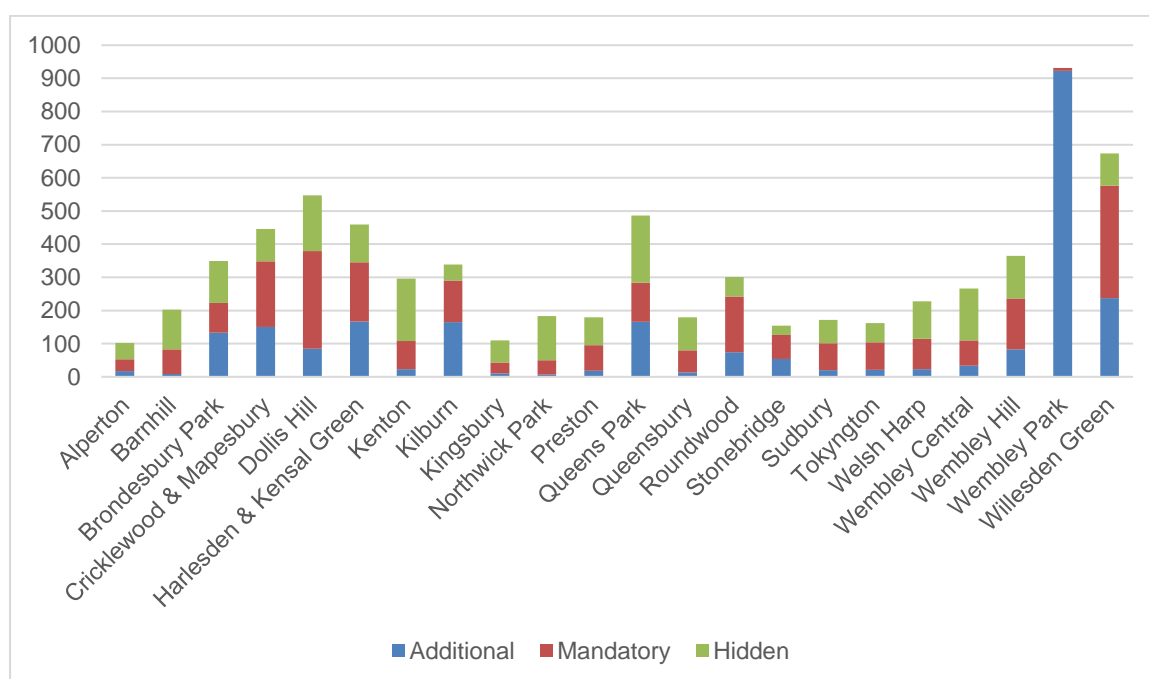
The full results are presented within the Housing Stock Conditions Report (HSCR), which is attached as **Appendix 1** however, some key findings from the report are detailed below.

7.4.1 Distribution of HMOs across the borough

The HMO population in Brent is divided into two main groups:

- licensed HMOs under the additional and mandatory licensing schemes (4,922)
- predicted hidden HMOs (2,209)

The total known and predicted HMO population in Brent is calculated to be 7,131. Wembley Park (931) and Willesden Green (674) have the highest numbers of HMOs.



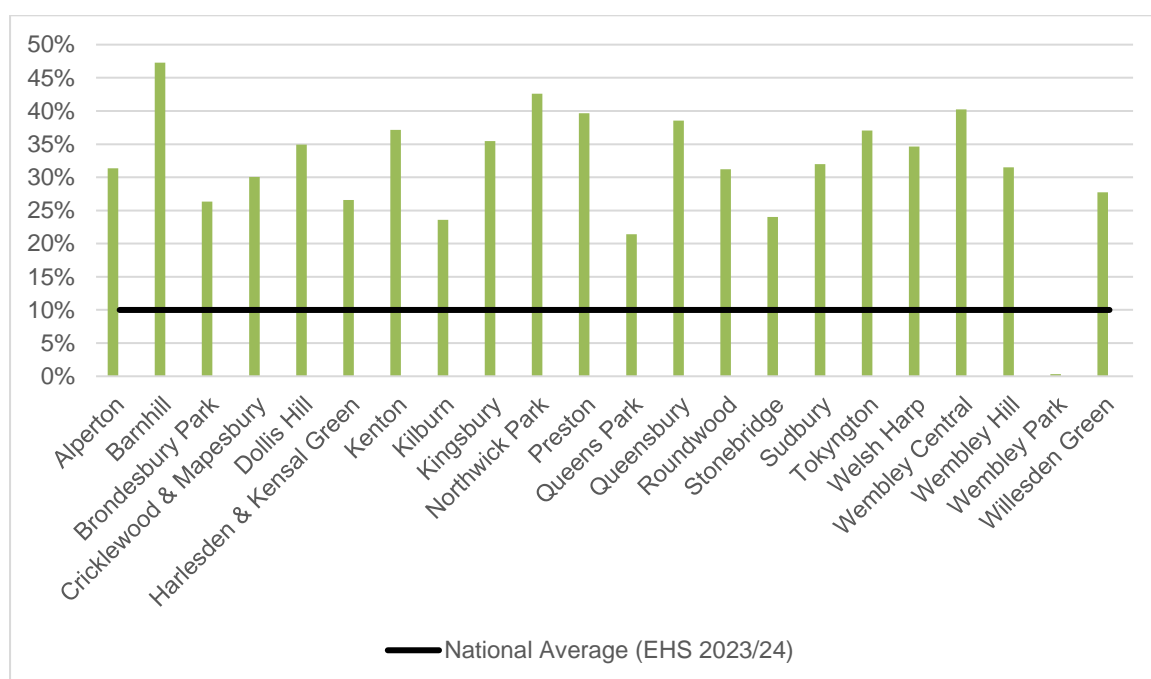
Number of HMOs (additional, mandatory, predicted hidden) by ward

7.4.2 HMOs & housing conditions

The recent review of Brent's HMO stock has provided insights about the predicted presence and distribution of a range of housing factors in HMOs in the borough. HMOs can exhibit some of the worst housing conditions of any tenure if poorly managed. The main finding is that poor housing conditions are likely to be widespread in HMOs across Brent. Under the HHSRS, category 1 hazards are the most serious housing hazards and may result in the immediate risk to a person's

health and safety. A significant category 2 hazard, although less serious or less urgent, can still be regarded as placing the occupiers' health, safety and welfare at risk.

The evidence shows that 1,955 HMOs in Brent are predicted to have one or more serious hazard (HHSRS category 1 and/or high-scoring category 2). This represents nearly 30% of all HMOs in Brent and is significantly above the national average within the private rented sector of 10%³.

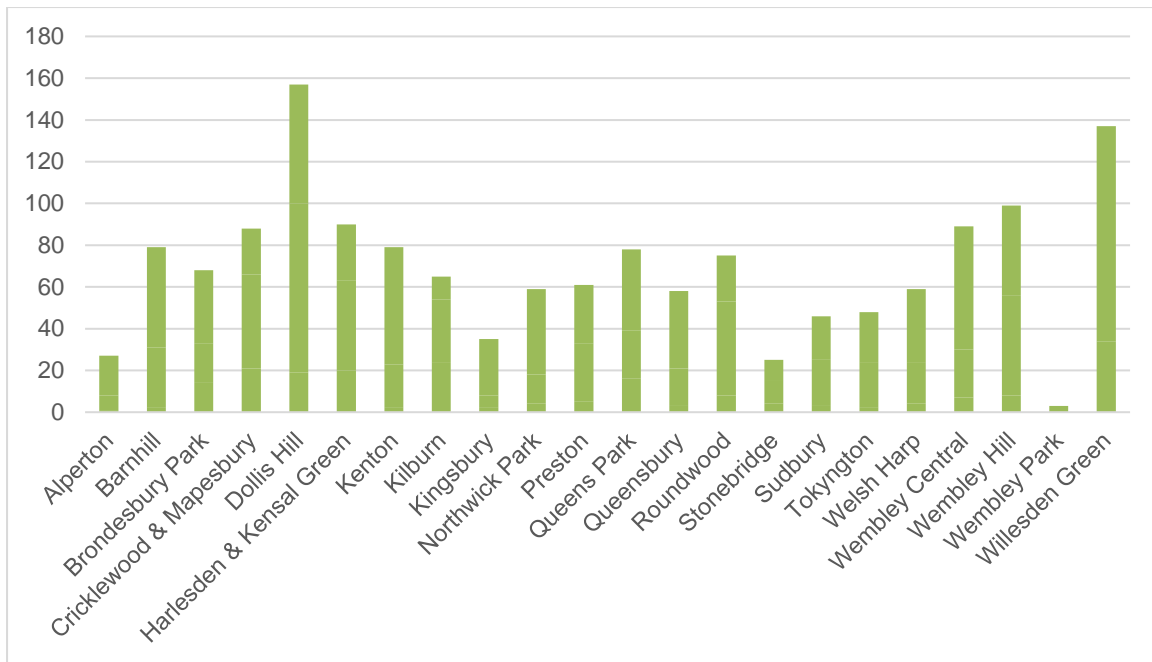


Percentage of all HMOs with 1 or more predicted serious hazard by ward (HSCR 2024)

7.4.3 HMOs & ASB

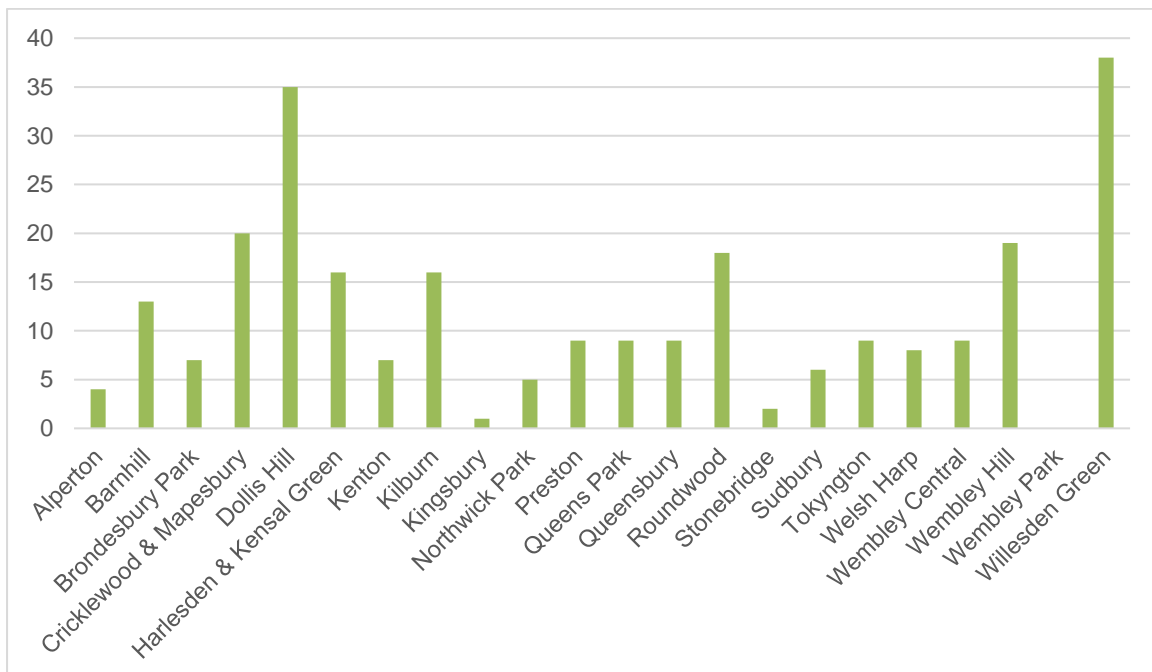
ASB incidents linked to HMOs are distributed across all wards. Over a five-year period 2,366 ASB incidents have been linked to HMOs in Brent.

³ [English Housing Survey 2023/24 Chapter 1: Housing quality](#)

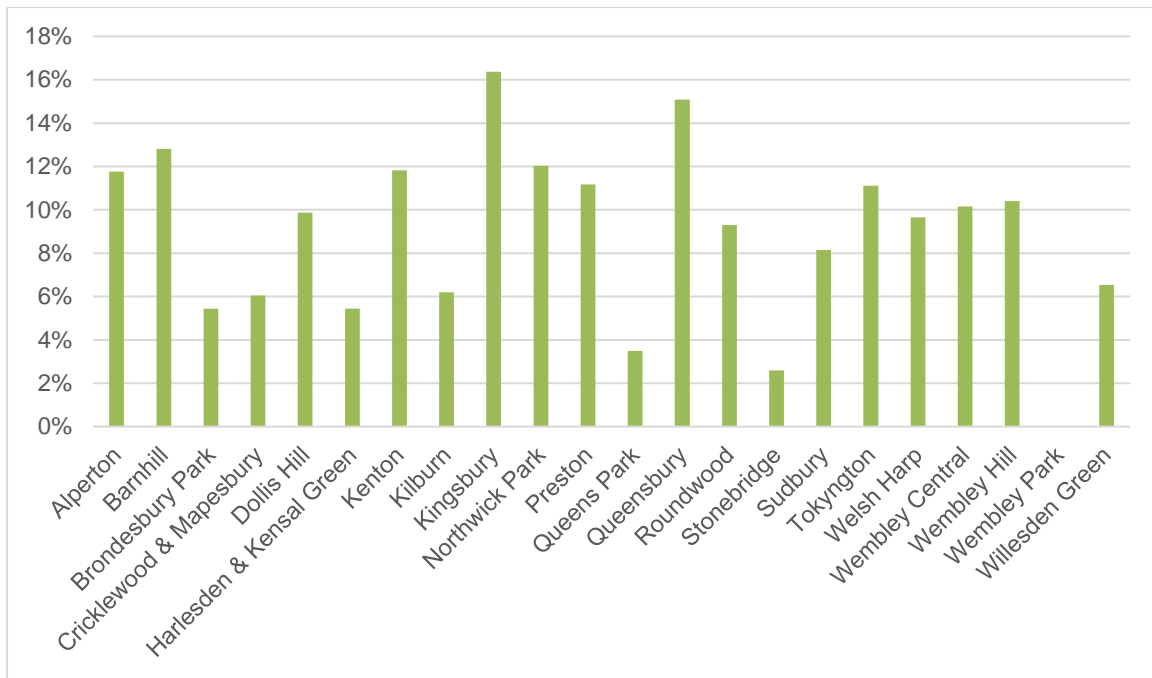


HMOs with at least one ASB incidents by ward (HSCR 2024)

Repeat incidences of ASB (two or more ASB investigations linked to one dwelling) in HMOs indicate that some landlords are failing to take appropriate action to address issues of ASB when it first occurs and is a direct indicator of poor management. Repeat ASB in HMOs is evident within the majority of wards in Brent.



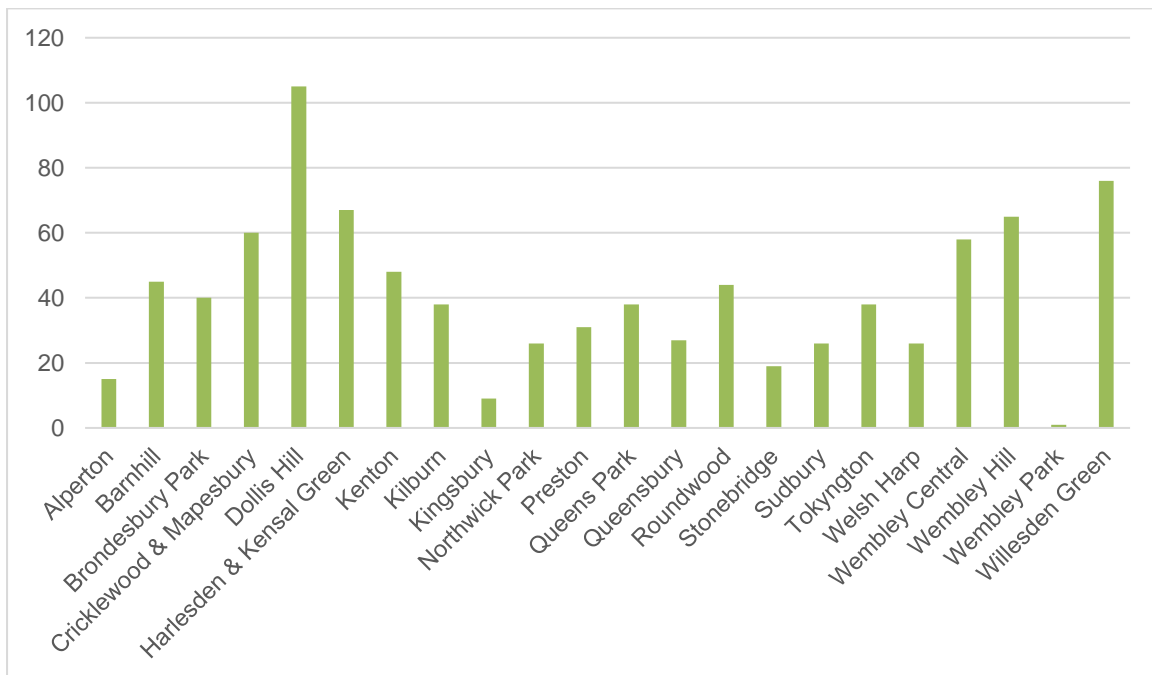
HMOs with two or more ASB incidents by ward (HSCR 2024)



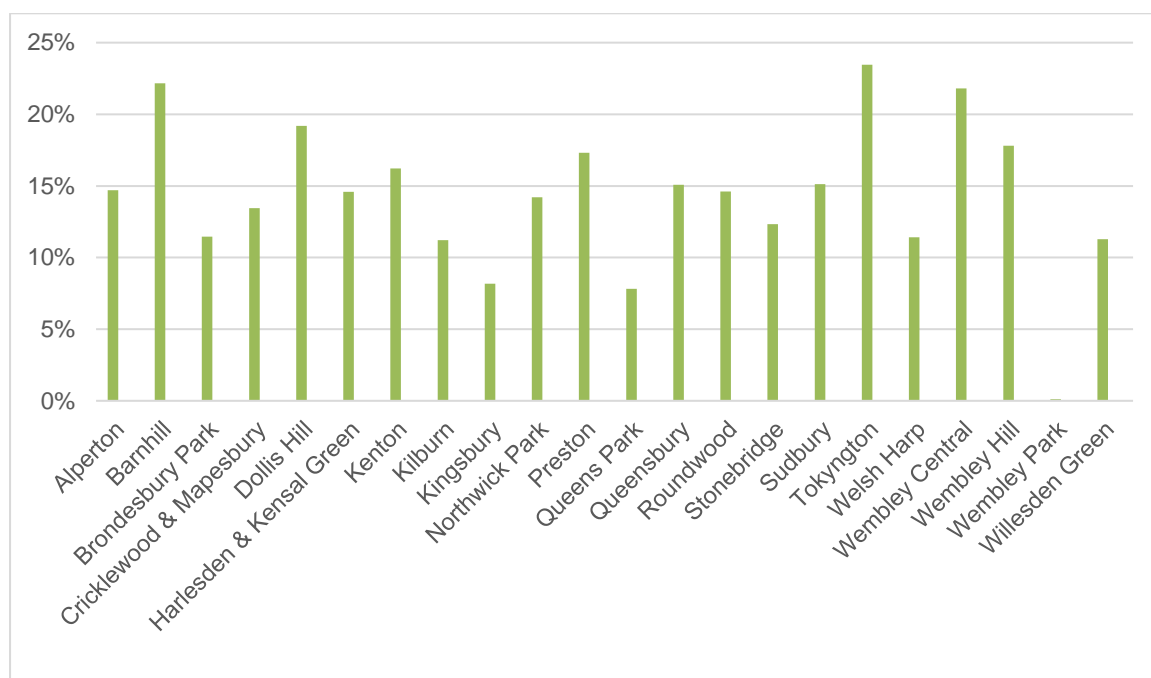
Percentage of HMOs with two or more ASB incidents by ward (HSCR 2024)

7.4.4 Indicators of poor property conditions through complaints

Complaints made by tenants and others to Brent Council about poor property conditions and inadequate property management are a direct indicator of low quality and poorly managed HMOs. Brent received 902 complaints linked to HMOs over five years (2019-2024). HMOs with complaints linked to them are distributed across all wards, with Dollis Hill (105) and Willesden Green (76) having the highest numbers.



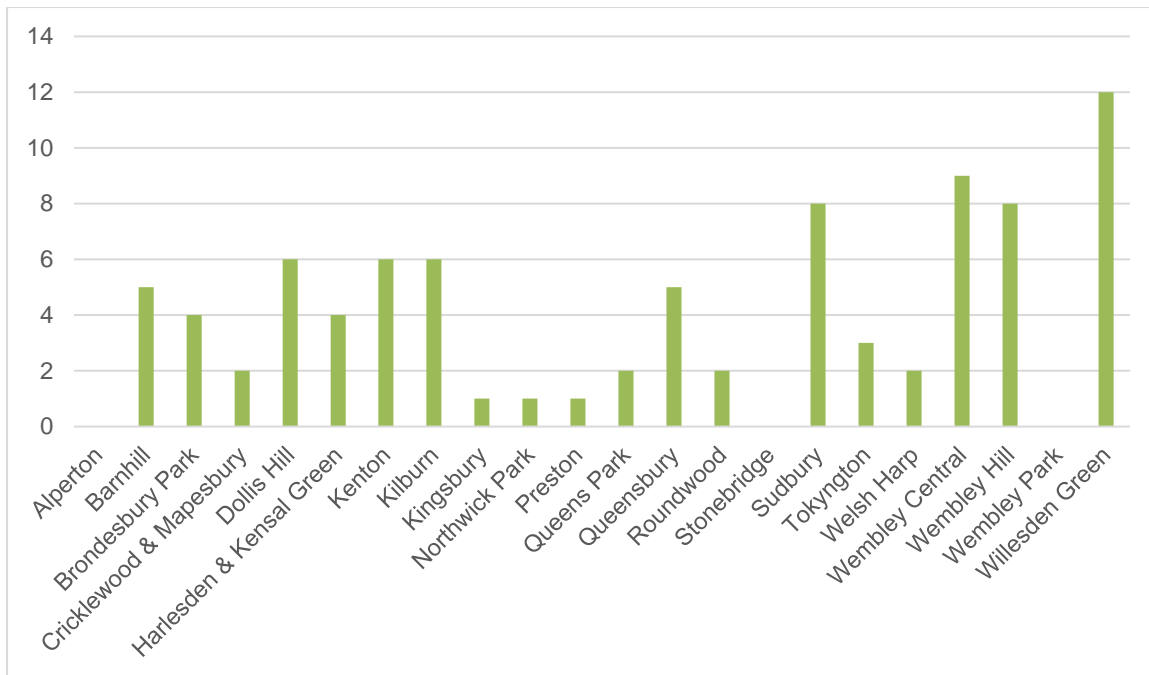
Complaints linked to HMOs by ward (HSCR 2024)



Percentage of HMOs with complaints by ward (HSCR 2024)

7.4.5 Indicators of poor property conditions through enforcement

Responding to complaints in HMOs has required a significant number of council interventions, representing a drain on council resources. Over a five-year period (2019-2024) the council has served 101 civil penalty notices (CPNs) to HMOs (known and hidden). Willesden Green had the greatest number of CPNs served (12) during this period.



HMO CPNs served by ward (HSCR 2024)

7.5 Other factors impacting poor property conditions and property management

7.5.1 Damp and mould

Damp and mould is one of 29 hazards assessed under the HHSRS. The HHSRS is a tool used to assess risks in residential properties. Hazards assessed at the most dangerous level using issued Government guidance are classified as 'category 1'. All other assessable hazards that are judged to be significantly worse than average are 'category 2' hazards. Local authorities have a duty under the Act to take enforcement action on category 1 hazards and a power to take enforcement action on category 2 hazards.

Damp and mould primarily affect the airways and lungs, but they can also affect the eyes and skin. The respiratory effects of damp and mould can cause serious illness and, in the most severe cases, death. The presence of damp and mould can also affect tenants' mental health. This could be due to worries about the health impacts of damp and mould, unpleasant living conditions and destruction of property and belongings, among other concerns.

Everyone is vulnerable to the health impacts of damp and mould, but people with certain health conditions, children and older adults are at greater risk of more severe health impacts. In 2022, the media reported widely on poor conditions caused by damp and mould in social and private rented housing. This was primarily prompted

by highlighting the tragic case of two-year-old Awaab Ishak who died in 2020 due to prolonged exposure to mould in his home.

Certain groups are more likely than others to live in homes with damp and mould⁴. This includes:

- people with a long-term illness
- people who struggle to heat their homes and/or are experiencing fuel poverty
- people on low incomes
- people with disabilities
- people from ethnic minority backgrounds
- people living in temporary accommodation.

7.5.2 Overcrowding

Overcrowding is a secondary impact of housing unaffordability. A household is classified as overcrowded if it has fewer bedrooms than it needs to avoid undesirable sharing, based on the age, sex and relationship of household members. 24.7% of privately rented households within Brent are overcrowded. This is significantly higher than the London average of 15%⁵.

Overcrowding exacerbates hazards such as damp and mould due to the increased laundry and cooking activities required to cater to more people in a confined space. Insulation and ventilation cannot generally cope with the extra demand. The HHSRS states that 'crowded conditions can result in a moisture burden above that which the dwelling is designed to safely deal with, and this can be a cause of condensation and high humidities, giving rise to associated health risk'⁶.

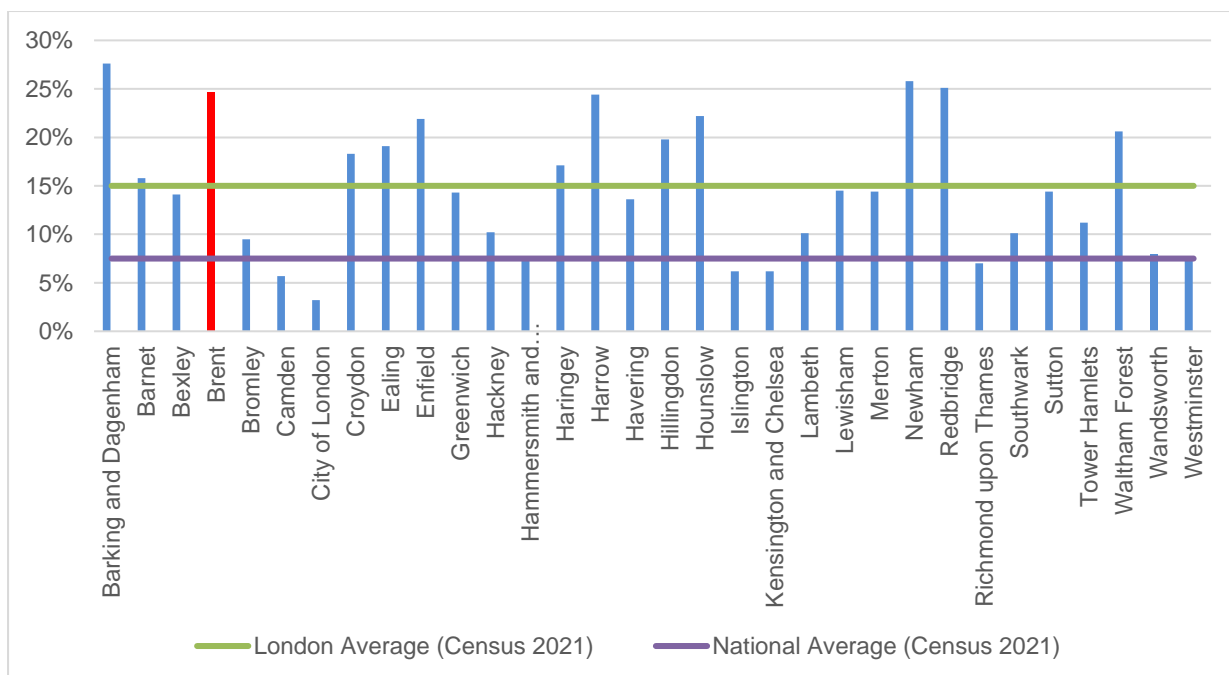
Evidence indicates that poor housing conditions and overcrowding negatively affect physical and mental health and can also have a major impact on educational achievement. For example, children's education may be affected by overcrowding directly, through a lack of space for homework, as well as indirectly because of school absences caused by illness⁷.

⁴ [Understanding and addressing the health risks of damp and mould in the home](https://www.gov.uk/government/consultations/understanding-and-addressing-the-health-risks-of-damp-and-mould-in-the-home) GOV.UK (www.gov.uk)

⁵ Census 2021

⁶ [HHSRS Guidance](#)

⁷ [The impact of bad housing on children's lives \(Shelter\)](#)



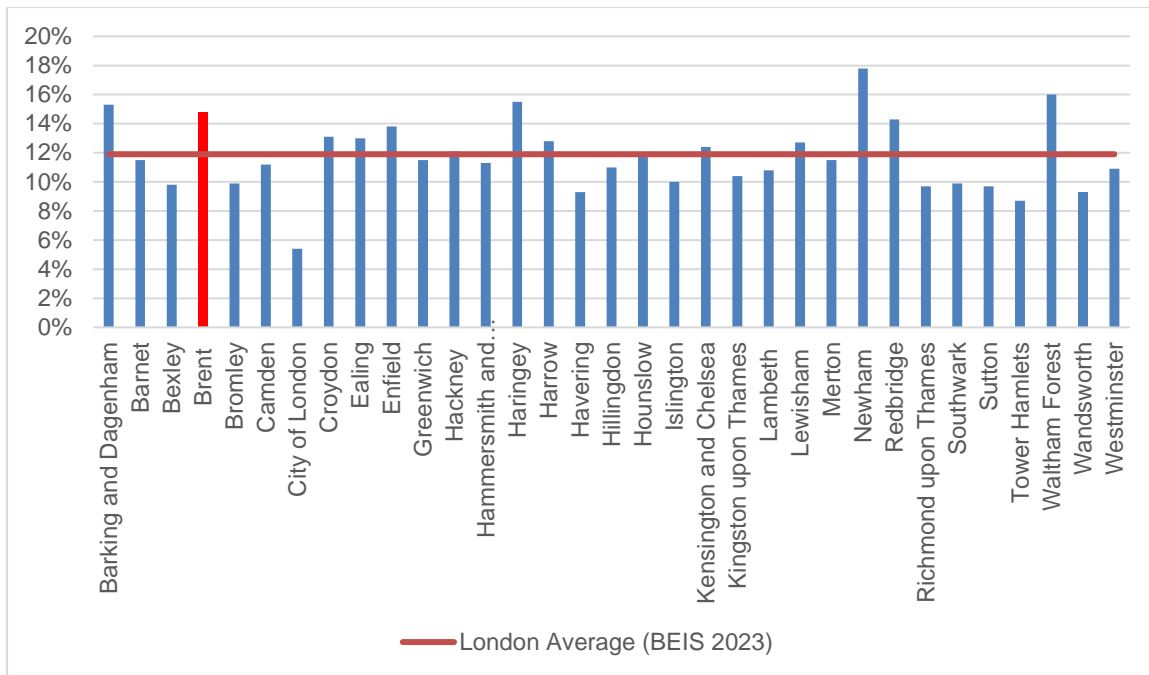
Percentage of overcrowded PRS properties by London borough (Census 2021)

7.5.3 Fuel poverty

Whilst energy prices in the UK are no longer near the extreme highs seen in late 2022 and early 2023, energy prices still remain high and unaffordable for many. With growing pressure on household finances because of increasing energy costs and wider concerns about the cost of living, there are reports that households are choosing between “heating or eating” over the winter months.

The fuel poverty score produced by the Department for Business, Energy & Industrial Strategy (BEIS) using 2021 data and published in 2023 shows that currently Brent has a higher proportion of households in fuel poverty (nearly 15%) than the London average (nearly 12%).⁸ These figures are likely to significantly change at the next point of publishing as a result of the 2022 acute fuel price increases.

⁸ Department for Business, Energy & Industrial Strategy 2021
<https://www.gov.uk/government/statistics/sub-regional-fuel-poverty-data-2021>



Percentage of households in fuel poverty by London borough (BEIS 2023)

7.5.4 Child poverty

Increasingly in Britain, families with young children are living in HMOs, with whole families sometimes renting a single room in an unlicensed property in substandard conditions⁹.

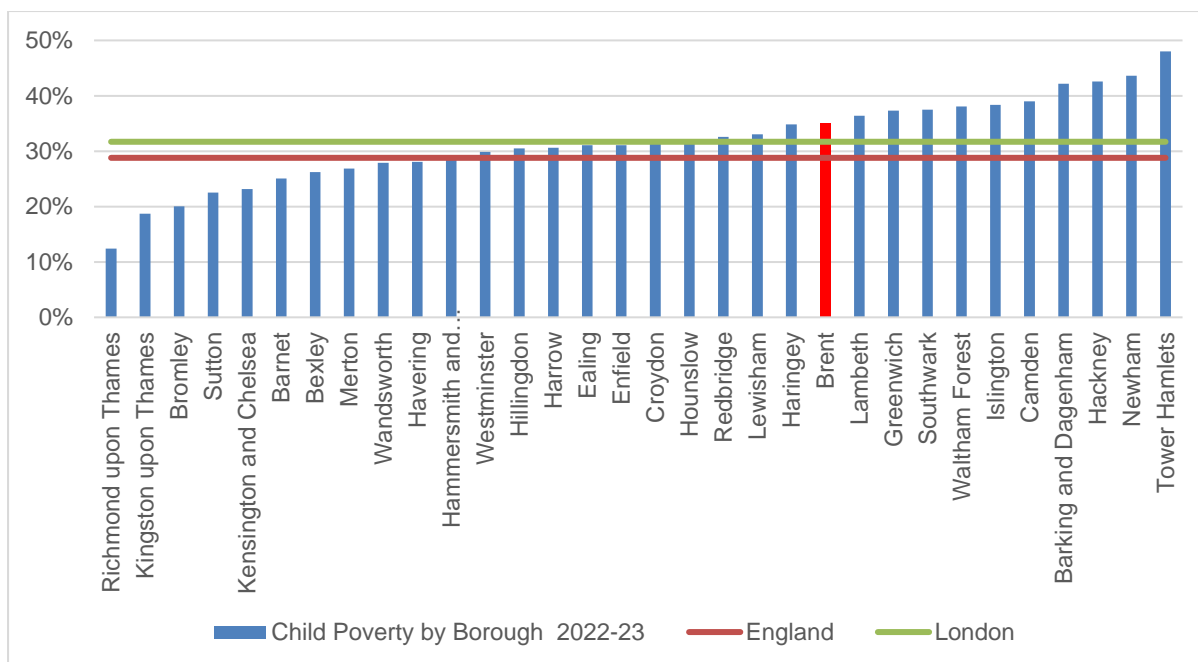
In Brent 35% of children aged 15 years and under experience child poverty after housing costs. This is higher than the England rate of 29% and the London rate of 32%.¹⁰

As the cost-of-living crisis continues, it is likely that many households with children will be unable to afford to put the heating on, making homes more susceptible to damp, mould and cold. Children aged 14 years or under are at the greatest risk of ill health caused by damp and mould in their homes¹¹.

⁹ [Bedsit Britain: 160,000 people in England crammed into unlicensed housing | Housing | The Guardian](#)

¹⁰ [Child Poverty Statistics – End Child Poverty](#)

¹¹ [Housing Health and Safety Rating System \(HHSRS\)](#)



Child poverty after housing costs 2022/23 (End Child Poverty 2024)

7.5.5 Minimum Energy Efficiency Standard (MEES)

An EPC rating is an assessment of a property's energy efficiency. It is primarily used by buyers or renters of residential properties to assess the energy costs associated with heating a house or flat. The rating is from A to G. 'A' indicates a highly efficient property; 'G' indicates low efficiency.

Under the current Minimum Energy Efficiency Standard (MEES), properties must have an Energy Performance Certificate (EPC) rating of E and above before they can be let out. Currently in Brent, 458 HMOs have an E, F or G rating, and approximately 1.1% of HMOs are likely to fail the MEES statutory requirement¹².

The statistical evidence shows that there is a continuous relationship between indoor temperature and vulnerability to cold-related deaths¹³. The colder the dwelling, the greater the risk. The percentage rise in deaths in winter is greater in dwellings with low energy efficiency ratings. Therefore, the F and G properties present a serious risk to the occupants' health, particularly if over the age of 65.

¹² Housing Stock Condition and Stressors Report (Metastreet 2024)

¹³ [Housing Health and Safety Rating System](#)

8 Addressing poor HMO management through licensing

The designation of a boroughwide additional HMO licensing scheme will allow the council to bring about a significant improvement in the management of HMO properties within all wards reducing incidences of serious housing hazards and ASB within the borough throughout the scheme duration.

The evidence shows that a high proportion of HMOs in the borough are being managed ineffectively due to the cumulative presence of serious housing hazards and/or significant and persistent ASB. Through the licensing regime and the granting of licences, standard licence conditions will be imposed that require licence holders to manage their properties proactively and to take reasonable action to address issues identified.

We will ensure that HMOs identified as 'high risk' are prioritised for inspection by officers to check for hazards and compliance with the licence conditions. This will allow the council to take enforcement action (under Part 1 of the Housing Act), where necessary, to improve conditions.

Licensing also gives the council further powers to reduce ASB in HMOs. Without licensing the council are only able to take action against tenants for ASB, as opposed to licensing, which places a duty on landlords to manage ASB in their properties as well. Landlords will receive guidance and advice on managing tenants involved in ASB, particularly in cases of serious ASB requiring formal court action.

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. For those whose properties fall below the legal requirement and who ignore the advice and support of the council, the private housing service team will work with trading standards (currently responsible for enforcement of The Domestic Minimum Energy Efficiency Standard (MEES) Regulations) to bring them into compliance.

The council will expect property management issues identified during an inspection to be resolved within a reasonable period, depending on the severity of the issue. improvement notices, overcrowding notices and prohibition orders are formal notices that may be issued to bring about improvements in properties. Landlords who fail to license their properties could also receive a civil penalty or may be

prosecuted.

We will also continue to collaborate with the local Police, the London Fire Brigade, UK Border Agency and other council departments to identify properties that need improvement. The council is committed to working with landlords to address poor property management and assist them in complying with the licence conditions. Information and guidance on managing HMOs will be provided via the council's website and through forums.

We will use licensing to empower HMO tenants by educating them on the standards that they should expect from their rented accommodation, their rights and responsibilities and how to access council services that can support them if needed.

This comprehensive approach ensures that all stakeholders - the council, landlords, and tenants - work together towards improving the living conditions in HMO properties across the borough.

9 Proposed licensing scheme conditions

There are two types of conditions that can be applied to an additional licensing scheme: mandatory and discretionary. The mandatory conditions are required by law (Schedule 4 of the Housing Act 2004) and must be included in a licence. These mandatory conditions do not form part of the consultation.

Discretionary conditions are those which the council can apply for regulating the management, use and occupation of the property and its condition and contents. The proposed discretionary conditions do form part of the consultation and respondents are able to give us their views on these.

In some circumstances, for a particular property, where the council believes there are specific issues not being covered by the discretionary conditions, additional or more specific conditions can be added.

The proposed additional licence conditions are attached as **Appendix 2**. These licence conditions form part of the consultation, and the council welcomes any views on them. Please note, licence conditions will apply to all HMOs in the borough.

10 Proposed HMO licence fee

10.1 Fee proposal

Licence applicants will be required to pay a fee for each HMO property that needs a licence. The HMO licensing fees are set to cover the cost of administering the licensing scheme functions (administration and enforcement).

Licences will normally be granted for the duration of the scheme (up to five years). Where we have concerns about the management and use or occupation of the property, we may grant a licence for a shorter period, usually for 1 year.

The proposed schedule of fees, charges and discounts is attached as **Appendix 3**. These form part of the consultation, and the council welcomes any views on them. Please note, fees will apply to all HMOs in the borough.

10.2 Fee split

By law, the fee must be levied in two parts. Part A will be payable on submission of the application and will cover the cost of processing, administration and validation of the application. Should the application be refused or rejected by the council or withdrawn by the applicant this first Part A payment will not be refunded.

Part B will be payable once the application has been assessed, and the decision is made to grant the licence. This part of the fee is a contribution to the other costs incurred by the council in running, administering and enforcing the licensing scheme. The legal requirement is that fees are split in two parts, however, applicants have the option of making the full payment at the time of making the application.

10.3 Proposed fee amount

We propose an increase from the current £840.00 HMO licensing fee to that proposed below:

Licence Type	Full Fee	Detail	Part A Fee on Application (non-refundable)	Part B Fee on Grant of Licence
Mandatory HMO	£1040.00	Application, processing and inspection of up to five habitable rooms (lounge, dining room or bedroom)	£540.00	£500.00
	£25.00	For each additional habitable room an additional charge per room of....		
Additional HMO	£1040.00	Application, processing and inspection of up to five habitable rooms (lounge, dining room or bedroom)	£540.00	£500.00
	£25.00	For each additional habitable room an additional charge per room of....		

10.4 Proposed fee discount

Nature of discount	Amount
London Landlord Accreditation Scheme membership Applicable to new (first time) applications.	£40 off Part B

10.5 How we calculated the fees

The proposed fees have been calculated on the basis that the schemes will be cost-neutral to the council and will not generate a profit. Licence fees cover our costs of administering the schemes and meeting the scheme objectives that are set out below. A significant proportion of the licence fee income will meet the necessary staffing costs to deliver the scheme outcomes, but the fees will also meet other running costs, such as IT expenditure, with appropriate allowances made for inflationary increases during the life of the scheme.

The proposed fees are underpinned by assumptions about the level of income the fees will generate, based upon the number of properties that we expect to be licensed during the life of the schemes and the numbers of those properties that we expect to be eligible to discounts.

10.6 Fee comparisons

The table below show how the proposed fee compares with the advertised fee structures for other London boroughs with similar schemes.

Local Authority	Additional HMO fee
Brent	£1,040
Waltham Forest	£1,200
Newham	£1,250
Lewisham	£1,000 - £2,500
Southwark	£1,300
Lambeth	£1,518*
Merton	£1,450 - £1,550
Redbridge	£1,698 - £1,800

* Based on a three-bedroom HMO

11 Additional HMO licensing exemptions

Additional HMO licensing applies to all privately rented HMO properties within the designation unless they are licensable under the mandatory licensing scheme or exempt by law.

Schedule 14 of the Housing Act provides an exemption from HMO licensing law for some types of buildings. These include buildings controlled by public sector bodies (for example, housing associations), some buildings occupied by students, and some owner-occupied buildings. A full list of exemptions can be found at [Housing Act 2004 \(https://shorturl.at/v8hfa\)](https://shorturl.at/v8hfa)

12 Alternatives to licensing

We have considered a number of other courses of action, or alternatives to the additional licensing proposals, but do not believe that, individually or collectively they provide an effective, or as effective means of tackling poor property management of HMOs within the borough. The table below shows the alternatives that we have considered and explains why they are not sufficient to meet our objectives.

Alternative Measure	Strengths	Weaknesses
Use of Part 1 Housing Act 2004 enforcement powers [HHSRS] and Public Health powers	<p>Following an investigation, formal statutory notices can be served that require improvements to be carried out to a property.</p> <p>Councils can carry out work in default if a notice is not complied with.</p> <p>Landlords risk being prosecuted if they do not comply with the notice, or the council can impose a civil penalty on the person responsible.</p>	<p>The powers do not place any obligation on landlords to be proactive in improving conditions. Formal action is generally slow, with appeal provisions against most types of notices served, which can significantly delay the time period for compliance.</p> <p>Work in default can be effective but it is expensive and time-consuming to the council, with the risk that not all costs are recovered.</p> <p>Successful prosecutions and civil penalties do not in themselves secure improvements in property conditions and the council's costs in pursuing legal action are often not met in full.</p>
Rely on prosecutions and civil penalties for housing offences	<p>Provides landlords with a disincentive to keep properties in poor conditions.</p>	<p>These powers do not place any obligation on landlords to be proactive in improving conditions. Successful prosecutions, or the imposition of civil penalties, do not in themselves secure improvements in property conditions. The absence</p>

		of licensing significantly reduces the scope of the council to impose civil penalties in respect of identified housing breaches.
Wider promotion of voluntary accreditation schemes to facilitate improvement in management practices and standards	For those landlords who take part, accreditation can increase their knowledge and competence and their ability to effectively manage a property.	This requires voluntary landlord engagement, and rogue operators are unlikely to attend/engage in such schemes.
Improvement grants to improve sub-standard properties	Grants subsidise improvement works, improving standards and giving benefits for landlords and tenants.	<p>Generally, there are few grants available, and the council has very limited scope to offer grants through successful external funding bids. In the most part, grant awards would fund improvements that the landlord should be carrying out to meet their legal obligations.</p> <p>Any grant scheme would be discretionary and would rely on voluntary landlord engagement.</p>
ASB powers	Formal notices can be served at addresses identified as having ASB issues. This can resolve ASB at the particular address.	Action would generally be taken against the tenant in occupation. The powers do not place any obligations on landlords to be proactive in managing their properties to prevent or reduce the likelihood of ASB occurring.
Renters Rights Bill (Introduced to Parliament September 2024)	Will give the council greater enforcement and investigatory powers.	Does not put in place a proactive approach to housing standards and still relies on tenants complaining and landlords being upfront about issues.

Each of the above powers or measures supports the council in achieving the objectives of additional HMO licensing;

- to improve the quality of living conditions for tenants and residents in HMOs
- to improve the management standards and practices of landlords and agents of HMOs
- to improve the health and safety of occupants of HMOs
- to improve the environmental quality and amenity of neighbourhoods

However, the council considers that the best way to achieve these aims is to introduce a further large scale additional HMO licensing scheme, in combination with our other regulatory and enforcement tools, as none of the alternative powers or measures can effectively address the issues and challenges posed by poorly managed HMOs in the borough.

13 Proposed scheme objectives

Licensing is part of a broader, coordinated approach to help improve privately rented properties in Brent. In general terms, we propose to use additional licensing to continue to improve property conditions within the borough, tackle ASB and keep our residents safe. We are committed to improving property conditions and management standards in the PRS, so that it contains good quality accommodation, helps us to achieve sustainable communities and continues to contribute positively to the local economy.

The objectives of our proposed schemes are outlined below:

Objective	Outcome
1. Improve property conditions in HMO properties	<ul style="list-style-type: none">• Licensed HMO properties are inspected, monitored, and licence conditions robustly enforced and complied with• Poor housing conditions in HMOs are improved with category 1 & 2 hazards resolved (including issues such as damp and mould)• HMO properties meet a minimum band E EPC rating (unless an exemption applies)• Improved health, safety and welfare of tenants in HMOs• The council will gain increased knowledge of the PRS in the borough. This will enable targeted enforcement and support for landlords
2. Improve management standards in HMO properties	<ul style="list-style-type: none">• Landlords actively manage their HMO properties or be enforced against• Absentee landlords, or landlords who are not 'fit and proper', employ an agent to actively manage their properties to ensure compliance• Prevention of overcrowding in HMOs

		<p>through better management of property occupancy</p> <ul style="list-style-type: none"> • Greater number of landlords become accredited improving the professionalism of landlords in the PRS • Engagement with landlords improved • Landlords are kept informed of latest legislation and good practice • Responsible landlords will become more involved in council licensing schemes and receive information and support • Irresponsible landlords will be forced to improve their properties or be enforced against.
3.	Reduction in ASB and repeat ASB incidents in HMO properties	<ul style="list-style-type: none"> • Reduction of ASB incidents through better management of HMO properties • Reduction in ASB will improve neighbourhoods making these areas safer and more desirable places to live.
4.	Promote initiatives and provide support to maintain a clean and safe environment	<ul style="list-style-type: none"> • Reduction in repeated waste related incidences (such as fly tipping) linked to HMOs • Improvements to the overall environment, creating better living places.
5.	Increased awareness for tenants on the minimum standards to be expected in rented accommodation and of their rights and responsibilities when renting in the PRS	<ul style="list-style-type: none"> • Information for tenants on the local licensing scheme advertised and third-party support for tenants made available • Officers will support the most vulnerable tenants with their housing and wider needs e.g., benefits assessments, homelessness support • Improved tenants' support through work with third parties • Renters know their rights and

		<p>responsibilities and have greater awareness of and access to council services that can support them</p> <ul style="list-style-type: none"> • Tenants will see economic benefits such as reduced heating costs, bringing them out of fuel poverty.
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14 Licensing and wider council strategies

HMO licensing is an effective tool in improving conditions for private renters and forms an integral part of the council's overarching housing strategy. In addition, licensing can support the delivery of several broader council priorities that recognise the impact of poor property management, housing conditions and antisocial behaviour in residents' lives.

14.1 Brent Corporate Plan

The "[Moving Brent Forward Together for 2023-2027](#)" Borough Plan outlines Brent Council's commitment to creating a prosperous, inclusive, and sustainable community. The plan focuses on five key priorities:

1. Prosperity and Stability in Brent
2. A Cleaner, Greener Future
3. Thriving Communities
4. The Best Start in Life
5. A Healthier Brent

A key outcome of Priority 1 is to deliver 'safe, secure, decent housing' which includes improving the quality of housing in Brent across the private rented sector and the council's own housing stock. The HMO licensing scheme will contribute to the council's vision and assist in achieving this desired outcome by:

1. Improving Housing Quality: The licensing scheme ensures that HMOs meet specific standards, which helps improve the overall quality of housing in the private sector.
2. Safety and Security: By regulating HMOs, the council can enforce safety standards, reducing risks such as fire hazards and ensuring secure and safe living conditions for tenants.
3. Decent Housing: Licensing helps maintain decent living conditions in HMOs by addressing issues like overcrowding and poor management of HMOs, ensuring that all HMOs are fit for habitation.

14.2 Housing Strategy

The [Private Sector Housing Strategy 2024-2029](#) aims to ensure that the private housing sector in Brent is a safe, stable and accessible option for all residents. In order to deliver its vision, the council sets out three key commitments:

1. We work to increase the supply of private sector homes available in Brent, so it is an accessible housing option for our residents
2. We effectively tackle poor property conditions across the private sector in Brent
3. We prioritise supporting residents to access and stay in their private-sector

home, living safe and comfortable lives

The additional HMO licensing scheme is integral to the council achieving these key commitments. The council will ensure all licensed HMOs are inspected, respond to concerns raised about poor property conditions and ASB in HMOs and work with landlords and property managers to ensure compliance with required standards, while taking robust enforcement action using the full range of available powers against landlords who do not maintain their properties, fail to license or deliberately flout licence conditions.

16.3 Homelessness

Brent Council has outlined its strategy to maximise the prevention of homelessness and to minimise the negative impacts of homelessness upon families and individuals where prevention is not possible in the [Brent Homelessness and Rough Sleeping Strategy 2020-2025](#). The council's homelessness review has shown that the loss of a private sector assured-shorthold tenancy is still the most common reason for people to approach the council for help.

Working to improve access to and conditions in the private sector is therefore vital for providing a wider housing offer for Brent residents and the council has committed (commitment 3) to '*work to increase the supply of and access to stable and affordable homes across the borough*'.

Through HMO licensing and enforcement processes, as well as collaboration with local landlords through the Landlord Forum, we will continue to improve standards and drive-up conditions in HMOs and increase the supply of much needed stable homes. This, along with tenant education on rights and responsibilities, will support tenancy sustainment in the PRS and help in reducing homelessness in the borough.

16.4 Empty Homes Programme

The Private Sector Housing Strategy 2024-2029 sets out Brent's vision in relation to empty properties which is to increase the supply of private sector homes available in Brent, so it is an accessible housing option for our residents (commitment 1).

This council aims to reduce the number of long-term empty homes to maximise the existing housing stock, increase the supply of housing and reduce the negative environmental and social impacts associated with vacant properties. This will be achieved through direct engagement with property owners, offering renovation grants, and taking enforcement action when necessary.

The increased level of enforcement activity made possible by an additional HMO

licensing scheme, with officers out in the borough on tasking days and inspections, will unearth more empty homes that can potentially be returned to the private rented market. Empty properties attract nuisance and ASB, so bringing empty properties up to standard and back into use as decent liveable homes is complementary to the objectives of the proposed additional HMO licensing scheme.

16.5 Climate & Ecological Strategy

In 2021, Brent declared a climate and ecological emergency and pledged to achieve carbon neutrality in the borough by 2030. The [Brent Climate & Ecological Strategy 2021-2030](#) recognises that better insulating homes and making them more energy efficient is one of the key actions that must be taken to reduce carbon emissions.

Additional HMO licensing will contribute to achieving Brent's climate change vision by enforcing energy efficient standards in the PRS, helping to reduce the overall energy consumption and carbon emissions of the borough.

16.6 Anti-Social Behaviour

The council has committed to effectively and proportionately challenging any form of ASB within its [Safer Brent Community Safety Strategy 2024-2026](#). Residents have the right to quiet and peaceful enjoyment of their environment, and the council ensures cases are resolved through effective intervention and support services.

To tackle ASB problems, we have made it conditional on all private landlords who hold licences under the additional HMO licensing scheme to 'take reasonable and practicable steps to prevent or address problems of antisocial behaviour resulting from the conduct of occupiers or visitors to the HMO'. Section 57(5) of the Housing Act 2004 gives a definition of ASB for the purposes of licensing under Part 3 of the Act.

We will use all tools and powers available to support those affected by ASB and to take action, including prosecution, against licence holders who do not take adequate steps to tackle ASB. The Housing Act 2004 refers to an offence being committed if a landlord breaches a condition of a licence without reasonable excuse.

The additional HMO licensing scheme will encourage landlords to work with their tenants to reduce ASB, with information and support available online and through forums.

15 Further information

The Public Sector Equality Duty (PSED), Section 149 of the Equality Act 2010 requires the council to have “due regard” to its equality aims when exercising its public functions. Brent Council believe that an Equality Analysis (EA) is the best method to demonstrate compliance with the PSED. An Equality Analysis was carried out as part of these proposals. The results of the EA are attached as **Appendix 4**.

16 Appendices

Appendix 1	Housing Stock Condition and Stressors Report (Metastreet, 2024)
Appendix 2	Additional HMO Licence Conditions
Appendix 3	Schedule of Proposed Fees, Charges and Discounts
Appendix 4	Equality Analysis