



HOUSING (SCOTLAND) ACT 2006  
APPLICATION FOR A HOUSE IN MULTIPLE OCCUPATION (HMO)  
LICENCE BY AN INDIVIDUAL

IT IS STRONGLY ADVISED THAT YOU READ THE GUIDANCE NOTES BEFORE COMPLETING THIS APPLICATION AS INCOMPLETE APPLICATIONS OR APPLICATIONS SUBMITTED ON THE WRONG FORM WILL NOT BE ACCEPTED AND WILL BE RETURNED BY SECOND CLASS POST DELAYING YOUR APPLICATION. IF YOU PROVIDE AN EMAIL ADDRESS BELOW THIS WILL ALLOW US TO CONTACT YOU QUICKER REGARDING YOUR APPLICATION.

FOR OFFICIAL USE ONLY

Date of receipt of application		Fee paid	
Acknowledgement		Receipt no.	
Date to Police Scotland		Deadline for initial decision	
Date to Scottish Fire & Rescue Service		Deadline for final decision	
Date to Environmental Health		Date to committee	
Date to Building Standards		Decision	
Date to Development Management		Date of determination	
Date to Housing			

Question 1(a) – Applicant details

First name	Middle name(s)	Surname
Age	Date of birth	Place of birth
Previous name(s)	National Insurance Number	
Length of time resident in the UK	Nationality	
Permanent address	Previous address (only to be completed if you have lived at your address for less than 3 years)	
Post Code	Post Code	
Time resident at this address	E-mail address	
Telephone number	Mobile number	

Please confirm (by ticking the box opposite) that title to the living accommodation identified at Question 3 below is held in the name of the applicant.	<input type="checkbox"/> Yes
Please confirm title reference number and date of registration in the sasine register	

Question 2(a) – Agent

Do you wish the licence to authorise an agent to act for you in relation to the occupation of the living accommodation?  YES/NO  If no please proceed to Question 3.  If yes please provide details below: -
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If the agent is an individual please provide the following details: -		
First name	Middle name(s)	Surname
Age	Date of birth	Place of birth
Previous name(s)		National Insurance Number
Length of time resident in the UK		Nationality
Permanent address		Previous address
Post code	Post code	
Time resident at current address		
Telephone number		Mobile number
		E-mail address

If the agent is not an individual please confirm if it is a company, partnership or other organisation. Please tick one of the boxes opposite to indicate.	<input type="checkbox"/> company <input type="checkbox"/> partnership <input type="checkbox"/> organisation
Company registration number (if applicable)	
Type of other organisation (if applicable)	
Name of company/partnership/other organisation	

Address of registered office (companies), principal office (partnerships and organisations)	
E-mail address	
Telephone number	
Please provide the details below regarding directors, partners or other persons concerned in the management of the body which is named as agent (continue on a separate sheet if necessary)	

2(b) - Details of Directors, Partners or other persons concerned in the management of the proposed agent

Complete the full names (including any previous names), addresses, telephone numbers and places of birth of all Directors, Partners or other persons concerned in the management of the proposed agent		
First name	Middle name(s)	Surname
Age	Date of birth	Place of birth
Previous name(s)		
Length of time resident in the UK		Nationality
Permanent address		Previous address
Post code		Post code
Time resident at current address		
Telephone number		Mobile number
		E-mail address

First name	Middle name(s)	Surname
Age	Date of birth	Place of birth
Previous name(s)		
Length of time resident in the UK		Nationality

Permanent address	Previous address
Post code	Post code
Time resident at current address	
Telephone number	Mobile number
	E-mail address

First name	Middle name(s)	Surname
Age	Date of birth	Place of birth
Previous name(s)		
Length of time resident in the UK	Nationality	
Permanent address	Previous address	
Post code	Post code	
Time resident at current address		
Telephone number	Mobile number	
	E-mail address	

PLEASE CONTINUE ON A SEPARATE SHEET IF NECESSARY

Question 3 – Details of accommodation to be licensed

(a) Name (if any) and address of the living accommodation for which an HMO licence is required	Name: Address:  Postcode: Phone no.
(b) Maximum number of occupants	

(c) If a house, number of floors	
(d) Number of kitchens	
(e) Number of bathrooms/shower rooms	
(f) Number of bedrooms	

Question 4 – Further Details

Is the living accommodation currently licensed as an HMO?	yes/no
If yes, what is the licence number?	
Has any applicant or proposed agent or anyone else named in this application ever applied for and been refused a licence by any council?	yes/no

If yes, which council refused the licence and by whom was the application made?	
When was it refused?	

Has any applicant or proposed agent or anyone else named in this application ever held a licence which was suspended or revoked?	yes/no
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If yes, which council suspended or revoked the licence?	
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Question 5 – Previous Convictions\*

Have you or proposed agent or anyone else named in this application been convicted of any crime or offence?  If answer is yes please provide details below; continue on separate sheet if necessary.			yes/no (delete accordingly)
Date	Court	Offence	Sentence

\*SUBJECT TO THE REHABILITATION OF OFFENDERS ACT 1974, ALL UNSPENT CRIMES AND OFFENCES MUST BE DECLARED

SITE NOTICE

Declaration by applicant re site notice (\*\*delete whichever is not applicable)

\*\* (a) I declare that I shall, for a period of 21 days commencing with the date on which a fully completed application is submitted, display on or near to the living accommodation concerned, so that it can conveniently be read by the public, a notice complying with the requirements of paragraph 2 of Schedule 4 of the Housing (Scotland) Act 2006. (A form that may be used for this purpose is attached).

or

\*\* (b) I declare that I am unable to display a notice of this application on or near to the living accommodation concerned because I have no rights of access or other rights enabling me to do so, but that I have taken the following steps to acquire the necessary rights, namely:

Please detail the steps you have taken in the box below

but have been unable to acquire those rights;

or

\*\* (c) I declare that I am unable to display a notice of this application on or near to the living accommodation concerned because complying with the requirement to display a site notice in terms of paragraph 2 of Schedule 4 of the Housing (Scotland) Act 2006 is likely to jeopardise—

- (i) the safety or welfare of any persons, or
- (ii) the security of any premises.

Question 6 - Declaration by applicant

I declare that the information given by me on this form is correct to the best of my knowledge and belief.

Date	Signature of applicant	
	Print name of applicant	

If the application is being signed by an agent on behalf of the applicant please sign and complete the boxes below.

Declaration by agent on behalf of the applicant

I declare on behalf of the applicant referred to in question 1 of this form that the information given by me on this form is correct to the best of my knowledge and belief.

Date	Signature of agent	
	Print name of agent	
	Address of agent	

## Privacy Statement – Data Protection

All personal information that you supply will be used to process your application in accordance with data protection law and the Housing (Scotland) Act 2006. In processing your application we will share your information with Police Scotland and Scottish Fire and Rescue Service.

We are required by law to protect the public funds we administer. Therefore in line with the National Fraud Initiative (NFI) we may also share your information with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud.

Further information about how we handle your personal information, including how long we retain the information, information about the NFI and how you can complain about our handling of your information, is available in our Privacy Notice which can be found on the Licensing Team's webpage <https://www.westlothian.gov.uk/licensing>. A copy of our Privacy Notice is available on request by contacting the Licensing Team, email: [licensing@westlothian.gov.uk](mailto:licensing@westlothian.gov.uk), telephone: 01506 281632.

## **NOTES FOR GUIDANCE FOR COMPLETION OF HMO (HOUSE IN MULTIPLE OCCUPATION) LICENCE APPLICATION**

### **1. What application form should I use and who can apply for an HMO licence?**

- (a) The law provides that an application for an HMO licence may be made only by the owner of the living accommodation concerned. There is an application form for use by applicants who hold the title to the property in their individual name and a separate form for use when the licence is to be held in the names of joint owners or in the name of companies, partnerships or organisations. Applications by a joint owner of accommodation in their own name only should be made on the application form for individuals.

Please check the title deeds of the property and ensure that the correct form is completed. Applicants will have to submit evidence that title to the property is held in their name.

- (b) If the applicant is a company please ensure that all details of all directors listed on Companies House records are provided. Attach any additional information separately if insufficient space is available on the form.

### **2. Can I have an agent authorised to act for me?**

An agent may be authorised to act for the applicant in relation to the occupation of the living accommodation. The agent may be an individual, an organisation, a company or partnership and their details should be inserted at question 2.

If the agent is a company please ensure that all details of all directors listed on Companies House records are provided.

Attach any additional information separately if insufficient space is available on the form.

### **3. What must the layout plan show?**

The layout plan must clearly show all of the floors, kitchens, bathrooms and bedrooms in the property.

### **4. Information about properties already licensed/previous applications**

If the property is currently licensed as an HMO please complete the licence details at question 4.

For properties which are already licensed as HMOs if a competent application for a new licence is received by us before the expiry date your licence will continue in force until the new application can be determined. You should be aware that if a competent application is not received before your licence expires the property will be unlicensed until the new application is determined and this often takes several months due to the period for representations and the need for site visits to be undertaken by advisors. Applications should be lodged at least two months before the licence is due to expire to ensure continuity of licensing. The law does not allow the council any discretion to accept late applications

If the applicant or agent or anyone else named in the application has been refused a licence or had a licence suspended or revoked please complete the information at question 4.

### **5. (a) Do I need to provide details of convictions relating to myself and any manager named or any other person named in the application?**

Yes, see question 5. If there is doubt as to which offences are spent, applicants should seek legal advice before completing this form. Details of all of your convictions are available on payment of a fee from any police station but only unspent convictions need to be listed on the form.



**(b) Do I need to display a site notice?**

A site notice advertising your application must be displayed at or near the property so that it can conveniently be read by the public. The site notice must be displayed from the day that your application is lodged or sent to the council. When your application is acknowledged as complete you will be asked to send two photographs of the site notice to the Licensing Team. One photo must show the location of the notice and the other must be a close up clearly showing the wording of the notice.

The two notices are attached to these notes:

- Notice No. 1 provides a style of the notice to be displayed at or near the premises which is to be licensed for **at least 21 days** beginning with the date on which your fully completed application was lodged or sent to the council. The notice must be placed where it can be easily read by the public. It is called the site notice and is a legal requirement. It must be completed with details of the application and the final date for representations to be received (see notes below)
- Notice No. 2 is a certificate of compliance and certifies that the applicant (or their agent) have complied with the legal requirements regarding the display of the site notice. This is also a legal requirement and must be submitted to the Licensing Team at the end of the 21 day site notice display period.

**If your application is returned to you as incomplete you will require to post a further site notice giving a further 21-day period for representations to be lodged, if this happens the Licensing Team will provide you with a pre-populated notice.**

No further opportunities to display a site notice can be given and if this requirement is not met your application cannot be processed. If you have any difficulties completing either of these notices, please email the Licensing Team at [licensing@westlothian.gov.uk](mailto:licensing@westlothian.gov.uk)

Please complete the declaration section on page 7 of the form. You are required to delete (a) or (b) as appropriate.

The Site Notice and Certificate of Compliance must contain the following information:

1. The full name and address of the applicant. Where the application relates to property with a postal address the address can be care of the premises.
2. The address of the property to be licensed must be included even though the site notice must be displayed at that same address.
3. The date on which the site notice was first displayed should be clearly stated. The final date for the submission representations must also be completed. This date is 21 days after the date of lodging of the application with the council.

The site notice must be signed by the applicant or the agent named in the application.

The Certificate of Compliance should only be signed and dated at the end of the objection period before it is returned to the council and it should state quite clearly when the site notice was displayed. There has to be at least a period of 21 days between the two dates specified.

**6. Can I get an agent to complete the form for me?**

Yes but please ensure that the application form is signed in the correct box. If the application is signed by an agent full details of that agent must be provided in the second signing box and the agent is responsible for any errors in the form.

### **How do I lodge my application form?**

Due to the pandemic the form when completed must be posted by to the Licensing Team, Legal Services, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF along with

- a cheque/postal order for the appropriate fee
- copy of the applicant's photocard driving licence (individual applicants only) or
- copy of applicant's passport and proof of the applicant's current address i.e. recent utility bill (individual applicants only).

The address given in the application form must match the ID documentation. Details of the current licensing fees can be found on the Council's website [www.westlothian.gov.uk](http://www.westlothian.gov.uk)

Please ensure that this form is fully completed, the correct fee is enclosed and that all required documents are lodged along with it. Incomplete applications will be returned for amendment and resubmission which will delay the processing of your application and will lead to you having to post a further site notice. If you are unable to pay by cheque or postal order please email the Licensing Team.

THIS NOTICE MUST BE DISPLAYED FOR 21 DAYS FROM THE DATE THE COMPLETE APPLICATION WAS SUBMITTED TO THE COUNCIL AND WILL NEED TO BE REDISPLAYED IF THE APPLICATION IS RETURNED FOR AMENDMENT

**SITE NOTICE (Notice No. 1)**  
**Housing (Scotland) Act 2006**

**APPLICATION FOR AN HMO (House in Multiple Occupation) Licence**

**NOTICE IS HEREBY GIVEN THAT**

**NAME:**

of

**ADDRESS of applicant, company, partnership or organisation:**

has applied to **WEST LOTHIAN COUNCIL** for an HMO (House in Multiple Occupation) licence. A licence for a 3 year period has been sought. The address of the living accommodation for which the licence is sought is:

**ADDRESS of property**

Members of the public may make representations concerning this application. Any representation must be made in by email or in writing and should explain the grounds for the representation. The name and address of the person making representations must be stated clearly and any letter must be signed by either the respondent or an agent authorised to act for them.

Representations should preferably be emailed to [licensing@westlothian.gov.uk](mailto:licensing@westlothian.gov.uk) or alternatively posted to the Chief Solicitor, Legal Services, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF by .....**insert date** i.e. 21 days after application is submitted.

The Council can consider late representations, provided a final decision has not been taken on the relevant application. If a late representation is made, it should be accompanied by an explanation for that lateness. If the Council is satisfied that it was reasonable for the respondent to make the representation after the deadline for doing so, the representation can be considered. Guidance on submitting a representation can be found on the council's HMO webpage.

Signed: .....

Name of signatory.....

Date notice posted.....

**THIS NOTICE MUST BE COMPLETED AND RETURNED TO THE COUNCIL AT THE END OF THE SITE NOTICE DISPLAY PERIOD**

**Certificate of Compliance (Notice No. 2)  
Housing (Scotland) Act 2006**

**NAME:**  
**ADDRESS:**

having made application to West Lothian Council for an HMO (House in Multiple Occupation) licence

in respect of:

**ADDRESS of property:**

HEREBY CONFIRM THAT I/WE have complied with the terms of Paragraph 2 of Schedule 4 to the Housing (Scotland) Act 2006, by displaying a notice at or near the above-mentioned living accommodation where it could be conveniently be read by the public for a period of 21 days from the date the application was submitted.

**Period during which site notice was displayed**

Date site notice was first displayed .....(insert date)

Date when site notice was removed .....(insert date)

Signed: .....

Name of signatory.....

Date of signature .....