

**This temporary exemption notice application is in lieu of a
HMO Licence Section 62: Part 2; Housing Act 2004**

The local authority can serve a Temporary Exemption Notice when the landlord or manager of a property which is required to be licensed, but is not, informs the authority that he/she intends to take particular steps to ensure that the property is no longer required to be licensed.

The notice exempts the property from the licence requirements for 3 months from the date of service.

The local authority can serve a second temporary exemption notice providing a further period of 3 months exemption running from the expiry date of the first notice if the landlord/manager notifies that it is required. The authority has to consider that there are exceptional circumstances that justify a second notice.

Please complete this form in using BLACK INK and return via email or post to the email/address at the bottom of this form.

If you require more space to answer questions, please use additional sheets of paper. Please attach the sheet(s) firmly to this application form.

Please note that a separate application form is required for every property that requires a Temporary Exemption Notice.

Section 238 - Housing Act 2004: False or Misleading information

A person commits an offence if:

He/she supplies any information to a local housing authority in connection with any of their functions under any of Parts 1-4 or 7 of the Housing Act, the information is false or misleading, and he/she knows that it is false or misleading or is reckless as to whether it is false or misleading.

A person commits an offence if he supplies information to another person which is false or misleading, he/she knows that it is false or misleading or is reckless as to whether it is false or misleading, and he/she knows that the information is to be used for the purpose of supplying information to a local housing authority in connection with any of their functions under any of Parts 1-4 or 7 of the Housing Act.

A person who commits an offence, as detailed above, is liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000).

"False or misleading" means false or misleading in any material respect.

Part 3: Conditions of a Temporary Exemption Notice

If a Temporary Exemption Notice (TEN) is served on the property as outlined in Section 1, the property will not require a licence during the period for which the notice is in force.

A Temporary Exemption Notice is in force for a period of 3 months beginning with the date on which it is served.

If the Local Authority:-

- receives a further notification; or
- considers that there are exceptional circumstances that justify the services of a second temporary exemption notice in respect of the house that would take effect from the end of the period of three months applying to the first notice,

The Local Authority may serve a second such notice on the person having control of or managing the house.

If the Local Authority decides not to serve a temporary exemption notice in response to a notification they must inform the applicant of:

- the decision;
- the reasons for it and the date on which it was made;
- the right to appeal against the decision; and
- the period within which an appeal may be made.

The person concerned may appeal to a residential property tribunal * (RPT) against the decision within the period of 28 days beginning with the date on which it was made.

Note to Applicants

Please note that it is a criminal offence to knowingly supply information, which is false or misleading for the purposes of obtaining a temporary exemption notice. Evidence of any statements made in this application with regard to the property concerned may be required at a later date. If we subsequently discover something, which is relevant and which you should have disclosed or which has been incorrectly stated or described, your temporary exemption notice may be revoked or other appropriate action taken.

- Residential Property Tribunal, Cambridge County Court, 197 East Road, Cambridge, Cambs CB1 1BA 0344 892 4000

Part 4: Declaration

I / we declare that the information contained in this application is correct to the best of my / our knowledge.

I / We understand that I / we commit an offence if I / we supply any information to a local housing authority in connection with any of their functions under any of Parts 1 to 4 of the Housing Act 2004 that is false or misleading and which I / we know is false or misleading or I am / we are reckless as to whether it is false or misleading.

Signed:

Print Name: Date:

Relationship to Property:

Signed:

Print Name: Date:

Relationship to Property:

Signed:

Print Name: Date:

Relationship to Property:

Signed:

Print Name: Date:

Relationship to Property:

In the case of Partnerships or Trustees, all partners or trustees must sign. In the case of a limited company, the form must be signed by a director or company secretary or other authorised officer.

Please complete & return this form by email to:

HMOlicensing@fenland.gov.uk

or post to:

HMO Licensing Officer, Fenland District Council, Fenland Hall, County Road, March, Cambridgeshire, PE15 8NQ