



HYNDBURN

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an excellent council

**Application by an Owner / Agent for a
Specified Exemption
from needing to have a Licence under
Part 3 Housing Act 2004**

This application form must be completed fully and to the best of your knowledge. Please do not leave boxes blank.

Please note that a **separate** application form is required for **each property** for which a **Specified Exemption** is required.

If you require assistance in completing this form; or would like the form in a different format please contact: Private Rented Team, 01254 380166 / 380183.

Please note that it is an offence to provide false or misleading information intentionally or recklessly.

Section 1:

Applicant's Personal Details

Full Name:				
Maiden / Previous Name (if applicable):				
Correspondence Address:				
			Postcode:	
Telephone Number:				
Mobile Number:				
Email address:				

Address of the Property to which this application refers:		
	Postcode	

Section 2:
Reason for Applying for Specified Exemption:-

Please place a tick in either the Yes or the No column against the reason applicable to the case.	Yes	No
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1.	<p>The tenancy is for more than 21 years</p> <p>Please note, to enable the Council to determine whether this situation is applicable:- a copy of the tenancy agreement must be provided with the application</p>		
2.	<p>The tenancy is for a person occupying the property as their only or main residence who is a member of the same family as the person granting the tenancy who is the owner of the premises</p> <p>Please note, to enable the Council to determine whether this situation is applicable:- you will need to provide copies of birth certificates; and individual photographs of all the persons concerned; together with a diagram of those parts of the family tree that will enable it to demonstrate how the relevant persons are related, which will assist the Council in understanding and establishing that there is a family * relationship, all of which must be provided with the application</p> <p>* See the definition of the family at the end of this document</p>		

<p>3.</p>	<p>The tenancy is for use as a holiday home</p> <p>Please note, to enable the Council to determine whether this situation is applicable:- copies of existing and past tenancy agreements that demonstrate the length and nature of the occupation as holiday accommodation must be provided with the application; alternatively where the property has not previously been used for this type of accommodation a written statement from the applicant making a declaration that that 'it is their intent to use the property as a holiday accommodation'</p>		
<p>4.</p>	<p>The tenancy or licence is for use by a lodger</p> <p>Please note, to enable the Council to determine whether this situation is applicable:- copies of existing and past tenancy agreements that demonstrate the length and nature of the occupation as lodgings must be provided with the application; alternatively where the property has not previously been used for this type of accommodation a written statement from the applicant making a declaration that that 'it is their intent to use the property to accommodate lodgers'</p>		

Please provide the Council with any additional information that will help the Council better understand the reasons why you are applying for a Specified Exemption for the property address you have specified above [for example:- a line drawing of that part of the family tree connecting the landlord and the tenant parts of the family.

5.	Full Name of the Existing / Proposed Tenant
First and other fore names	
Surname	

[additional information]

[additional information]

(Please continue on additional sheets if necessary)

Section 3:

Declaration:-

Notes 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 specified exemption.

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 specified exemption notice may be revoked or other appropriate action taken.

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 Part 3 Housing Act 2004 that is false or misleading and which I/we know is false or misleading; or that I am/we are reckless as to whether it is false or misleading.

Signed:		Date:	
Signed:		Date:	
Signed:		Date:	

For Office Use Only:	
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Date Received:	
Officer's Initials:	
Reference Number:	

Section 4:

Conditions of Specified Exemption:-

If the Council agrees that a Specified Exemption is applicable in respect of the property identified in Section 1, the property will **not** need to be licensed so long as the circumstances for which the specified exemption was granted still exist.

If you become aware of a change of circumstances you **must** tell the Council.

The Council may at any time during the period the application is being determined; and also while the Specified Exemption is in operation; carry out such enquiries as may be necessary to ensure that the exemption is still relevant and necessary.

If the Council determines that a Specified Exemption is not applicable the applicant will be notified in a letter which tells you about:-

- a) the decision;
- b) the reasons for the decision;
- c) the date on which the decision was made;
- d) the right to appeal against the decision; and
- e) the period within which an appeal may be made (as shown below):-

The applicant may appeal to a residential property tribunal against the decision within the period of 28 days beginning with the date on which it was made.

Section 5:

Definition of Family:-

* Family is defined in The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006, Clause 2(2) For the purposes of this article—

(a) a person is a member of the same family as another person if—

(i) those persons live as a couple;

(ii) one of them is the relative of the other; or

(iii) one of them is, or is a relative of, one member of a couple and the other is a relative of the other member of the couple;

(b) “couple” means two persons who are married to each other or live together as husband and wife (or in an equivalent relationship in the case of persons of the same sex);

(c) “relative” means parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin;

(d) a relationship of the half-blood is to be treated as a relationship of the whole blood;

(e) a stepchild of a person is to be treated as his child;