

## Record of officer decision

<b>Decision title:</b>	Issuing of a civil penalty of operating an un-licensed House of Multiple Occupation (HMO) at Edgar Street, Hereford, Herefordshire, HR4 9JR
<b>Date of decision:</b>	4 <sup>th</sup> October 2019
<b>Decision maker:</b>	Environmental Health Service Manager
<b>Authority for delegated decision:</b>	Authority for the specified officer to take this decision is contained in the Economy, Communities and Corporate (ECC) Directorate scheme of delegation for Environmental Health and Trading Standards (EHTS) officers. Economy and Place Scheme of Delegation – Item 64.
<b>Ward:</b>	Widemarsh
<b>Consultation:</b>	None
<b>Decision made:</b>	Issue Civil Penalty
<b>Reasons for decision:</b>	<p>The property is a licensable HMO due to the number of occupants. The authority are satisfied that:</p> <ul style="list-style-type: none"> <li>• The house is providing living accommodation for a minimum of 5 people</li> <li>• The property does not have a HMO licence</li> <li>• An application was received in relation to the property for a licence for a HMO. However, this application was not complete and therefore sent back to the application to complete. Since this no further application has been received.</li> <li>• It is an offence to operate a licensable HMO without a licence.</li> </ul> <p>In making the decision, the authority has referred to the Housing Act 2004, associated regulations and Herefordshire Council's published enforcement policy, along with the West Midlands Housing Enforcement Practitioners Group (WMHEPG) guidance on the use of financial penalties as an alternative to prosecution.</p>
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	None.
<b>Details of any alternative options considered and rejected:</b>	Having reviewed in line with the Council's enforcement policy, the officer did not consider informal action appropriate in the circumstances.
<b>Details of any declarations of interest made:</b>	None.

Signed ..... Date: **4 October 2019**