



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE

Telephone: Ely (01353) 665555
DX41001 ELY Fax: (01353) 665240
www.eastcambs.gov.uk

Further to your information request FOI/EIR 21/22-009 please find your question and our response below.

Request:

I would like you to provide me with the following information regarding [REDACTED], the landlord/owner of property [REDACTED]. What year and date you accepted his application for a landlord of a HMO? Who accepted the application, who carried out the necessary background checks on his status to be a legal landlord, checks that his tenants can even legally rent as required by law?

Obviously, you can provide proof that you checked all electric and gas appliances were safely installed and maintained certification to prove this was current and correct, certificate of yearly p.a.t testing, we wouldn't want the property or the neighbours catching fire would we, also adequate smoke detectors and carbon monoxide detectors, current epc as required since April 2018 which has to be no less than an 'E' rating I believe.

Under the same information act what HHSRS rating did East Cambs District Council issue to this property after carrying out the checks? To qualify for a HMO I believe the law states that two couples must have separate rooms or if single persons over 21 a room each the law states you must contact the council with regards to determine whether you need a license. Under the Information Act can you explain how a landlord can legally have 5 or more non-related tenants in a two bed 1-bathroom property if he doesn't have a current HMO certificate?

Response:

Please see the 'Houses In Multiple Occupancy Licence' webpage on the East Cambridgeshire District Council (<https://www.eastcambs.gov.uk/environment/houses-multiple-occupancy-hmo-licence>) for a full register of all licensed HMOs in our district.

An HMO with 5 or more tenants, living as 2 or more households and sharing amenities must be licensed, and it would be an offence to operate without a licence. Our enquiries to date about the occupancy of the address you provided have not established this to be the case, however, our enquiries continue.

The address and / or name you provided is not registered as an HMO in the East Cambridgeshire District, therefore your request is refused under 'Information Not Held'.

In respect of those requests that are answered in full, partially or the total refused, please take this as notice under FOIA, that we:

- Consider the information as exempt from disclosure under the Act;
- Claim exempt under sections of the Act:

Section 12(4)(a) – Information Not Held

- State why the exemption applies:

Regulation 12

(4) a public authority may refuse to disclose information to the extent that (a) it does not hold that information when an applicant's request is received.

This concludes your request FOI/EIR 21/22-009

If information has been refused please treat this as a Refusal Notice for the purposes of the Act.

If you disagree with our decision or are otherwise unhappy with how we have dealt with your request in the first instance you may approach foi@eastcambs.gov.uk and request a review. A request for review must be made in no more than 40 working days from the date of this email.

Should you remain dissatisfied with the outcome you have a right under s50 of the Freedom of

Information Act to appeal against the decision by contacting the Information Commissioner, Wycliffe

House, Water Lane, Wilmslow SK9 5AF.