

Temporary Exemption Notice Application
Under Part 2 Section 62 of The Housing Act 2004



Newport City Council (the Council) can serve a Temporary Exemption Notice (TEN) under Part 2 Section 62 of the Housing Act 2004. The Council must be satisfied that the person having control of or managing a property which requires a licence, but does not have one, informs the Council that he/she intends to take particular steps to ensure that the property is no longer required to be licenced. Where a TEN is served, the property will not require a licence during the period of which the notice is in force.

An initial TEN, if approved can be served for 3 months. The Council can then accept a second application for another 3 months. A maximum of two TEN's can be served on the property and the total TEN period will not be for more than 6 months.

To qualify for a TEN the council must be satisfied that:

- an intention to covert the property to flats which is dealt with by regulation 20 of the Building Regulations 1991. A building regulation certificate will need to be provided to the department upon completion of works
- a change of use of the property where it ceases to be a HMO, for example, a reduction in tenant numbers (by tenancies ending or tenants vacating) or where the property will be occupied by a single household only

A sale of a property to another freeholder/leaseholder does not qualify for a TEN notice.

To apply for a TEN please complete the below application form and return to hmo@newport.gov.uk

REFUSAL TO SERVE A TEMPORARY EXEMPTION NOTICE

If the Council refuses your application for a Temporary Exemption Notice, they will inform the application of:

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

The applicant may appeal to the Residential Property Tribunal (RPT) against the decision within the period of 28 days beginning with the date on which the decision was made.

SIGNED 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 the Council in connection with any of their functions under any of Parts 1 to 4 of the Housing Act 2004 that is false or misleading.

Print Name:

Signed: Date:

Print Name:

Signed: Date:

Print Name:

Signed: Date:

In the case of Partnerships or Trustees, all partners or trustees must sign the form. In the case of a Limited Company, the form must be signed by a Director.