

2 March 2020  
Our ref: 6084188

Thank you for your request received on 13 February 2020, for the following information:

**I trust you are well, i wanted to inquire about a few points regarding HMOs. The questions below are speculative and do not relate to any ongoing cases. If you could let me know the details of all the below it would be greatly appreciated.**

**Firstly, I would like the exercise freedom of information to know about about HMO prosecution stats in Barnet and Haringey and London in general in 2018 and 2019 if possible.**

**Secondly, can you let me know what the average fines are for operating an unlicensed HMO. Is there any reasoning for fine amounts e.g. lower threshold for first time offenders or such?**

**Finally, can you let me know the actual process of appealing a fine for not having a HMO licence.**

We have processed this request under the Freedom of Information Act 2000.

## **Response**

The table below provides some information on successful prosecutions by the London Borough of Barnet in the years in question for a failure to obtain an HMO licence contrary to Section 72(1) of the Housing Act 2004.

We do not hold any information with the respect to the London Borough of Haringey which is a separate public authority.

<b>Date of Conviction</b>	<b>Fine (£)</b>
19/06/18	3,000
03/07/18	2,000
03/07/18	2,000
6/07/18	5,000 split between two co-defendants
25/06/19	10,000
26/09/19	16,000

\*In some cases, convictions for other offences were obtained at the same time for which additional fines were imposed by the court.

The fines shown do not include the council's costs awarded or victim surcharges levied.

We do not have any information with respect to the amount of the fines in these cases. This will have been a matter for the court which presumably will have reflected upon the seriousness of the offence, pleadings and any mitigating circumstances.

Information on appealing the fine for a conviction can be found at <https://www.gov.uk/appeal-against-sentence-conviction>

Any specific advice in relation to appeals should be sought from a solicitor, other competent legal representative or Citizen's Advice Bureaux.

### **Further information**

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

### **Advice and Assistance : Direct Marketing**

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link [www.ico.org.uk](http://www.ico.org.uk)

**For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.**

### **Your rights**

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk). Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website [www.ico.org.uk](http://www.ico.org.uk)). There is no charge for making an appeal.