

## **COUNCIL TAX**

### **OWNER LIABILITY**

#### **HOUSES IN MULTIPLE OCCUPATION / SHARED ACCOMMODATION**

Residents of houses in multiple occupation, or other similar shared accommodation, are not liable in law to pay the Council Tax.

Such properties fall into class C of the Council Tax (Liability for Owners) Regulations 1992, and the owners or landlords will be responsible for paying the Council Tax bill. The following definition is specific to Council Tax law, and should not be confused with any other regulations governing the registration or administration of houses in multiple occupation: -

A "class C" dwelling is one which:

(a) was originally constructed or subsequently adapted for occupation by persons who do not constitute a single household;

**or**

(b) is inhabited by a person who, or by two or more persons each of whom either –

(i) is a tenant of, or has a licence to occupy, part only of the dwelling;

**or**

(ii) has a licence to occupy, but is not liable (whether alone or jointly with other persons) to pay rent or a licence fee in respect of the dwelling as a whole."

A class C dwelling could be one which is made up of purpose-built bedsits, or a property which has been split into smaller rooms / units. It may be an ordinary house shared by several different tenants, each of whom rents a bedroom but has joint use of the bathroom, kitchen, or living areas. It does not matter whether or not there are internal locks on the bedroom doors - the most important factor is that the tenants each have their own tenancy agreement with the owner, or they each have a rent book for their share of the rent, i.e. they are not sharing the house as a whole group, or as a family unit.

The owner of a class C dwelling is entitled to recover the cost of Council Tax through the rents charged to the tenants. If the tenants are on low incomes, they can, in turn make a claim for Housing Benefit. The owner may, alternatively, have a private arrangement with the tenants over payment of the bills. In any case, the Council Tax bill will always be sent to the owner or landlord.

**If the Council Tax instalments are not paid on time, it is the owner of the dwelling who will be held responsible by the Council and the Magistrates' Court.**

The owner of the dwelling will be able to claim all the usual Council Tax discounts and exemptions (e.g. if there are students resident in the property), and will be responsible for providing the information necessary to prove the claim. The owner will also be required to inform the Council when a tenant moves in or out of the property, or when there is any change that may affect the discount or exemption entitlement (e.g. if a tenant ceases to be a student, and starts work).

If you have any questions about this information sheet, please contact Customer Contact Centre telephone number **0121 303 1113**.