



**FIRST-TIER TRIBUNAL  
PROPERTY CHAMBER  
(RESIDENTIAL PROPERTY)**

**Case reference** : **LON/00AG/HML/2025/0638**

**Property** : **First & Second floor Maisonette, 282  
Camden Road, London NW1 9AB**

**Applicant** : **Mr Steve Joannou**

**Representative** : **I/P**

**Respondent** : **London Borough of Camden**

**Representative** : **Ms I Taylor**

**Type of application** : **Appeal against an Additional Licence –  
Schedule 5, Part 3 of the Housing Act  
2004**

**Tribunal members** : **Judge Tagliavini  
Mr A Fonka FCIEH**

**Venue** : **10 Alfred Place, London WC1E 7LR**

**Date of hearing** : **25 June 2026**  
**Date of decision** : **23 July 2026**

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**DECISION**

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### **The tribunal's decision**

1. The tribunal dismisses the applicant's appeal and confirms the respondent's Additional HMO Licence dated 23 June 2025 for a period of 1 year from date of issue

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### **The Application**

2. This is an application made pursuant to Schedule 5, Part 3 of the Housing Act 2004. The applicant is the owner of the subject property at **first and Second Floor Maisonette, 282 Camden Road, London NW1 9AB** which comprises a top floor flat on the 1<sup>st</sup> and 2<sup>nd</sup> floors.

### **Background**

3. An additional licence was originally in place from 7 September 2018 to 6 September 2023 which also prohibited the use of the 3<sup>rd</sup> bedroom (second floor right room) as sleeping accommodation as it was undersized at 6.08 sqm. An application to renew this licence was submitted by the applicant on the 31 August 2023. A licence was granted on condition bedroom 3 was not used as sleeping accommodation.
4. The applicant's additional licensing scheme came into force on 8 December 2020 for a period of 5 years and included the subject property.

### **Preliminary matters**

4. As the parties did not have each other's hearing bundles, the hearing was adjourned to 11 a.m. to allow the parties to (re)familiarise themselves with their contents. The hearing was subsequently conducted as a remote video hearing.

### **The hearing and the parties' contentions**

5. The tribunal was provided with a hearing bundle of 193 digital pages by the respondent and a 49 digital bundle by the applicant. At the hearing, the applicant appeared in person and represented himself. The respondent was represented by Ms Taylor and heard oral from Mr Wilson GEHO and Mr Keeling EHO.
6. The substantive issue between the parties was the measurements of the 3<sup>rd</sup> bedroom which is the subject of this appeal.

### **The respondent's case**

7. The application was heard by way of a re-hearing and the tribunal read and heard the oral evidence of Mr Jonathan Wilson GEHO and Mr Keeling. The tribunal was informed that the room measured 6.2 sqm and in any event fell below the required statutory minimum size of 6.51 sqm (The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018). Consequently, the respondent was required to ensure that the room is not authorised for use as sleeping accommodation within the licensed HMO.
8. In determining whether a bedroom within a licensed HMO may be used as sleeping accommodation, the respondent submitted the Council must ensure compliance with the statutory minimum room sizes prescribed by the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018. Where a room falls below the prescribed statutory minimum of 6.51 sqm, the local authority is required to include a licence condition preventing the room from being used as sleeping accommodation by one person aged over 10 years.
9. In addition to the statutory minimum requirements, the respondent told the tribunal that Camden Council's HMO standards set a minimum bedroom size of 7.1 sqm for single occupancy in HMOs occupied by cohesive groups with shared facilities and communal living space.
10. On 11 April 2025, an inspection of the subject property was carried out by the respondent on notice to the applicant. Bedroom 3 was measured and deemed to be 6.2 sqm in overall floor size. This was rounded up from 6.169 sqm. The measurements were taken with a laser measuring device. The bedroom is a small square shaped bedroom with shelving above a double bed. Outside of the bedroom, in the communal hallway, is a cupboard which was confirmed by Mr Joannou as for the use of the occupant of bedroom 3. However, as this cupboard is not located within the room, its additional size is not counted into the overall size of the bedroom.
11. A further inspection was carried out on 16 June 2025 where the respondent re-measured the bedroom 3 and the applicant took his own measurements. The respondent confirmed bedroom 3 was below the statutory minimum size and the prohibition on the use of that room as sleeping accommodation was confirmed.
12. A final HMO licence was served on the applicant on 23 June 2026 for a reduced period of one year.

### **The applicant's case**

13. In his written and oral evidence, the applicant told the tribunal that in:

*In 2012 during extensive internal renovations of the whole flat , we removed the wooden closet door of the cupboard and closed off the space and re-created and re-located external 2 large opening doors in a new enlarged space wardrobe , as exists today .*

*The HMO Officers suggested informally in their email 20/6/2025 if any possible re-arrangements of the new wardrobe /doors or layout in or outside this 3<sup>rd</sup> bedroom .*

*But in discussion and visit with the my Architect , any re-arrangement are structurally not possible , as basically above ceilings there is no loft , but the roof joists , leading to the outside roof areas, party flat and partly sloped roof slate tiled . It should be noted and hopefully understood that this 3<sup>rd</sup> bedroom wardrobe is exclusively for the use of this 3<sup>rd</sup> smaller bedroom , albeit the 2 new doors are now on the outside adjacent wall .*

*Given the large and spacious living areas and spaces of the 2 floors maisonette , aprx. 120sq.m...*

14. The applicant told the tribunal his measurements of bedroom 3 were;

6.133 sqm for room  
0.507 sqm for wardrobe/cupboard in hallway

Total: 6.66sqm

15. The applicant also submitted the measurements of the hallway cupboard should be included in the measurements of bedroom 3 as it was for the sole use of the occupant of that room.

### **Reasons for decision**

16. In reaching its decision the tribunal had regard to the statutory requirements in The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 which provide;

#### *Amendment to Schedule 4 to the Housing Act 2004*

*2. In Schedule 4 to the Housing Act 2004 (licences under Parts 2 and 3: mandatory conditions), after paragraph 1 insert—*

*“Additional conditions to be included in licences under Part 2: floor area etc*

*1A.—(1) Where the HMO is in England, a licence under Part 2 must include the following conditions.*

*(2) Conditions requiring the licence holder—*

*(a) to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;*

17. The tribunal finds that on either the applicant's or the respondent's measurements of bedroom 3, it falls below the required statutory minimum of 6.51 sqm and the respondent's own minimum standard of 7.1 sqm. As bedroom 3 fails the statutory minimum set out above, there is no question of the respondent misapplying its own housing policy on room size and the tribunal is not required to consider this issue further.
18. The tribunal finds the wardrobe in the hallway cannot be considered as part of bedroom 3. Further, the tribunal finds the size of the wardrobe in the hall cannot be taken into account when measuring the size of bedroom 3 as it is not located inside that room.
19. The tribunal was satisfied the respondent had properly investigated the applicant's concerns and appeal and that its measurements of bedroom were accurate and to be relied upon. Consequently, the tribunal finds the applicant's appeal must fail.
20. The tribunal also had regard to its powers under para 34(1) of Schedule 5 Part 3 of the Housing Act 2004 which provides:

*34(1)This paragraph applies to appeals to the appropriate tribunal] under paragraph 31 or 32.*

*(2)An appeal—*

*(a)is to be by way of a re-hearing, but*

*(b)may be determined having regard to matters of which the authority were unaware.*

*(3)The tribunal may confirm, reverse or vary the decision of the local housing authority.*

*(4)On an appeal under paragraph 31 the tribunal may direct the authority to grant a licence to the applicant for the licence on such terms as the tribunal may direct.*

21. The tribunal finds there is no reason to vary the terms or duration of the licence and therefore confirms the terms of the additional Licence granted to the applicant with effect from 23 June 2025.

**Name:**

**Judge Tagliavini**

**Date: 23 July 2026**