

How to apply for an exemption

Impact Noise - HMO carpeting requirements & exemptions

In March 2012, the Council's Regulatory Committee agreed to introduce new standards for floor coverings in HMO properties. This was aimed at lessening impact noise experienced by neighbours, specifically those living directly below.

The new standard required landlords to fit carpet and good quality underlay, or cushioned flooring, to areas where hard/laminate flooring existed.

The Committee reviewed the matter on 3 May 2013. The standard has now been amended to allow exemptions in non-contentious circumstances.

Exemptions will not apply to all HMOs but will be decided on a case-by-case basis. Landlords will need to apply for an exemption when applying for their HMO licence. An exemption application is required with each HMO application.

If you wish to apply for an exemption, it must be made in enough time to allow you to install carpets or cushioned flooring before your next renewal application in case your exemption application is rejected. If your renewal application is imminent, you should lodge your intention to apply for an exemption immediately and then supply all supporting documentation within 30 days.

Applications for an exemption can only be made by the landlord and applications made directly by the agent of the property will not be accepted, unless it can be demonstrated they are acting on behalf of the landlord.

Landlords are required to provide the following when applying for an exemption:

1. A written statement confirming the existing impact noise mitigation arrangements in the property. Plus, if available, details relating to the history of any noise complaints made against the property.
2. A written statement from the occupier(s) of the property below confirming the current impact noise mitigations are satisfactory.

A sample letter from a landlord to a neighbour and a neighbour's consent letter are available as separate downloads.

Landlords applying for exemption should be aware that we may make contact with them and neighbouring occupiers to check the information provided. We will also review all relevant records held by the Council to help make a decision.

If the property directly beneath your rental property is currently unoccupied, please contact PRS staff for advice emailing hmo@edinburgh.gov.uk or by calling (0131) 529 5921.