



Localism Act 2011

2011 CHAPTER 20

PART 7

HOUSING

CHAPTER 6

OTHER HOUSING MATTERS

Houses in multiple occupation

185 Exemption from HMO licensing for buildings run by co-operatives

- (1) In Schedule 14 to the Housing Act 2004 (buildings which are not HMOs for the purposes of that Act (excluding Part 1)) after paragraph 2A insert—

“Buildings controlled or managed by a co-operative society

- 2B (1) A building where—
- (a) the person managing or having control of it is a co-operative society whose rules are such as to secure that each of the conditions set out in sub-paragraph (2) is met, and
 - (b) no person who occupies premises in the building does so by virtue of an assured tenancy, a secure tenancy or a protected tenancy.
- (2) The conditions are—
- (a) that membership of the society is restricted to persons who are occupiers or prospective occupiers of buildings managed or controlled by the society,
 - (b) that all management decisions of the society are made by the members (or a specified quorum of members) at a general meeting which all members are entitled to, and invited to, attend,

Changes to legislation: Localism Act 2011, Section 185 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (c) that each member has equal voting rights at such a meeting, and
 - (d) that, if a person occupies premises in the building and is not a member, that person is an occupier of the premises only as a result of sharing occupation of them with a member at the member's invitation.
- (3) For the purposes of sub-paragraph (1) “co-operative society” means a body that—
- (a) is registered—
 - (i) as a co-operative society under section 1 of the 1965 Act, or
 - (ii) is a pre-2010 Act society (as defined by section 4A(1) of the 1965 Act) which meets the condition in section 1(2) of the 1965 Act, and
 - (b) is neither—
 - (i) a non-profit registered provider of social housing, nor
 - (ii) registered as a social landlord under Part 1 of the Housing Act 1996.
- (4) In this paragraph—
- “the 1965 Act” means the Co-operative and Community Benefit Societies and Credit Unions Act 1965;
 - “assured tenancy” has the same meaning as in Part 1 of the Housing Act 1988;
 - “protected tenancy” has the same meaning as in the Rent Act 1977;
 - “secure tenancy” has the same meaning as in Part 4 of the Housing Act 1985.”

- ^{F1}(2)
- ^{F1}(3)
- ^{F1}(4)

Textual Amendments	
F1	S. 185(2)-(4) repealed (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14) , s. 154, Sch. 7 (with Sch. 5)
Commencement Information	
I1	S. 185 in force at 1.4.2012 by S.I. 2012/628 , art. 6(e) (with arts. 9, 11, 14, 15, 17)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 158(8)-(9B) substituted for s. 158(8)(9) by [2016 c. 22 s. 121\(2\)\(e\)](#)
- s. 202(3A) inserted by [2023 c. 55 s. 176\(2\)](#)