

SCHEDULES

SCHEDULE 5

Part 4 notices: further provision

Part 2

Suspension of effect of notices

4.—(1) A Part 4 notice (other than an emergency hazard notice) may provide for the operation of the notice to be suspended until a time, or the occurrence of an event, specified in the notice.

(2) The time specified under sub-paragraph (1) may, in particular, be the time when a person of a particular description begins, or ceases, to occupy any accommodation.

(3) The council may, for the purposes of this paragraph, accept from a person on whom the notice is served a written undertaking to take, or to refrain from taking, any action specified in the undertaking.

(4) If the council does so, the event specified under sub-paragraph (1) may, in particular, be a notified breach of that undertaking.

(5) In sub-paragraph (4) a “notified breach” is an act or omission by the person—

- (a) which the council considers to be a breach of the undertaking, and
- (b) which is notified to the person in accordance with the terms of the undertaking.

5.—(1) The council may at any time review a Part 4 notice whose operation is suspended.

(2) The council must review such a notice—

- (a) not later than one year after the date on which the notice was served, and
- (b) at subsequent intervals of not more than one year.

(3) Copies of the council’s decision on a review under this paragraph must be served on every person who appears to the council to be the owner, or a managing agent, of the HMO.