

SCHEDULES

SCHEDULE 9

AMENDMENTS OF PARTS VI, IX, XI, XVII AND XVIII OF THE HOUSING ACT 1985

PART I

AMENDMENTS OF PART VI

- 1 (1) In section 189 (repair notice in respect of unfit house), in subsection (1), after the words “dwelling-house”, in the first two places where they occur, there shall be inserted “or house in multiple occupation” and for the words from “unless they are satisfied” onwards there shall be substituted “if they are satisfied, in accordance with section 604A, that serving a notice under this subsection is the most satisfactory course of action”.
- (2) In subsection (1A) of that section—
 - (a) for the words “a dwelling-house which is a flat” there shall be substituted “either a dwelling-house which is a flat or a flat in multiple occupation”;
 - (b) for the words from “by reason” to “outside the flat” there shall be substituted “by virtue of section 604(2)”; and
 - (c) for the words from “that part of the building” onwards there shall be substituted “the part of the building in question if they are satisfied, in accordance with section 604A, that serving a notice under this subsection is the most satisfactory course of action”.
- (3) After subsection (1A) there shall be inserted the following subsection—

“(1B) In the case of a house in multiple occupation, a repair notice may be served on the person managing the house instead of on the person having control; and where a notice is so served, then, subject to section 191, the person managing the house shall be regarded as the person having control of it for the purposes of the provisions of this Part following that section.”
- (4) In subsection (2) of that section, in paragraph (a) after the words “works specified in the notice” there shall be inserted “(which may be works of repair or improvement or both)” and for the words “seventh day after the notice becomes operative” there shall be substituted “twenty-eighth day after the notice is served”, and in paragraph (b) after the words “dwelling-house” there shall be inserted “or, as the case may be, house in multiple occupation”.
- (5) In subsection (3) of that section—
 - (a) after the words “serving the notice” there shall be inserted “(a)”; and
 - (b) after the words “building concerned” there shall be inserted “or
 - (b) on the person having control of or, as the case may be, on the person managing the house in multiple occupation which is concerned”; and

Status: This is the original version (as it was originally enacted).

- (c) in the words following paragraph (b), as set out above, for the words “or part of the building” there shall be substituted “part of the building or house”.
- (6) After subsection (5) there shall be added the following subsection—
 - “(6) This section has effect subject to the provisions of section 190A.”