

These notes refer to the Housing Act 2004 (c.34) which received Royal Assent on Thursday 18 November 2004

HOUSING ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 – Licensing of Houses in Multiple Occupation

Section 67: Licence conditions

196. **Section 67** provides that an LHA may include conditions in a licence relating to its management, use and occupation and its content and condition. Such conditions may include:
- restrictions or prohibitions on the use of parts of the house by occupants
 - requirements to take reasonable and practicable steps to prevent or reduce anti-social behaviour of the occupants or visitors
 - installing and making facilities and equipment available in good working order to meet prescribed standards under section 65
 - carrying out necessary works to such facilities and equipment within specified periods
197. Any such conditions will be in addition to those laid out in Schedule 4 which sets out mandatory conditions.
198. An LHA is required, as a general rule, to address health and safety issues through its Part 1 functions and not by means of licence conditions and it cannot set conditions which require changes to the terms or conditions of person's occupation of the HMO. For example, this means that a LHA would not be permitted to impose any condition limiting the level of rent payable.