

Changes to legislation: *Housing Act 2004, Paragraph 15 is up to date with all changes known to be in force on or before 27 September 2023. 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*

SCHEDULES

[^{F1}SCHEDULE 15

MINOR AND CONSEQUENTIAL AMENDMENTS

Textual Amendments

- F1** Sch. 14 para. 2(1)(c)(d) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 335](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 76)

Housing Act 1985 (c. 68)

15 After section 269 insert—

“**Appeals suggesting certain other courses of action**

- (1) One ground of appeal under section 269 in relation to a demolition order made under section 265 is that a course of action mentioned in subsection (2) is the best course of action in relation to the hazard concerned.
- (2) The courses of action are—
 - (a) serving an improvement notice under section 11 or 12 of the Housing Act 2004;
 - (b) making a prohibition order under section 20 or 21 of that Act;
 - (c) serving a hazard awareness notice under section 28 or 29 of that Act; or
 - (d) declaring the area in which the premises concerned are situated to be a clearance area in accordance with section 289 of this Act.
- (3) Subsection (4) applies where—
 - (a) a residential property tribunal is hearing an appeal under section 269 in relation to a demolition order made under section 265; and
 - (b) the grounds on which the appeal is brought are or include the ground that a course of action mentioned in subsection (2) is the best course of action in relation to each hazard concerned.
- (4) The tribunal shall have regard to any guidance given to the local housing authority under section 9 of the Housing Act 2004.
- (5) Subsection (6) applies where—
 - (a) an appeal under section 269 is allowed against a demolition order made under section 265; and
 - (b) the reason or one of the reasons for allowing the appeal is that a course of action mentioned in subsection (2) is the best course of action in relation to the hazard concerned.

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- (6) The tribunal shall, if requested to do so by the appellant or the local housing authority, include in its decision a finding to that effect and identifying the course of action concerned.
- (7) Subsection (1) of this section is without prejudice to the generality of section 269.”]

Commencement Information

- II** Sch. 15 para. 15 wholly in force at 16.6.2006; Sch. 15 para. 15 not in force at Royal Assent see s. 270(4) (5); Sch. 15 para. 15 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(d\)](#) (with [Sch.](#)); Sch. 15 para. 15 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art 2\(b\)](#) (with [Sch.](#))

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

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

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

- s. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)