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**Changes to legislation:** *Housing Act 2004, Cross Heading: Application to residential property tribunal in respect of breach of management scheme is up to date with all changes known to be in force on or before 17 August 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*

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## SCHEDULES

### SCHEDULE 7

#### FURTHER PROVISIONS REGARDING EMPTY DWELLING MANAGEMENT ORDERS

#### PART 2

#### FINAL EDMOS

##### *Application to residential property tribunal in respect of breach of management scheme*

- 14 (1) An affected person may apply to [<sup>F1</sup>the appropriate tribunal] for an order requiring the local housing authority to manage a dwelling in accordance with the management scheme contained in a final EDMO made in respect of the dwelling.
- (2) On such an application the tribunal may, if it considers it appropriate to do so, make an order—
- (a) requiring the authority to manage the dwelling in accordance with the management scheme, or
  - (b) revoking the final EDMO as from a date specified in the tribunal’s order.
- (3) An order under sub-paragraph (2) may—
- (a) set out the steps which the authority are to take to manage the dwelling in accordance with the management scheme,
  - (b) include provision varying the final EDMO, and
  - (c) require the payment of money to an affected person by way of damages.
- (4) In this paragraph “affected person” means—
- (a) the relevant proprietor, and
  - (b) any third party to whom compensation is payable by virtue of an order under section 134(4) or 138(2) or a decision of the authority under section 136(4) or 138(3) or who was a lessor, lessee, licensor or licensee under a lease or licence determined by an order of the [<sup>F2</sup>appropriate tribunal] under paragraph 22 and to whom compensation is payable by virtue of an order under sub-paragraph (5) of that paragraph.

#### Textual Amendments

- F1** Words in Sch. 7 para. 14(1) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 186\(a\)](#) (with Sch. 3)
- F2** Words in Sch. 7 para. 14(4)(b) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 186\(c\)](#) (with Sch. 3)

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#### **Commencement Information**

- II** Sch. 7 para. 14 wholly in force at 16.6.2006; Sch. 7 para. 14 not in force at Royal Assent see s. 270(4) (5); Sch. 7 para. 14 in force for E. at 6.4.2006 by S.I. 2006/1060 , **art. 2(1)(a)** (with Sch. ); Sch. 7 para. 14 in force for W. at 16.6.2006 by S.I. 2006/1535 , **art. 2(a)** (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\(3\)](#)