



Housing Act 2004

2004 CHAPTER 34

PART 2

LICENSING OF HOUSES IN MULTIPLE OCCUPATION

Introductory

55 Licensing of HMOs to which this Part applies

- (1) This Part provides for HMOs to be licensed by local housing authorities where—
 - (a) they are HMOs to which this Part applies (see subsection (2)), and
 - (b) they are required to be licensed under this Part (see section 61(1)).
- (2) This Part applies to the following HMOs in the case of each local housing authority—
 - (a) any HMO in the authority's district which falls within any prescribed description of HMO, and
 - (b) if an area is for the time being designated by the authority under section 56 as subject to additional licensing, any HMO in that area which falls within any description of HMO specified in the designation.
- (3) The appropriate national authority may by order prescribe descriptions of HMOs for the purposes of subsection (2)(a).
- (4) The power conferred by subsection (3) may be exercised in such a way that this Part applies to all HMOs in the district of a local housing authority.
- (5) Every local housing authority have the following general duties—
 - (a) to make such arrangements as are necessary to secure the effective implementation in their district of the licensing regime provided for by this Part;
 - (b) to ensure that all applications for licences and other issues falling to be determined by them under this Part are determined within a reasonable time; and

Changes to legislation: Housing Act 2004, Section 55 is up to date with all changes known to be in force on or before 22 May 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

- (c) to satisfy themselves, as soon as is reasonably practicable, that there are no Part 1 functions that ought to be exercised by them in relation to the premises in respect of which such applications are made.
- (6) For the purposes of subsection (5)(c)—
- (a) “Part 1 function” means any duty under section 5 to take any course of action to which that section applies or any power to take any course of action to which section 7 applies; and
 - (b) the authority may take such steps as they consider appropriate (whether or not involving an inspection) to comply with their duty under subsection (5)(c) in relation to each of the premises in question, but they must in any event comply with it within the period of 5 years beginning with the date of the application for a licence.

Commencement Information

- II** S. 55 wholly in force at 16.6.2006; s. 55 in force for certain purposes at Royal Assent see s. 270(2) (b); s. 55(1)(2)(5)(a)(b) in force for E. at 15.6.2005 by [S.I. 2005/1451](#), [art. 3\(a\)](#); s. 55(1)(2)(5)(a)(b) in force for W. at 25.11.2005 by [S.I. 2005/3237](#), [art. 2\(b\)](#); s. 55 in force for E. in so far as not already in force at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#); s. 55 in force for W. in so far as not already in force at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#)

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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\(3\)](#)