



Housing Act 2004

2004 CHAPTER 34

PART 2

LICENSING OF HOUSES IN MULTIPLE OCCUPATION

Variation and revocation of licences

70 [F1Power to revoke licences]

- (1) The local housing authority may revoke a licence—
- (a) if they do so with the agreement of the licence holder;
 - (b) in any of the cases mentioned in subsection (2) (circumstances relating to licence holder or other person);
 - (c) in any of the cases mentioned in subsection (3) (circumstances relating to HMO concerned); or
 - (d) in any other circumstances prescribed by regulations made by the appropriate national authority.
- (2) The cases referred to in subsection (1)(b) are as follows—
- (a) where the authority consider that the licence holder or any other person has committed a serious breach of a condition of the licence or repeated breaches of such a condition;
 - (b) where the authority no longer consider that the licence holder is a fit and proper person to be the licence holder; and
 - (c) where the authority no longer consider that the management of the house is being carried on by persons who are in each case fit and proper persons to be involved in its management.

Section 66(1) applies in relation to paragraph (b) or (c) above as it applies in relation to section 64(3)(b) or (d).

- (3) The cases referred to in subsection (1)(c) are as follows—

Changes to legislation: Housing Act 2004, Section 70 is up to date with all changes known to be in force on or before 11 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

- (a) where the HMO to which the licence relates ceases to be an HMO to which this Part applies; and
 - (b) where the authority consider at any time that, were the licence to expire at that time, they would, for a particular reason relating to the structure of the HMO, refuse to grant a new licence to the licence holder on similar terms in respect of it.
- (4) Subsection (5) applies where the authority are considering whether to revoke a licence by virtue of subsection (3)(b) on the grounds that the HMO is not reasonably suitable for the number of households or persons specified in the licence as the maximum number authorised to occupy the house.
- (5) The authority must apply the same standards in relation to the circumstances existing at the time when they are considering whether to revoke the licence as were applicable at the time when it was granted.
- This is subject to subsection (6).
- (6) If the standards—
- (a) prescribed under section 65, and
 - (b) applicable at the time when the licence was granted,
- have subsequently been revised or superseded by provisions of regulations under that section, the authority may apply the new standards.
- (7) A revocation made with the agreement of the licence holder takes effect at the time when it is made.
- (8) Otherwise, a revocation does not come into force until such time, if any, as is the operative time for the purposes of this subsection under paragraph 35 of Schedule 5 (time when period for appealing expires without an appeal being made or when decision to vary is confirmed on appeal).
- (9) The power to revoke a licence under this section is exercisable by the authority either—
- (a) on an application made by the licence holder or a relevant person, or
 - (b) on the authority’s own initiative.
- (10) In subsection (9) “relevant person” means any person (other than the licence holder)—
- (a) who has an estate or interest in the HMO concerned (but is not a tenant under a lease with an unexpired term of 3 years or less), or
 - (b) who is a person managing or having control of that house (and does not fall within paragraph (a)), or
 - (c) on whom any restriction or obligation is imposed by the licence in accordance with section 67(5).

Textual Amendments

F1 S. 70 heading substituted (6.4.2018) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 2 para. 5](#); [S.I. 2018/393](#), reg. 2(b)

Changes to legislation: Housing Act 2004, Section 70 is up to date with all changes known to be in force on or before 11 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](#)

Commencement Information

- II** S. 70 wholly in force at 16.6.2006; s. 70 in force for certain purposes at Royal Assent see s. 270(2)(b); s. 70 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); s. 70 in force for W. at 16.6.2006 by [S. I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 70(2) words substituted by [2016 c. 22 s. 125\(4\)\(a\)](#)
- s. 70(2) words substituted by [2016 c. 22 s. 125\(4\)\(b\)](#)

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\(3\)](#)