



Housing Act 2004

2004 CHAPTER 34

PART 2

LICENSING OF HOUSES IN MULTIPLE OCCUPATION

Enforcement

75 **Other consequences of operating unlicensed HMOs: restriction on terminating tenancies** [^{F1}(England)]

(1) No section 21 notice may be given in relation to a shorthold tenancy of a part of an unlicensed HMO so long as it remains such an HMO.

(2) In this section—

a “section 21 notice” means a notice under section 21(1)(b) or (4)(a) of the Housing Act 1988 (c. 50) (recovery of possession on termination of shorthold tenancy);

a “shorthold tenancy” means an assured shorthold tenancy within the meaning of Chapter 2 of Part 1 of that Act;

“unlicensed HMO” has the same meaning as in section 73 of this Act.

Textual Amendments

- F1** Word in [s. 75 heading](#) inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022](#) (S.I. 2022/1166), [regs. 1\(1\), 28\(3\)](#) (with savings and transitional provisions in [S.I. 2022/1172, regs. 9, 19](#))

Commencement Information

- II** S. 75 wholly in force at 16.6.2006; s. 75 not in force at Royal Assent see s. 270(4)(5); s. 75 in force for E. at 6.4.2006 by [S.I. 2006/1060, art. 2\(1\)\(a\)](#) (with [Sch.](#)); s. 75 in force for W. at 16.6.2006 by [S.I. 2006/1535, art. 2\(a\)](#) (with [Sch.](#))

Changes to legislation:

Housing Act 2004, Section 75 is up to date with all changes known to be in force on or before 07 June 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.

[View outstanding changes](#)

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\(3\)](#)