



Housing Act 2004

2004 CHAPTER 34

PART 3

SELECTIVE LICENSING OF OTHER RESIDENTIAL ACCOMMODATION

Grant or refusal of licences

91 Licences: general requirements and duration

- (1) A licence may not relate to more than one Part 3 house.
- (2) A licence may be granted before the time when it is required by virtue of this Part but, if so, the licence cannot come into force until that time.
- (3) A licence—
 - (a) comes into force at the time that is specified in or determined under the licence for this purpose, and
 - (b) unless previously terminated by subsection (7) or revoked under section 93 [F¹ or 93A], continues in force for the period that is so specified or determined.
- (4) That period must not end more than 5 years after—
 - (a) the date on which the licence was granted, or
 - (b) if the licence was granted as mentioned in subsection (2), the date when the licence comes into force.
- (5) Subsection (3)(b) applies even if, at any time during that period, the house concerned subsequently ceases to be a Part 3 house or becomes an HMO to which Part 2 applies (see section 55(2)).
- (6) A licence may not be transferred to another person.
- (7) If the holder of the licence dies while the licence is in force, the licence ceases to be in force on his death.

Changes to legislation: Housing Act 2004, Section 91 is up to date with all changes known to be in force on or before 13 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. (See end of Document for details) View outstanding changes

- (8) However, during the period of 3 months beginning with the date of the licence holder’s death, the house is to be treated for the purposes of this Part as if on that date a temporary exemption notice had been served in respect of the house under section 86.
- (9) If, at any time during that period (“the initial period”), the personal representatives of the licence holder request the local housing authority to do so, the authority may serve on them a notice which, during the period of 3 months after the date on which the initial period ends, has the same effect as a temporary exemption notice under section 86.
- (10) Subsections (6) to (8) of section 86 apply (with any necessary modifications) in relation to a decision by the authority not to serve such a notice as they apply in relation to a decision not to serve a temporary exemption notice.

Textual Amendments

- F1** Words in s. 91(3)(b) inserted (6.4.2018) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 2 para. 9](#); [S.I. 2018/393](#), reg. 2(b)

Commencement Information

- II** S. 91 wholly in force at 16.6.2006; s. 91 not in force at Royal Assent see s. 270(4)(5); s. 91 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); s. 91 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\(3\)](#)