



Immigration Act 2014

2014 CHAPTER 22

PART 3

ACCESS TO SERVICES ETC

CHAPTER 1

RESIDENTIAL TENANCIES

Penalty notices

24 Excuses available to landlords

- (1) This section applies where a landlord is given a notice under section 23 requiring payment of a penalty.
- (2) Where the notice is given for a pre-grant contravention, the landlord is excused from paying the penalty if the landlord shows that—
 - (a) the prescribed requirements were complied with before the residential tenancy agreement was entered into, or
 - (b) a person acting as the landlord's agent is responsible for the contravention (see section 25(2)).
- (3) The prescribed requirements may be complied with for the purposes of subsection (2) (a) at any time before the residential tenancy agreement is entered into.
- (4) But where compliance with the prescribed requirements discloses that a relevant occupier is a person with a limited right to rent, the landlord is excused under subsection (2)(a) only if the requirements are complied with in relation to that occupier within such period as may be prescribed.
- (5) The excuse under subsection (2)(a) or (b) is not available if the landlord knew that entering into the agreement would contravene section 22.

Status: This is the original version (as it was originally enacted).

- (6) Where the notice is given for a post-grant contravention, the landlord is excused from paying the penalty if any of the following applies—
- (a) the landlord has notified the Secretary of State of the contravention as soon as reasonably practicable;
 - (b) a person acting as the landlord’s agent is responsible for the contravention;
 - (c) the eligibility period in relation to the limited right occupier whose occupation caused the contravention has not expired.
- (7) For the purposes of subsection (6)(a), the landlord is to be taken to have notified the Secretary of State of the contravention “as soon as reasonably practicable” if the landlord—
- (a) complied with the prescribed requirements in relation to each limited right occupier at the end of the eligibility period, and
 - (b) notified the Secretary of State of the contravention without delay on it first becoming apparent that the contravention had occurred.
- (8) Notification under subsection (6)(a) must be in the prescribed form and manner.
- (9) In this Chapter “limited right occupier”, in relation to a residential tenancy agreement, means a relevant occupier who had a limited right to rent at the time when the occupier was first granted a right to occupy the premises under the agreement.