
Status: This version of this cross heading contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Tenant Fees Act 2019, Cross Heading: Proceeds of financial penalties. (See end of Document for details)

PROSPECTIVE

SCHEDULES

SCHEDULE 3

FINANCIAL PENALTIES ETC

Proceeds of financial penalties

- 10 Where an enforcement authority imposes a financial penalty under this Act, it may apply the proceeds towards meeting the costs and expenses (whether administrative or legal) incurred in, or associated with, carrying out any of its enforcement functions under this Act or otherwise in relation to the private rented sector.
- 11 Any proceeds of a financial penalty imposed under this Act which are not applied in accordance with paragraph 10 must be paid to the Secretary of State.
- 12 (1) In paragraph 10, “enforcement functions in relation to the private rented sector” means enforcement functions relating to—
- (a) residential premises in England that are let, or intended to be let, under a tenancy,
 - (b) the common parts of such premises,
 - (c) the activities of a landlord under a tenancy of residential premises in England,
 - (d) the activities of a person carrying on English letting agency work within the meaning of section 54 of the Housing and Planning Act 2016 in relation to such premises, or
 - (e) the activities of a person carrying on English property management work within the meaning of section 55 of the Housing and Planning Act 2016 in relation to such premises.
- (2) For the purposes of this paragraph “residential premises” has the meaning given by section 1 of the Housing Act 2004 except that it does not include social housing.
- (3) For the purposes of this paragraph, “tenancy” means—
- (a) a tenancy, whether or not the tenancy is an assured shorthold tenancy, or
 - (b) a licence to occupy.

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