



Tenant Fees Act 2019

2019 CHAPTER 4

Lead enforcement authority

26 Enforcement by the lead enforcement authority

- (1) The lead enforcement authority may take steps to enforce the relevant letting agency legislation where it considers it is necessary or expedient to do so.
- (2) The lead enforcement authority may, for that purpose, exercise any powers that a relevant authority may exercise for the purpose of the enforcement of the legislation in relation to which it is such an authority.
- (3) Where the lead enforcement authority proposes to take enforcement action in respect of a breach of the relevant letting agency legislation, it must notify the relevant authority in relation to the legislation in whose area the breach has occurred that it proposes to do so.
- (4) If the lead enforcement authority notifies a relevant authority under subsection (3) but does not take the action referred to in that subsection, the lead enforcement authority must notify the relevant authority of that fact.
- (5) Where a relevant authority receives a notification under subsection (3), the authority is relieved of any duty to take enforcement action in relation to the breach unless the authority receives a notification under subsection (4).
- (6) But the lead enforcement authority may require the relevant authority to assist the lead enforcement authority in taking the enforcement action.
- (7) Every relevant authority in England must report to the lead enforcement authority, whenever the lead enforcement authority requires and in such form and with such particulars as it requires, on the exercise of that relevant authority's functions under the relevant letting agency legislation.
- (8) Section 14(7) to (10) (duty to notify the local housing authority) applies to the lead enforcement authority as it applies to a local weights and measures authority.

Changes to legislation: There are currently no known outstanding effects for the Tenant Fees Act 2019, Section 26. (See end of Document for details)

- (9) For the investigatory powers available to the lead enforcement authority for the purposes of enforcing the relevant letting agency legislation, see Schedule 5 to the Consumer Rights Act 2015.
- (10) In paragraph 10 of Schedule 5 to the Consumer Rights Act 2015 (duties and powers to which Schedule 5 applies), at the appropriate place insert “ section 26 of the Tenant Fees Act 2019 ”.

Commencement Information

- I1** [S. 26](#) in force at 15.4.2019 for specified purposes by [S.I. 2019/857](#), **reg. 2(c)**
- I2** [S. 26](#) in force at 1.6.2019 in so far as not already in force by [S.I. 2019/857](#), **reg. 3(u)**

Changes to legislation:

There are currently no known outstanding effects for the Tenant Fees Act 2019, Section 26.