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STATUTORY INSTRUMENTS

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**1996 No. 2884**

**HOUSING, ENGLAND AND WALES**

**The Housing (Deferred Action and Charge for Enforcement Action) (Forms) Regulations 1996**

*Made* - - - - *18th November 1996*

*Coming into force* - - *17th December 1996*

The Secretary of State for the Environment as respects England, and the Secretary of State for Wales as respects Wales, in exercise of the powers conferred on them by sections 89 and 146 of the Housing Grants, Construction and Regeneration Act 1996<sup>(1)</sup>, and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Housing (Deferred Action and Charge for Enforcement Action) (Forms) Regulations 1996 and shall come into force on 17th December 1996.

**Prescribed Forms**

2. The forms set out in the Schedule to these Regulations, or forms substantially to the like effect, shall be the forms used for the following purposes of the Housing Grants, Construction and Regeneration Act 1996—

(1) Form 1 for a deferred action notice under sections 81 and 82 in respect of a dwelling-house or house in multiple occupation which is unfit;

(2) Form 2 for a deferred action notice under sections 81 and 82(2) in respect of premises containing an unfit flat;

(3) Forms 3 and 4, as appropriate, for a notice of a decision to renew a deferred action notice under section 84; and

(4) Form 5 for a demand for payment of a charge for enforcement action under sections 87 and 88.

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Signed by authority of the Secretary of State

Department of the Environment  
15th November 1996

*David Curry*  
Minister of State,

18th November 1996

*William Hague*  
Secretary of State for Wales

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## SCHEDULE

### FORM 1 HOUSING GRANTS, CONSTRUCTION AND REGENERATION ACT 1996 SECTIONS 81 AND 82 NOTICE TO DEFER ACTION ON A [DWELLING HOUSE]/[HOUSE IN MULTIPLE OCCUPATION]

To \_\_\_\_\_ of \_\_\_\_\_

1. You are the person [having control of] [managing] the [dwelling house] [house in multiple occupation] known as \_\_\_\_\_ ("the premises").

2. The \_\_\_\_\_ Council are satisfied that the premises are unfit for human habitation as described in Schedule 1 of this notice.

3. The Council having had regard to the guidance given by the Secretary of State are satisfied that the most satisfactory course of action in respect of the premises is the service of a deferred action notice in accordance with the provisions of sections 81 and 82 of the Housing Grants, Construction and Regeneration Act 1996 ("the 1996 Act"). The notes to this notice contain further details including the right of appeal that exists and when the notice becomes operative.

4. In the opinion of the Council the works specified in Schedule 2 to this notice ("the works") are the works required to make the premises fit for human habitation.

5. The Council may review the deferred action notice at any time and are required to do so not later than 2 years after this notice becomes operative. For the purpose of reviewing the notice the Council will be required to inspect the premises. The fact that this deferred action notice has been served does not prevent the Council from taking any other course of action in relation to the premises at any time. Such action may include the service of a repair notice under section 189(1) of the Housing Act 1985 ("the 1985 Act"), or the making of a closing or demolition order under sections 264 and 265 respectively of the 1985 Act, or declaring the area in which the premises is situated to be a clearance area in accordance with section 289 of the 1985 Act. In the event of the Council taking action under the above-mentioned provisions the deferred action notice will cease to be operative on the relevant notice, order or declaration becoming operative.

6. A copy of this notice is also being served on \_\_\_\_\_ in accordance with the provisions of section 82(4) of the 1996 Act.

[7. The service of this notice has not been preceded by a notice under the Housing (Fitness Enforcement Procedures) Order 1996 as it appears to the Council necessary to serve this notice immediately]

[7. The service of this notice follows the earlier written notice given by the Council in accordance with the provisions of the Housing (Fitness Enforcement Procedures) Order 1996]

## SCHEDULE 1

In the opinion of the Council the premises fail to meet the following requirement(s) of section 604(1) of the Housing Act 1985:

## SCHEDULE 2

Specification of works which in the opinion of the Council are required to make the premises fit for human habitation:

[Date of service of notice and signature]

## NOTES

(as set out for Forms 1 and 2 below)

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FORM 2 HOUSING GRANTS, CONSTRUCTION AND REGENERATION ACT 1996 SECTIONS 81 AND 82  
**NOTICE TO DEFER ACTION TO A PART OF A BUILDING CONTAINING AN UNFIT FLAT [IN MULTIPLE OCCUPATION]**

To \_\_\_\_\_ of \_\_\_\_\_

1. You are the person having control of the premises [known as] [comprising] \_\_\_\_\_  
 ("the premises").

2. The premises are [a part of] the building containing the flat [in multiple occupation] known as \_\_\_\_\_  
 ("the flat").

3. The \_\_\_\_\_ Council are satisfied that the flat is unfit for human habitation as described in Schedule 1 to this notice.

4. The Council having had regard to the guidance given by the Secretary of State are satisfied that the most satisfactory course of action in respect of the flat is the service of a deferred action notice in accordance with the provisions of sections 81 and 82 of the Housing Grants, Construction and Regeneration Act 1996 ("the 1996 Act"). The notes to this notice contain further details including the right of appeal that exists and when the notice becomes operative.

5. In the opinion of the Council the works specified in Schedule 2 to this notice ("the works") are the works required to make the flat fit for human habitation.

6. The Council may review the deferred action notice at any time and are required to do so not later than 2 years after this notice becomes operative. For the purpose of reviewing the notice the Council are required to inspect the [premises] [flat]. The fact that a deferred action notice has been served does not prevent the Council from taking any other course of action in relation to the [premises] [flat] at any time. Such action may include the service of a repair notice under section 189(1) of the Housing Act 1985 ("the 1985 Act"), or the making of a closing or demolition order under sections 264 and 265 respectively of the 1985 Act, or declaring the area in which the [premises] [flat] is situated to be a clearance area in accordance with section 289 of the 1985 Act. In the event of the Council taking action under the above-mentioned provisions the deferred action notice will cease to be operative on the relevant notice, order or declaration becoming operative.

7. A copy of this notice is also being served on \_\_\_\_\_ in accordance with the provisions of section 82(4) of the 1996 Act.

[8. The service of this notice has not been preceded by a notice under the Housing (Fitness Enforcement Procedures) Order 1996 as it appears to the Council necessary to serve this notice immediately]

[8. The service of this notice follows the earlier written notice given by the Council in accordance with the provisions of the Housing (Fitness Enforcement Procedures) Order 1996.]

## SCHEDULE 1

In the opinion of the Council [the flat fails to meet the following requirement(s) of section 604(1) of the Housing Act 1985: \_\_\_\_\_]

[and] [the building containing the flat] [the premises] fail(s) to meet the following requirement(s) of section 604(2) of the Housing Act 1985: \_\_\_\_\_]

## SCHEDULE 2

Specification of works which in the opinion of the Council are required to make the [premises] [flat] fit for human habitation:

[Date of service of notice and signature]

## NOTES

(as set out for Forms 1 and 2 below)

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## NOTES TO FORMS 1 AND 2

Delete text in square brackets on the forms as appropriate.

(Statutory references are to the Housing Act 1985 ("the 1985 Act"), as amended by Schedule 15 to the Housing Act 1988 and Schedule 9 to the Local Government and Housing Act 1989, and the Housing Grants, Construction and Regeneration Act 1996 ("the 1996 Act")).

### \* [House in multiple occupation]

A house in multiple occupation is a house (including any part of a building, such as a flat, which was originally constructed or subsequently adapted for occupation by a single household) which is occupied by persons who do not form a single household.]

(section 345 of the 1985 Act)

*\*Include this note, as appropriate, only where the notice relates to a house or flat in multiple occupation.*

### Right of appeal

If you do not agree with this notice you may appeal against it to the county court but you must do this within 21 days after the notice is served on you.

(section 83 of the 1996 Act)

For example, you may appeal

–if you think that the service of a repair notice under section 189(1) of the 1985 Act, or the making of a closing order under section 264 or a demolition order under section 265 of the 1985 Act is the most satisfactory course of action in respect of the premises. If you do so appeal, the court will have regard to guidance given by the Secretary of State under section 604A of the 1985 Act and section 85 of the 1996 Act.

### Operation of notice

If there is not an appeal, the notice will become operative at the end of 21 days from the date it is served.

(section 81(3) of the 1996 Act)

If there is an appeal and the county court confirms the notice, it will not become operative until the period for appealing to the Court of Appeal expires without such an appeal being brought. If there is such a further appeal, the notice will not become operative until it is confirmed by the Court of Appeal.

(section 83(6) of the 1996 Act)

If you start an appeal to the county court and then withdraw it, the notice will become operative on the day on which it would have become operative if the county court had confirmed the notice on the day on which you withdrew the appeal.

(section 83(6) of the 1996 Act)

### Effect of notice

The notice means that the premises are, in the opinion of the Council, unfit for human habitation but that while the notice remains operative the Council does not intend to require the premises to be made fit. Schedule 2 of the notice specifies the works that the Council consider are necessary to make the premises fit.

Notwithstanding the service of the deferred action notice, it is open to the person on whom the notice is served to arrange for all (or some) of the works in Schedule 2 to be undertaken. It would be helpful if the Council could be informed before any works are undertaken. \* [The Council may be able to provide advice on the nature of the works required to render the premises or flat fit; on how to go about remedying the unfitness problems; on ways that the works might be financed; on how to employ a suitable builder; and on agency services which might be able to assist. If you would like such advice you should contact the Council [contact point/telephone number].]

*\*Include this part of the notes if the Council considers it appropriate to offer advice or other assistance using their powers under section 169 of the Local Government and Housing Act 1989.*

The Council may review the notice at any time after its service and are required to do so not later than 2 years after the notice becomes operative. For the purpose of reviewing a deferred action notice the Council will be required to inspect the premises in question and thereafter decide the most satisfactory course of action.

(section 84 of the 1996 Act)

The fact that a deferred action notice has been served does not prevent the Council from taking any other course of action in relation to the premises at any time. Such action – in constituting the most satisfactory course of action – may include the service of a repair notice under section 189(1) of the

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1985 Act, or the making of a closing or demolition order under sections 264 or 265 of the 1985 Act, or declaring the area in which the premises or flat is situated to be a clearance area in accordance with section 289 of the 1985 Act. In the event of the Council taking action under the above-mentioned provisions the deferred action notice will cease to be operative on the relevant notice, order or declaration becoming operative.

#### **Action under the Housing (Fitness Enforcement Procedures) Order 1996**

The notice indicates whether the Council has taken action in accordance with the provisions of the above Order which (except where it appears to the Council that immediate enforcement action is necessary) requires the Council to give written notice of enforcement action intentions (a "minded to take action notice") and to consider any representations received in response to such written notice.

#### **Penalty**

If you obstruct the Council in its duty to inspect the premises for the purpose of reviewing the deferred action notice you commit an offence punishable in the magistrates' court by a fine not exceeding level 3 on the standard scale.

#### **Land charge**

When the notice becomes operative it will be a local land charge on the premises to which it relates. This means that it will be recorded in the register of local land charges kept by the Council. The register is public and anyone may search for entries in it upon payment of a fee. Purchasers will normally search this register.

(section 81(4) of the 1996 Act)

#### **County Court**

If you decide to appeal you will need to apply to your local county court. (You can find the address and telephone number in the telephone directory under "Courts"). The court staff can supply the form and advise you on procedure. You must put with your request a copy of this notice; you will also need an extra copy of your request for the court to send to the Council.

#### **Advice**

If you do not understand this notice or wish to know more about it, you should contact the Council. If you want independent advice about your rights and obligations, you should go to a Citizens' Advice Bureau, Housing Aid Centre, Law Centre or a solicitor. If you want to know more about the works which the Council consider necessary to make the premises fit, you may wish to consult a surveyor.

FORM 3HOUSING GRANTS, CONSTRUCTION AND REGENERATION ACT 1996SECTION  
84NOTICE OF DECISION TO RENEW A DEFERRED ACTION NOTICE ON A [DWELLING  
HOUSE] [HOUSE IN MULTIPLE OCCUPATION]

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

To \_\_\_\_\_ of \_\_\_\_\_

1. You are the person [having control of] [managing] the [dwelling house] [house in multiple occupation] known as \_\_\_\_\_

(“the premises”).

2. Following an inspection of the premises on which a deferred action notice was served on [enter date and attach copy of the notice] and having had regard to the guidance given by the Secretary of State the \_\_\_\_\_ Council are satisfied that the most satisfactory course of action in respect of the premises remains a deferred action notice.

3. In accordance with the provisions of section 84 of the Housing Grants, Construction and Regeneration Act 1996 (“the 1996 Act”) they have therefore decided to renew the deferred action notice. The notes to this notice contain further details including the right of appeal that exists.

4. The Council are satisfied that the premises remain unfit for human habitation as described in Schedule 1 of this notice. In the opinion of the Council the works specified in Schedule 2 of this notice (“the works”) are the works required to make the premises fit for human habitation.

5. The Council may review the deferred action notice at any time and are required to do so not later than 2 years after the date of this notice of renewal. For the purpose of reviewing the notice the Council will be required to inspect the premises. The fact that the deferred action notice has been renewed does not prevent the Council from taking any other course of action in relation to the premises at any time. Such action may include the service of a repair notice under section 189(1) of the Housing Act 1985 (“the 1985 Act”), or the making of a closing or demolition order under sections 264 and 265 respectively of the 1985 Act, or declaring the area in which the premises is situated to be a clearance area in accordance with section 289 of the 1985 Act. In the event of the Council taking action under the above-mentioned provisions the deferred action notice will cease to be operative on the relevant notice, order or declaration becoming operative.

6. A copy of this notice is also being served on \_\_\_\_\_ in accordance with the provisions of section 82(4) and 84(4) of the 1996 Act.

[7. The service of this notice has not been preceded by a notice under the Housing (Fitness Enforcement Procedures) Order 1996 as it appears to the Council necessary to serve this notice immediately]

[7. The service of this notice follows the earlier written notice given by the Council in accordance with the provisions of the Housing (Fitness Enforcement Procedures) Order 1996.]

## SCHEDULE 1

In the opinion of the Council the premises [continue to] fail to meet the following requirements of section 604(1) of the Housing Act 1985:

## SCHEDULE 2

Specification of works which in the opinion of the Council are required to make the premises fit for human habitation:

[Date of service of notice and signature]

## NOTES

(as set out for Forms 3 and 4 below)

FORM 4 HOUSING GRANTS, CONSTRUCTION AND REGENERATION ACT 1996 SECTION 84  
NOTICE OF DECISION TO RENEW A DEFERRED ACTION NOTICE TO A PART OF A BUILDING CONTAINING AN UNFIT FLAT [IN MULTIPLE OCCUPATION]

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To of

1. You are the person having control of the premises [known as] [comprising] ("the premises").
2. The premises are [a part of] the building containing the flat [in multiple occupation] known as ("the flat").
3. Following an inspection of the flat on which a deferred action notice was served on [enter date and attach a copy of the notice] and having regard to the guidance given by the Secretary of State, the Council are satisfied that the most satisfactory course of action in respect of the flat remains a deferred action notice.
4. In accordance with the provisions of section 84 of the Housing Grants, Construction and Regeneration Act 1996 ("the 1996 Act") they have decided to renew the deferred action notice. The notes to this notice contain further details including the right of appeal that exists.
5. The Council are satisfied that the flat remains unfit for human habitation as described in Schedule 1 of this notice. In the opinion of the Council the works specified in Schedule 2 of this notice ("the works") are the works required to make the flat fit for human habitation.
6. The Council may review the deferred action notice at any time and are required to do so not later than 2 years after the date of this notice of renewal. For the purpose of reviewing the notice the Council will be required to inspect the [premises] [flat]. The fact that the deferred action notice has been renewed does not prevent the Council from taking any other course of action in relation to the [premises] [flat] at any time. Such action may include the service of a repair notice under section 189(1) of the Housing Act 1985 ("the 1985 Act"), or the making of a closing or demolition order under sections 264 and 265 respectively of the 1985 Act, or declaring the area in which the [premises] [flat] is situated to be a clearance area in accordance with section 289 of the 1985 Act. In the event of the Council taking action under the above-mentioned provisions the deferred action notice will cease to be operative on the relevant notice, order or declaration becoming operative.
7. A copy of this notice is also being served on in accordance with the provisions of section 82(4) and 84(4) of the 1996 Act.
- [8. The service of this notice has not been preceded by a notice under the Housing (Fitness Enforcement Procedures) Order 1996 as it appears to the Council necessary to serve this notice immediately]
- [8. The service of this notice follows the earlier written notice given by the Council in accordance with the provisions of the Housing (Fitness Enforcement Procedures) Order 1996.]

## SCHEDULE 1

In the opinion of the Council [the flat [continues to] fail to meet the following requirement(s) of section 604(1) of the Housing Act 1985: ]

[and] [the building containing the flat] [the premises] [continues to] fails to meet the following requirement(s) of section 604(2) of the Housing Act 1985:

## SCHEDULE 2

Specification of works which in the opinion of the Council are required to make the [premises] [flat] fit for human habitation:

[Date of service of notice and signature]

## NOTES

(as set out for Forms 3 and 4 below)



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## NOTES TO FORMS 3 AND 4

Delete text in square brackets on the forms as appropriate.

(Statutory references are to the Housing Act 1985 ("the 1985 Act"), as amended by Schedule 15 to the Housing Act 1988 and Schedule 9 to the Local Government and Housing Act 1989, and the Housing Grants, Construction and Regeneration Act 1996 ("the 1996 Act")).

### **\*[House in multiple occupation]**

A house in multiple occupation is a house (including any part of a building, such as a flat, which was originally constructed or subsequently adapted for occupation by a single household) which is occupied by persons who do not form a single household.]

(section 345 of the 1985 Act)

*\*Include this note, as appropriate, only where the notice relates to a house or flat in multiple occupation.*

### **Right of appeal**

If you do not agree with the decision to renew the deferred action notice you may appeal against it to the county court but you must do this within 21 days after the notice is served on you.

(section 83 and 84(4) of the 1996 Act)

For example, you may appeal

–if you think that the service of a repair notice under section 189(1) of the 1985 Act, or the making of a closing order under section 264 or a demolition order under section 265 of the 1985 Act is the most satisfactory course of action in respect of the premises. If you do so appeal, the court will have regard to guidance given by the Secretary of State under section 604A of the 1985 Act and section 85 of the 1996 Act.

### **Operation of notice**

If there is not an appeal, the Council's decision means that the deferred action notice currently applying to the premises is renewed and will continue to remain operative.

(section 81(3) and 84(4) of the 1996 Act)

If there is an appeal and the county court confirms the decision to renew the deferred action notice, the renewal will not take effect until the period for appealing to the Court of Appeal expires without such an appeal being brought. If there is such a further appeal, the decision to renew the notice will not take effect until it is confirmed by the Court of Appeal.

(section 83(6) and 84(4) of the 1996 Act)

If you start an appeal to the county court and then withdraw it, the decision to renew the deferred action notice will take effect on the day on which it would have taken effect if the county court had confirmed the decision on the day on which you withdrew the appeal.

(section 83(6) and 84(4) of the 1996 Act)

Where there is an appeal against a decision to renew the deferred action notice, the notice remains operative until any decision on the appeal to the County Court or any further appeal, quashing or varying the decision to renew.

### **Effect of notice**

Renewal of the deferred action notice signifies that the premises or flat remain, in the opinion of the Council, unfit for human habitation but that while the notice remains operative the Council do not intend to require the premises or flat to be made fit. Schedule 2 of the notice specifies the works that the Council consider are necessary to make the premises or flat fit.

Notwithstanding the renewal of the deferred action notice it is open to the person on whom the notice is served to arrange for all (or some) of the works in Schedule 2 to be undertaken. It would be helpful if the Council could be informed before any works are undertaken. \*[The Council may be able to provide advice on the nature of the works required to render the premises or flat fit; on how to go about remedying the unfitness problems; on ways that the works might be financed; on how to employ a suitable builder; and on agency services which might be to assist. If you would like such advice you should contact the Council [contact point/telephone number].]

*\*Include this part of the notes if the Council considers it appropriate to offer advice or other assistance using their powers under section 169 of the Local Government and Housing Act 1989.*

The Council may review the notice at any time after its renewal and are required to do so not later than 2 years after the date of this notice of renewal. For the purpose of reviewing a deferred action notice the Council will be required to inspect the premises in question and thereafter decide the most satisfactory course of action.

(section 84 of the 1996 Act)

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The fact that a deferred action notice has been renewed does not prevent the Council from taking any other course of action in relation to the premises at any time. Such action – in constituting the most satisfactory course of action – may include the service of a repair notice under section 189(1) of the 1985 Act, or the making of a closing or demolition order under sections 264 or 265 of the 1985 Act, or declaring the area in which the premises or flat is situated to be a clearance area in accordance with section 289 of the 1985 Act. In the event of the Council taking action under the above-mentioned provisions the deferred action notice will cease to be operative on the relevant notice, order or declaration becoming operative.

#### **Action under the Housing (Fitness Enforcement Procedures) Order 1996**

The notice indicates whether the Council has taken action in accordance with the provisions of the above Order which (except where it appears to the Council that immediate enforcement action is necessary) requires the Council to give written notice of enforcement action intentions (a “minded to take action notice”) and to consider any representations received in response to such written notice.

#### **Penalty**

If you obstruct the Council in its duty to inspect the premises for the purpose of reviewing the deferred action notice you commit an offence punishable in the magistrates’ court by a fine not exceeding level 3 on the standard scale.

#### **Land Charge**

While it remains operative the notice continues to be a local land charge on the premises to which it relates. This means that it will be recorded in the register of local land charges kept by the Council. The register is public and anyone may search for entries in it upon payment of a fee. Purchasers will normally search this register.

(section 81(4) of the 1996 Act)

#### **County Court**

If you decide to appeal you will need to apply to your local county court. (You can find the address and telephone number in the telephone directory under “Courts”). The court staff can supply the form and advise you on procedure. You must put with your request a copy of this renewal notice and the deferred action notice; you will also need an extra copy of your request for the court to send to the Council.

#### **Advice**

If you do not understand this notice or wish to know more about it, you should contact the Council. If you want independent advice about your rights and obligations, you should go to a Citizens’ Advice Bureau, Housing Aid Centre, Law Centre or a solicitor. If you want to know more about the works which the Council consider necessary to make the premises fit, you may wish to consult a surveyor.

FORM 5 HOUSING GRANTS, CONSTRUCTION AND REGENERATION ACT 1996 SECTIONS  
87 AND 88 DEMAND FOR PAYMENT OF A CHARGE FOR ENFORCEMENT ACTION

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

To . . . of

1. You are the person on whom [a repair notice under section 189 of the Housing Act 1985] [a repair notice under section 190 of the Housing Act 1985] [a deferred action notice under section 81 of the Housing Grants, Construction and Regeneration Act 1996] [notice of a decision to renew a deferred action notice under section 84 of the Housing Grants, Construction and Regeneration Act 1996] [a notice of a closing order made under section 264 of the Housing Act 1985] [a notice of a demolition order made under section 265 of the Housing Act 1985] has been served.

2. The Council, in accordance with their powers under section 87 of the Housing Grants, Construction and Regeneration Act 1996 have decided to make a charge for the action involved in service of the [notice] [order] referred to in paragraph 1 above.

3. The Council therefore demand payment by you of £[ ], this being to cover the expenses the Council have incurred in [specify in accordance with the provisions of section 87(2), (3), (4)].

4. If no appeal is made against the underlying [notice] [decision] [order] you will become liable to pay the Council the sum referred to in paragraph 3 above after 21 days from the date of the service of this demand. [Payment should be made to ] and can be made in the following ways . . . ]

5. The sum until paid in full to the Council will be a charge on the premises or flat concerned. The charge takes effect after 21 days from the service of this demand if no appeal is made.

[Date and signature]

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## NOTES TO FORM 5

Delete text in square brackets on the forms as appropriate.

### Effect of demand

Is to require you to pay the Council the sum mentioned for the expenses they have incurred in having to take enforcement action against you. The Secretary of State for [the Environment] [Wales] has specified £300 as the maximum charge the Council can make under its powers in section 87 of the Housing Grants, Construction and Regeneration Act 1996 ("the 1996 Act").

(Section 87(5) of the 1996 Act)

### When the charge becomes payable

The charge becomes payable, if no appeal is brought against the notice, decision or order to which the charge relates, after 21 days from the date of the demand. Paragraph 4 of the demand gives details of where payment should be made and the methods by which you may make payment.

If there is an appeal against the notice, decision or order to which the charge relates, you will not become liable for payment of the charge until the county court confirms the notice, decision or order and the period for appealing further to the Court of Appeal expires without such an appeal being brought. If there is such a further appeal, you will not become liable for payment of the charge until the notice, decision or order is confirmed by the Court of Appeal.

If you start an appeal to the county court against the notice, decision or order to which the charge relates and then withdraw the appeal, you will become liable for payment of the charge.

If there is an appeal against the notice, decision or order to which the charge relates and the court allows the appeal, it may make such order as it thinks fit reducing, quashing or requiring the payment of the charge.

(section 87(6) of the 1996 Act)

### Land charge

The sum payable to the Council is a charge on the premises to which it relates with the charge taking effect from the date of the demand.

### Advice

If you do not understand this demand for payment or wish to know more about it, you should contact the Council. If you want independent advice about your rights and obligations, you should go to a Citizens' Advice Bureau, Housing Aid Centre, Law Centre or a solicitor.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations prescribe forms for use by local housing authorities in relation to unfit housing. The forms are for use in serving a deferred action notice, a notice of a decision to renew a deferred action notice and a demand for payment of a charge for enforcement action.