

SCHEDULE

Additional details with regard to certain Applications

Applications made under the 2004 Act

Applications in relation to empty dwelling management orders

33.—(1) This paragraph applies to an application under section 133(1) of the 2004 Act (LHA application for authorisation to make interim EDMO).

(2) The specified documents are—

(a) a copy of the draft interim EDMO;

(b) a statement of evidence—

(i) in respect of the matters as to which the tribunal must be satisfied under section 134(2) of the 2004 Act;

(ii) of the LHA's consideration of the rights and interests specified in section 133(4) of the 2004 Act; and

(c) where the LHA in accordance with section 133(3) of the 2004 Act notified the relevant proprietor that it was considering making an interim EDMO, a copy of the notification.

(3) The specified respondent is the relevant proprietor⁽¹⁾.

34.—(1) This paragraph applies to an application under section 138(1) of the 2004 Act (application while interim EDMO in force for order that the LHA pay compensation to third party for interference with rights).

(2) The specified documents are—

(a) a copy of the interim EDMO;

(b) a copy of the LHA's notification of its decision to the third party in accordance with section 138(4) of the 2004 Act; and

(c) a statement giving full details of—

(i) the rights in respect of which it is claimed that there has been interference in consequence of the interim EDMO; and

(ii) the amount of compensation claimed in respect of that interference.

(3) The specified respondent is the LHA.

35.—(1) This paragraph applies to an application under paragraph 1(7) of Schedule 7 to the 2004 Act (LHA application for order that interim EDMO continue in force pending disposal of appeal under paragraph 26 of that Schedule).

(2) The specified documents are—

(a) a copy of the interim EDMO; and

(b) a copy of the notice of appeal under paragraph 26 of Schedule 7 to the 2004 Act against the making of an interim EDMO.

(3) The specified respondent is the applicant who has made the relevant appeal.

(1) See section 132(4)(c) of the 2004 Act for the definition of "relevant proprietor".

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36.—(1) This paragraph applies to an application under paragraph 2(3)(d) or paragraph 10(3)(d) of Schedule 7 to the 2004 Act (LHA's application for order under paragraph 22 of that Schedule determining a lease or licence while interim or final EDMO is in force).

(2) The specified documents are—

- (a) a copy of the interim or final EDMO (including any management scheme);
- (b) a copy of the relevant lease or licence, or if not available, evidence of the existence of the lease or licence; and
- (c) a statement containing the following details—
 - (i) the name and address where known of any lessor, lessee, sub-lessor, sub-lessee or licensee;
 - (ii) evidence of matters in respect of which the tribunal must be satisfied under paragraph 22(1)(b) of Schedule 7 to the 2004 Act; and
 - (iii) the amount of compensation (if any) which the LHA is willing to pay in respect of the determination of the lease or licence, including details of how such compensation has been calculated.

(3) The specified respondents are the parties to the lease or licence.

37.—(1) This paragraph applies to an application under paragraph 5(7) of Schedule 7 to the 2004 Act (application by relevant proprietor for order in connection with financial arrangements while interim EDMO in force).

(2) The specified documents are—

- (a) a copy of the interim EDMO; and
- (b) a copy of the accounts kept by the LHA in accordance with paragraph 5(6) of Schedule 7 to the 2004 Act.

(3) The specified respondent is the LHA.

38.—(1) This paragraph applies to an application under paragraph 9(8) of Schedule 7 to the 2004 Act (application by LHA for order that final EDMO should continue in force pending disposal of an appeal under paragraph 26 of that Schedule).

(2) The specified documents are—

- (a) a copy of the final EDMO; and
- (b) a copy of the notice of appeal under paragraph 26 of Schedule 7 to the 2004 Act against the making of a final EDMO.

(3) The specified respondent is the applicant who has made the relevant appeal.

39.—(1) This paragraph applies to an application under paragraph 14(1) of Schedule 7 to the 2004 Act (application by an affected person for order that LHA manage dwelling in accordance with management scheme in final EDMO).

(2) The specified document is a copy of the final EDMO (including the management scheme).

(3) The specified respondent is the LHA.

40.—(1) This paragraph applies to an application under paragraph 26(1) of Schedule 7 to the 2004 Act (appeal against LHA's decision to make final EDMO or against terms of the order or of associated management scheme).

(2) The specified documents are—

- (a) a copy of the final EDMO (including the management scheme);

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- (b) where the application relates to the terms of the management order, a statement specifying each term to which objection is made, with reasons for the objection; and
 - (c) where the application is made on the ground specified in paragraph 26(1)(c) of Schedule 7 to the 2004 Act, a statement of the matters in paragraph 5(5)(a) and (b) of that Schedule (which relate to payments of surplus rents etc) relevant to that ground.
- (3) The specified respondent is the LHA.

41.—(1) This paragraph applies to an application under paragraph 30 of Schedule 7 to the 2004 Act (appeal against LHA's decision to vary or revoke, or to refuse to vary or revoke interim or final EDMO).

- (2) The specified documents are—
- (a) where the application relates to a decision to vary an interim or final EDMO, a copy of the LHA's notices under paragraphs 9 and 11 of Schedule 6 to the 2004 Act (as applied by paragraph 17 of Schedule 7 to that Act);
 - (b) where the application relates to refusal to vary an interim or final EDMO, a copy of the LHA's notices under paragraphs 14 and 16 of that Schedule;
 - (c) where the application relates to a decision to revoke an interim or final EDMO, a copy of the LHA's notices under paragraphs 17 and 19 of that Schedule; and
 - (d) where the application relates to refusal to revoke an interim or final EDMO, a copy of the LHA's notices under paragraphs 20 and 22 of that Schedule; and
 - (e) in any case a copy of the interim or final EDMO (as the case may be).
- (3) The specified respondent is the LHA.

42.—(1) This paragraph applies to an application under paragraph 34(2) of Schedule 7 to the 2004 Act (appeal against LHA's decision under section 136(4) or 138(3) of the 2004 Act in respect of compensation payable to third parties for interference with rights in consequence of final EDMO).

- (2) The specified documents are—
- (a) a copy of the final EDMO (including the management scheme);
 - (b) where the third party has requested compensation under section 138 of the 2004 Act, a copy of the LHA's notification of its decision to the third party in accordance with subsection (4) of that section; and
 - (c) a statement giving full details of—
 - (i) the rights in respect of which it is claimed that there has been interference in consequence of the final EDMO; and
 - (ii) the amount of compensation claimed in respect of that interference.
- (3) The specified respondent is the LHA.