



# Housing (Wales) Act 2014

2014 anaw 7

## PART 2

### HOMELESSNESS

#### CHAPTER 2

##### HELP FOR PEOPLE WHO ARE HOMELESS OR THREATENED WITH HOMELESSNESS

###### *Supplementary provisions*

#### **94 Protection of property: supplementary provisions**

- (1) The authority may for the purposes of section 93—
  - (a) enter, at all reasonable times, any premises which are the usual place of residence of the applicant or which were the applicant's last usual place of residence, and
  - (b) deal with any personal property of the applicant in any way which is reasonably necessary, in particular by storing it or arranging for its storage.
- (2) Where a local authority is proposing to exercise the power in subsection (1)(a), the officer it authorises to do so must, upon request, produce valid documentation setting out the authorisation to do so.
- (3) A person who, without reasonable excuse, obstructs the exercise of the power under subsection (1)(a) commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (4) Where the applicant asks the authority to move his or her property to a particular location nominated by the applicant, the authority—
  - (a) may, if it appears to it that the request is reasonable, discharge its responsibilities under section 93 by doing as the applicant asks, and

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*Changes to legislation: There are currently no known outstanding effects for the Housing (Wales) Act 2014, Section 94. (See end of Document for details)*

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- (b) having done so, have no further duty or power to take action under that section in relation to that property.
- (5) If such a request is made, the authority must before complying with it inform the applicant of the consequence of it doing so.
- (6) If no such request is made (or, if made, is not acted upon) the authority cease to have any duty or power to take action under section 93 when, in its opinion, there is no longer any reason to believe that there is a danger of loss of or damage to a person's personal property by reason of his or her inability to protect it or deal with it.
- (7) But property stored by virtue of the authority having taken such action may be kept in store and any conditions upon which it was taken into store continue to have effect, with any necessary modifications.
- (8) Where the authority—
- (a) ceases to be subject to a duty to take action under section 93 in respect of an applicant's property, or
  - (b) ceases to have power to take such action, having previously taken such action, it must notify the applicant of that fact and of the reason for it.
- (9) The notification must be given to the applicant—
- (a) by delivering it to the applicant, or
  - (b) leaving it at, or sending it to, the applicant's last known address.
- (10) References in this section to personal property of the applicant include personal property of any person who might reasonably be expected to reside with the applicant.

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**Commencement Information**

**II** S. 94 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 45

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Wales) Act 2014, Section 94.