

Status: Point in time view as at 01/04/2019.

Changes to legislation: There are currently no known outstanding effects for the Houses in Multiple Occupation Act (Northern Ireland) 2016, Part 1. (See end of Document for details)

SCHEDULES

SCHEDULE 5

Part 4 notices: further provision

Part 1

Service and date of effect of notices

Service of notices

- 1.—(1) If a council issues a Part 4 notice, the council must serve the notice on—
 - (a) any person appearing to the council to be the owner of the HMO, and
 - (b) any person appearing to the council to be a managing agent of the HMO.
- (2) The council must—
 - (a) in the case of an emergency hazard notice, serve the notice on the occupants of the HMO, and
 - (b) in any other case, send a copy of the notice to the occupants of the HMO.
- (3) The council may send a copy of the notice to—
 - (a) anyone else with a relevant interest in the HMO (see sub-paragraph (5)),
 - (b) the statutory authorities, and
 - (c) such other persons as the council considers appropriate.
- (4) An emergency hazard notice must be served under sub-paragraph (1) and (2)
 - (a) on the day on which it is issued or, if that is not possible, as soon as possible thereafter.
- (5) In sub-paragraph (3)(a), a “relevant interest” is—
 - (a) a freehold or leasehold estate;
 - (b) a mortgage, charge or lien.

Commencement Information

- II** Sch. 5 para. 1 in operation at 1.4.2019 by S.R. 2019/39, art. 2 (with art. 3)

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Operation of notices

2.—(1) A Part 4 notice becomes operative at the end of the period of 28 days beginning with the date of service of the notice; but this is subject to subparagraphs (2) and (3).

(2) A notice (other than an emergency hazard notice) becomes operative—

- (a) if the notice is suspended under paragraph 4, on the date when the suspension ends;
- (b) if an appeal is made against the notice in accordance with section 67(4), on the date when the appeal is finally determined;
- (c) if the notice is suspended and such an appeal is made against it, on the later of those two dates.

(3) An emergency hazard notice becomes operative on the day on which it is served under paragraph 1(2)(a).

Commencement Information

I2 Sch. 5 para. 2 in operation at 1.4.2019 by S.R. 2019/39, art. 2 (with art. 3)

3 If no appeal is made against a Part 4 notice, the notice is final and conclusive as to any matters which could have been raised on such an appeal.

Commencement Information

I3 Sch. 5 para. 3 in operation at 1.4.2019 by S.R. 2019/39, art. 2 (with art. 3)

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