



2016 CHAPTER 22

PART 4

Standards of housing

CHAPTER 1

Overcrowding

Overcrowding notices

Overcrowding notices

44.—(1) This section applies where a council believes that—

- (a) an HMO is overcrowded, or
- (b) an HMO is likely to become overcrowded.

(2) The council may issue a notice which complies with section 45 (an “overcrowding notice”).

(3) At least 7 days before issuing an overcrowding notice, the council must serve a notice which—

- (a) states the council’s belief mentioned in subsection (1),
- (b) states the grounds for that belief, and
- (c) invites the person on whom the notice is served to make, within the period of 7 days beginning with the date of service of the notice, representations about the proposal to issue the overcrowding notice.

(4) Notice under subsection (3) must be served on—

- (a) any person appearing to the council to be the owner of the HMO;
- (b) any person appearing to the council to be a managing agent of the HMO.

(5) The council must send a copy of the notice to the occupants of the HMO.

(6) In determining whether to issue an overcrowding notice, the council must have regard to any representations made within the period mentioned in subsection (3)(c).