2016 CHAPTER 22

PART 1

Meaning of "house in multiple occupation"

Notice regarding evidence of household

5.—(1) This section applies if—

(a) it appears to a council that living accommodation is occupied by 3 or more persons, and

(b) the council believes, on reasonable grounds, that the occupants form more than two households.

(2) The council may serve a notice which—

(a) states the council's belief mentioned in subsection (1)(b),

(b) states the grounds for that belief,

(c) invites the person on whom the notice is served to supply to the council, within the period of 28 days beginning with the date of service of the notice, evidence that the occupants form no more than two households, and

(d) informs the person of the effect of subsections (4) and (5).

(3) The notice may be served on any or all of the following (as the council considers appropriate)—

(a) any person appearing to the council to be the owner of the accommodation;

(b) any person appearing to the council to be a managing agent of the accommodation;

(c) the occupants of the accommodation.

(4) Subsection (5) applies if, after a council has served a notice under subsection (2)—

  (a) no such evidence is provided within the period mentioned in subsection (2)(c), or

  (b) such evidence is provided within that period, but it is not sufficient to cause the council to change its belief.

(5) Where this subsection applies—

  (a) the council may serve a notice (a "household notice") stating that the condition set out in paragraph (a) or, as the case may be, paragraph (b) of subsection (4) is met, and

  (b) as from the date of service of that notice, the living accommodation is to be treated as if the occupants formed more than two households.

(6) A household notice must be served on all the persons on whom the notice under subsection (2) was served.

(7) Subsection (5)(b) ceases to apply if (whether or not as a result of an appeal under section 67) the council ceases to hold the belief mentioned in subsection (1)(b).