



2016 CHAPTER 22

PART 4

Standards of housing

CHAPTER 2

Suitability for numbers in occupation

Suitability notice

50.—(1) This section applies where the council determines that an HMO is not suitable for occupation by the number of persons whom the council knows, or believes, to be occupying it.

(2) The council may issue a notice which complies with section 51 (a “suitability notice”).

(3) In making a determination under subsection (1), the council must have regard to—

- (a) the minimum standards set under section 13(3) for the accommodation’s condition, facilities or equipment for that number of persons, and
- (b) the extent (if any) to which the HMO falls short of the provisions of building regulations.

(4) In having regard to the minimum standards referred to in subsection (3) (a), the council—

- (a) cannot be satisfied that the HMO is suitable if the council considers that it fails to meet the standards, but
- (b) may decide that the HMO is not suitable for occupation by that number even if it does meet the standards.