



2016 CHAPTER 22

PART 5

Supplementary

Information

Power to obtain information from persons connected to premises

71.—(1) The council may, by serving notice on a relevant person, require the person to provide the following information in writing to the council—

- (a) the nature of the person's estate (if any) in premises specified in the notice,
- (b) the name and address of any other person known to that person as having an estate in the premises, and
- (c) any other information about the premises that the council may reasonably request and which is in the person's custody or under the person's control.

(2) Where a notice under this section is served—

- (a) on a person who appears to the council to be the occupier of premises, and
- (b) for the purpose of enabling or assisting the council to decide whether the premises are, or contain, an HMO,

the notice may also require the person to disclose the relationship (if any) between that person and any other occupants.

(3) A notice under this section must—

- (a) specify a date, not less than 21 days after the date on which the notice is served, by which the information must be provided,
- (b) specify a person to whom the information must be provided, and

Changes to legislation: There are currently no known outstanding effects for the Houses in Multiple Occupation Act (Northern Ireland) 2016, Section 71. (See end of Document for details)

- (c) include information about the possible consequences of not complying with the notice.
- (4) Information provided by a person in response to a notice under this section may be used in criminal proceedings as evidence against the person only where subsection (5) or (6) applies.
- (5) This subsection applies where the person is being prosecuted for an offence under Article 7 or 10 of the Perjury (Northern Ireland) Order 1979 (false statutory declarations and other false unsworn statements).
- (6) This subsection applies where the person is being prosecuted for any other offence and—
 - (a) in giving evidence the person makes a statement inconsistent with the information provided in response to the notice, and
 - (b) evidence relating to that information is adduced, or a question about it is asked, by or on behalf of the person.
- (7) In this section “relevant person” means any person who—
 - (a) is, or is proposed to be, the holder of an HMO licence in respect of the premises,
 - (b) is, or is proposed to be, a person named in such an HMO licence as a person on whom a restriction or obligation is imposed under section 14,
 - (c) is, or is proposed to be, a managing agent of the premises,
 - (d) is, or appears to the council to be, the owner or occupier of the premises, or
 - (e) receives, or appears to the council to receive, any rent (directly or indirectly) in respect of the premises.

Commencement Information

II S. 71 in operation at 1.4.2019 by S.R. 2019/39, art. 2 (with art. 3)

Changes to legislation:

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