



Housing Act 1961

1961 CHAPTER 65

PART II

AMENDMENTS OF HOUSING ACT, 1957

Houses in multiple occupation

12 Power to apply management code to houses in multiple occupation

- (1) If it appears to a local authority that a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family is in an unsatisfactory state in consequence of failure to maintain proper standards of management and, accordingly, that it is necessary that the regulations made under the following provisions of this Part of this Act should apply to the house, the local authority may by order direct that those regulations shall so apply; and so long as the order is in force the regulations shall apply in relation to the house accordingly.
- (2) Not less than twenty-one days before making an order under this section, the local authority shall—
 - (a) serve on an owner of the house, and on every person who is to their knowledge a lessee of the house, notice of their intention to make the order, and
 - (b) post such a notice in some position in the house where it is accessible to those living in the house,and shall afford to any person on whom a notice is so served an opportunity of making representations regarding their proposal to make the order.
- (3) An order under this section shall come into force on the date on which it is made, and the local authority shall within seven days from the making of the order—
 - (a) serve a copy of the order on an owner of the house and on every person who is to the knowledge of the local authority a lessee of the house, and
 - (b) post a copy of the order in some position in the house where it is accessible to those living in the house.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) A person on whom a copy of the order is served under the last foregoing subsection, and any other person who is a lessee of the house, may, within fourteen days from the latest date by which copies of the order are required to be served, appeal to a magistrates' court on the ground that the making of the order was unnecessary.
- (5) On an appeal under the last foregoing subsection the court shall take into account the state of the house at the time when the local authority under subsection (2) of this section served notice of their intention to make the order, as well as at the time of the making of the order, and shall disregard any improvement in the state of the house between those times unless the court is satisfied that effective steps have been taken to ensure that the house will in future be kept in a satisfactory state; and if the magistrates' court allows the appeal, the court shall revoke the order, but without prejudice to its operation prior to the revocation, and without prejudice to the making of a further order.
- (6) A local authority may at any time on the application of a person having an estate or interest in the house revoke an order under this section, and if a local authority refuse an application under this subsection, or do not within thirty-five days from the making of the application, or within such further period as the applicant may in writing allow, notify the applicant of their decision on the application, the applicant may appeal to a magistrates' court and the magistrates' court, if of opinion that there has been a substantial change in the circumstances since the making of the order, and that it is in other respects just to do so, may revoke the order.
- (7) As soon as may be after an order under this section has come into force it shall be registered in the register of local land charges by the proper officer of the local authority in such manner as may be prescribed by rules made for the purposes of this section under subsection (6) of section fifteen of the Land Charges Act, 1925.