



# Housing Act 1996

## 1996 CHAPTER 52

### PART I

[<sup>F1</sup>SOCIAL RENTED SECTOR [<sup>F1</sup>REGULATED BY THE WELSH MINISTERS]]

### CHAPTER V

MISCELLANEOUS AND GENERAL PROVISIONS

*Housing [<sup>F1</sup>ombudsman]*

#### [<sup>F1</sup>51ZA Power of housing ombudsman to issue guidance to scheme members

- (1) This section applies where a scheme is approved by the Secretary of State under Schedule 2.
- (2) The housing ombudsman may issue to the members of the scheme guidance as to good practice in the carrying on of housing activities covered by the scheme.
- (3) Before issuing, revising or replacing guidance under this section, the housing ombudsman must consult—
  - (a) the Regulator of Social Housing,
  - (b) members of the scheme, and
  - (c) individuals who may make complaints under the scheme.
- (4) If the housing ombudsman issues, revises or replaces guidance under this section, the housing ombudsman must publish the guidance, the revised guidance or (as the case may be) the replacement guidance.
- (5) Subsection (7) applies if—
  - (a) an individual makes a complaint against a member of the scheme,
  - (b) the complaint is made under the scheme or the conditions in subsection (6) are met in relation to the complaint, and

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**Changes to legislation:** *Housing Act 1996, Section 51ZA is up to date with all changes known to be in force on or before 15 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (c) it appears to the housing ombudsman that the complaint relates to a matter to which guidance issued by the ombudsman under this section relates.
- (6) The conditions referred to in subsection (5)(b) are that—
- (a) the complaint is made to the member of the scheme,
  - (b) the complaint is one that the individual could subsequently make under the scheme, and
  - (c) the individual has notified the ombudsman about the complaint.
- (7) The housing ombudsman may order the member of the scheme to—
- (a) assess whether the member’s policies and practices in relation to the matter mentioned in subsection (5)(c) are consistent with the guidance issued by the ombudsman under this section in relation to that matter, and
  - (b) within a period specified in the order, submit to the ombudsman a written statement of the results of the assessment.
- (8) If a member of the scheme fails to comply with an order under subsection (7) within the period specified in the order, the housing ombudsman may order the member to publish in such manner as the ombudsman sees fit a statement that the member has failed to comply with the order.
- (9) If a member of the scheme fails to comply with an order under subsection (8), the housing ombudsman may—
- (a) take such steps as the ombudsman considers appropriate to publish what the member ought to have published, and
  - (b) recover from the member the costs of doing so.
- (10) In this section, “the housing ombudsman” means the housing ombudsman appointed in accordance with the scheme.]

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**Textual Amendments**

**F1** S. 51ZA inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), ss. 41(3), 46(2)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 124(1A) inserted by [2016 c. 22 Sch. 7 para. 20\(2\)](#)
- s. 124(6) inserted by [2016 c. 22 Sch. 7 para. 20\(6\)](#)
- s. 124A124B inserted by [2016 c. 22 Sch. 7 para. 21](#)
- s. 125A(3A)(3B) inserted by [2016 c. 22 Sch. 7 para. 22\(3\)](#)
- s. 130A inserted by [2016 c. 22 Sch. 8 para. 7](#)
- s. 133(1A) inserted by [2016 c. 22 Sch. 8 para. 9\(2\)](#)
- s. 143J(3A) inserted by [2016 c. 22 Sch. 8 para. 13\(2\)](#)
- s. 143J(7)(a) words omitted by [S.I. 2022/1166 reg. 25\(11\)\(b\)](#) (This amendment comes into force immediately after 2016 c. 22, s. 120 and Sch. 8 para. 13(3) come into force)
- s. 143GA143GB inserted by [2016 c. 22 Sch. 8 para. 10](#)
- s. 143MA(3A)-(3D) inserted by [2016 c. 22 Sch. 7 para. 27\(3\)](#)
- s. 143MB inserted by [2016 c. 22 Sch. 7 para. 28](#)