

These notes refer to the Housing Act 2004 (c.34) which received Royal Assent on Thursday 18 November 2004

HOUSING ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 - Selective Licensing of Other Residential Accommodation

Section 88: Grant or refusal of licence

223. **Section 88** describes the grounds on which an LHA may decide whether or not to grant a licence. The Section provides that a licence must be granted if:
224. the proposed licence holder is a fit and proper person (see section 89 for definition of 'fit and proper'), as well as being the most appropriate person to be granted a licence i.e. they have management responsibility and are locally resident - this is intended to ensure that unfit landlords cannot use front men to apply for licences;
- the proposed manager of the house is the person having control of the house or an agent or employee of that person and is also a fit and proper person; and
 - the proposed management arrangements are satisfactory.