

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 4 - Additional Control Provisions in Relation to Residential Accommodation

Chapter 1: Interim and Final Management Orders

Section 105: Operation of interim management orders

247. **Section 105** provides that an IMO normally comes into force when it is made, except if it is made to follow the revocation of a licence (in which case it comes into effect upon revocation). It also provides that an IMO will cease to have effect after 12 months, unless it provides for an earlier end date, or it is continued in force pending the disposal of an appeal against the making of an FMO.

248. **Section 106: Local housing authority's duties once interim management order in force**

249. **Section 106** sets out the LHA's obligations after making an IMO, the first of which is to ensure the health and safety of occupants (subsection (2)). Subsections (3) to (6) describe the duty of the LHA to sort out long term management arrangements for the property:

- where the house is licensable the LHA must grant a licence or make an FMO
- where the house is not licensable, the LHA must consider whether it should make an FMO or revoke the IMO and take no further action.

The duty to sort out the long term management arrangements must be complied with as soon as is practicable.