

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 7

Section 236: Enforcement of powers to obtain information

556. [Section 235](#) allows an LHA to require the production of documentation that the authority might need to carry out its functions under Parts 1 to 4 of the Act and to investigate whether an offence committed under those Parts in relation to any premises. A notice requiring the production of documentation must specify or describe the documents, or class of documents, which must be produced and must specify a time and place at which they must be produced. The notice must explain the consequences of not complying with the notice. Once a document has been produced it may be copied by the person who receives it. Under subsection (6) document is defined as including information which is not in legible form, this might include for example documents held on computer in a zipped file. Only a "relevant person" can be required to produce documentation under this section and subsection (7) defines "relevant person" for the purpose of this section.
557. [Section 236](#) provides enforcement powers relating to section 235. Anyone failing to comply with a notice to produce a document commits an offence and is liable to a fine not exceeding level 5 on the statutory scale (currently £5,000). Anyone deliberately altering or destroying a requested document can be subject to an unlimited fine if tried in the Crown Court. Subsection (2) provides a defence of reasonable excuse for failing to comply with the notice.