



# Housing Act 2004

## 2004 CHAPTER 34

### PART 4

#### ADDITIONAL CONTROL PROVISIONS IN RELATION TO RESIDENTIAL ACCOMMODATION

### CHAPTER 1

#### INTERIM AND FINAL MANAGEMENT ORDERS

#### *Final management orders: variation and revocation*

#### **121 Variation of final management orders**

- (1) The local housing authority may vary a final management order if they consider it appropriate to do so.
- (2) A variation does not come into force until such time, if any, as is the operative time for the purposes of this subsection under paragraph 31 of Schedule 6 (time when period for appealing expires without an appeal being made or when decision to vary is confirmed on appeal).
- (3) The power to vary an order under this section is exercisable by the authority either—
  - (a) on an application made by a relevant person, or
  - (b) on the authority's own initiative.
- (4) In this section "relevant person" means—
  - (a) any person who has an estate or interest in the house or part of it (but is not a tenant under a lease with an unexpired term of 3 years or less), or
  - (b) any other person who (but for the order) would be a person managing or having control of the house or part of it.

## **122 Revocation of final management orders**

- (1) The local housing authority may revoke a final management order in the following cases—
  - (a) if the order was made under section 113(2) or (5) and the house has ceased to be an HMO to which Part 2 applies or a Part 3 house (as the case may be);
  - (b) if the order was made under section 113(2) or (5) and a licence granted by them in respect of the house is due to come into force under Part 2 or Part 3 as from the revocation of the order;
  - (c) if a further final management order has been made by them in respect of the house so as to replace the order;
  - (d) if in any other circumstances the authority consider it appropriate to revoke the order.
- (2) A revocation does not come into force until such time, if any, as is the operative time for the purposes of this subsection under paragraph 31 of Schedule 6 (time when period for appealing expires without an appeal being made or when decision to vary is confirmed on appeal).
- (3) The power to revoke an order under this section is exercisable by the authority either—
  - (a) on an application made by a relevant person, or
  - (b) on the authority's own initiative.
- (4) In this section “relevant person” means—
  - (a) any person who has an estate or interest in the house or part of it (but is not a tenant under a lease with an unexpired term of 3 years or less), or
  - (b) any other person who (but for the order) would be a person managing or having control of the house or part of it.