
Changes to legislation: Housing Act 2004, Paragraph 26 is up to date with all changes known to be in force on or before 19 August 2023. 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

SCHEDULES

[^{F1}SCHEDULE 15

MINOR AND CONSEQUENTIAL AMENDMENTS

Textual Amendments

- F1** Sch. 14 para. 2(1)(c)(d) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 335](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 76)

Housing Act 1985 (c. 68)

26 For section 322 substitute—

“Minor definitions

(1) In this Part the following expressions have the same meaning as in Part 1 of the Housing Act 2004 (see sections 1(5) to (7) and 2(1) of that Act)—

- “building containing one or more flats”,
- “category 1 hazard”,
- “category 2 hazard”,
- “common parts”, in relation to a building containing one or more flats,
- “dwelling”,
- “flat”,
- “hazard”.

(2) In this Part—

- “health” includes mental health;
- “house in multiple occupation” means a house in multiple occupation as defined by sections 254 to 259 of the Housing Act 2004, as they have effect for the purposes of Part 1 of that Act (that is, without the exclusions contained in Schedule 14 to that Act);
- “owner”, in relation to premises—
 - (a) means a person (other than a mortgagee not in possession) who is for the time being entitled to dispose of the fee simple in premises, whether in possession or reversion, and
 - (b) includes also a person holding or entitled to the rents and profits of the premises under a lease of which the unexpired term exceeds three years;

“premises” in relation to a demolition order, means the dwelling, house in multiple occupation or building in respect of which the order is made.

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- (3) This Part applies to unoccupied HMO accommodation (as defined by section 1(5) of the Housing Act 2004) as it applies to a house in multiple occupation, and references to a house in multiple occupation in this Part are to be read accordingly.”]

Commencement Information

- II** Sch. 15 para. 26 wholly in force at 16.6.2006; Sch. 15 para. 26 not in force at Royal Assent see s. 270(4) (5); Sch. 15 para. 26 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(d\)](#) (with [Sch.](#)); Sch. 15 para. 26 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art 2\(b\)](#) (with [Sch.](#))

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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. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)