
Changes to legislation: Housing Act 2004, Cross Heading: Conditions to be included in licences under Part 2 or 3 is up to date with all changes known to be in force on or before 11 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

SCHEDULE 4

LICENCES UNDER PARTS 2 AND 3: MANDATORY CONDITIONS

Conditions to be included in licences under Part 2 or 3

- 1 (1) A licence under Part 2 or 3 must include the following conditions.
- (2) Conditions requiring the licence holder, if gas is supplied to the house, to produce to the local housing authority annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.
- (3) Conditions requiring the licence holder—
- (a) to keep electrical appliances and furniture made available by him in the house in a safe condition;
 - (b) to supply the authority, on demand, with a declaration by him as to the safety of such appliances and furniture;
 - [^{F1}(c) where the house is in England, additionally—
 - (i) to ensure that every electrical installation in the house is in proper working order and safe for continued use; and
 - (ii) to supply the authority, on demand, with a declaration by him as to the safety of such installations;
 - (d) for the purposes of paragraph (c) “electrical installation” has the meaning given in regulation 2(1) of the Building Regulations 2010.]
- (4) Conditions requiring the licence holder—
- [^{F2}(za) where the house is in England—
 - (i) to ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation, and
 - (ii) to keep each such alarm in proper working order;]
 - (a) [^{F3}where the house is in Wales,] to ensure that smoke alarms are installed in the house and to keep them in proper working order;
 - (b) [^{F4}in either case,] to supply the authority, on demand, with a declaration by him as to the condition and positioning of such alarms.
- [^{F5}(4A) Where the house is in England, conditions requiring the licence holder—
- (a) to ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a [^{F6}fixed combustion appliance other than a gas cooker];
 - (b) to keep any such alarm in proper working order; and
 - (c) to supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm.]

Changes to legislation: Housing Act 2004, Cross Heading: Conditions to be included in licences under Part 2 or 3 is up to date with all changes known to be in force on or before 11 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

- (5) Conditions requiring the licence holder to supply to the occupiers of the house a written statement of the terms on which they occupy it.
- [^{F7}(6) In sub-paragraph (4A) “room” includes a hall or landing.
- (7) For the purposes of sub-paragraphs (4) and (4A), a bathroom or lavatory is to be treated as a room used as living accommodation.]

Textual Amendments

- F1** Sch. 4 para. 1(3)(c)(d) inserted (E.) (with application in accordance with reg. 1(3) of the amending S.I.) by [The Electrical Safety Standards in the Private Rented Sector \(England\) Regulations 2020 \(S.I. 2020/312\)](#), regs. 1(2), **13**
- F2** Sch. 4 para. 1(4)(za) inserted (1.10.2015) by [The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015 \(S.I. 2015/1693\)](#), regs. 1(1), **15(1)(a)(i)** (with reg. 15(2)) (as amended (1.10.2022) by [The Smoke and Carbon Monoxide Alarm \(Amendment\) Regulations 2022 \(S.I. 2022/707\)](#), regs. 1(1), **3(2)**)
- F3** Words in Sch. 4 para. 1(4)(a) inserted (1.10.2015) by [The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015 \(S.I. 2015/1693\)](#), regs. 1(1), **15(1)(a)(ii)** (with reg. 15(2)) (as amended (1.10.2022) by [The Smoke and Carbon Monoxide Alarm \(Amendment\) Regulations 2022 \(S.I. 2022/707\)](#), regs. 1(1), **3(2)**)
- F4** Words in Sch. 4 para. 1(4)(b) inserted (1.10.2015) by [The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015 \(S.I. 2015/1693\)](#), regs. 1(1), **15(1)(a)(iii)** (with reg. 15(2)) (as amended (1.10.2022) by [The Smoke and Carbon Monoxide Alarm \(Amendment\) Regulations 2022 \(S.I. 2022/707\)](#), regs. 1(1), **3(2)**)
- F5** Sch. 4 para. 1(4A) inserted (1.10.2015) by [The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015 \(S.I. 2015/1693\)](#), regs. 1(1), **15(1)(b)** (with reg. 15(2)) (as amended (1.10.2022) by [The Smoke and Carbon Monoxide Alarm \(Amendment\) Regulations 2022 \(S.I. 2022/707\)](#), regs. 1(1), **3(2)**)
- F6** Words in Sch. 4 para. 1(4A)(a) substituted (1.10.2022) by [The Smoke and Carbon Monoxide Alarm \(Amendment\) Regulations 2022 \(S.I. 2022/707\)](#), regs. 1(1), **13(1)** (with reg. 13(2))
- F7** Sch. 4 para. 1(6)(7) inserted (1.10.2015) by [The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015 \(S.I. 2015/1693\)](#), regs. 1(1), **15(1)(c)** (with reg. 15(2)) (as amended (1.10.2022) by [The Smoke and Carbon Monoxide Alarm \(Amendment\) Regulations 2022 \(S.I. 2022/707\)](#), regs. 1(1), **3(2)**)

Commencement Information

- I1** Sch. 4 para. 1 wholly in force at 16.6.2006; Sch. 4 para. 1 not in force at Royal Assent see s. 270(4)(5); Sch. 4 para. 1 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), **art. 2(1)(a)** (with [Sch.](#)); Sch. 4 para. 1 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), **art. 2(a)** (with [Sch.](#))

Changes to legislation:

Housing Act 2004, Cross Heading: Conditions to be included in licences under Part 2 or 3 is up to date with all changes known to be in force on or before 11 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.

[View outstanding changes](#)

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\(3\)](#)