
Changes to legislation: *Housing Act 2004, Part 1 is up to date with all changes known to be in force on or before 02 June 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 6

MANAGEMENT ORDERS: PROCEDURE AND APPEALS

PART 1

PROCEDURE RELATING TO MAKING OF MANAGEMENT ORDERS

Requirements before making final management order

- 1 Before making a final management order, the local housing authority must—
- (a) serve a copy of the proposed order, together with a notice under this paragraph, on each relevant person; and
 - (b) consider any representations made in accordance with the notice and not withdrawn.

Commencement Information

- I1** Sch. 6 wholly in force at 16.6.2006; Sch. 6 not in force at Royal Assent see s. 270(4)(5); Sch. 6 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 6 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

- 2 The notice under paragraph 1 must state that the authority are proposing to make a final management order and set out—
- (a) the reasons for making the order;
 - (b) the main terms of the proposed order (including those of the management scheme to be contained in it); and
 - (c) the end of the consultation period.

Commencement Information

- I2** Sch. 6 wholly in force at 16.6.2006; Sch. 6 not in force at Royal Assent see s. 270(4)(5); Sch. 6 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 6 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

- 3 (1) This paragraph applies if, having considered representations made in accordance with a notice under paragraph 1 or this paragraph, the local housing authority propose to make a final management order with modifications.
- (2) Before making the order, the authority must—
- (a) serve a notice under this paragraph on each relevant person; and
 - (b) consider any representations made in accordance with the notice and not withdrawn.

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- I3** Sch. 6 wholly in force at 16.6.2006; Sch. 6 not in force at Royal Assent see s. 270(4)(5); Sch. 6 in force for E. at 6.4.2006 by [S.I. 2006/1060, art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 6 in force for W. at 16.6.2006 by [S.I. 2006/1535, art. 2\(a\)](#) (with [Sch.](#))

- 4 The notice under paragraph 3 must set out—
- (a) the proposed modifications;
 - (b) the reasons for them; and
 - (c) the end of the consultation period.

Commencement Information

- I4** Sch. 6 wholly in force at 16.6.2006; Sch. 6 not in force at Royal Assent see s. 270(4)(5); Sch. 6 in force for E. at 6.4.2006 by [S.I. 2006/1060, art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 6 in force for W. at 16.6.2006 by [S.I. 2006/1535, art. 2\(a\)](#) (with [Sch.](#))

Exceptions from requirements relating to making of final management order

- 5 The requirements of paragraph 3 (and those of paragraph 1) do not apply if the local housing authority—
- (a) have already served notice under paragraph 1 but not paragraph 3 in relation to the proposed final management order; and
 - (b) consider that the modifications which are now being proposed are not material in any respect.

Commencement Information

- I5** Sch. 6 wholly in force at 16.6.2006; Sch. 6 not in force at Royal Assent see s. 270(4)(5); Sch. 6 in force for E. at 6.4.2006 by [S.I. 2006/1060, art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 6 in force for W. at 16.6.2006 by [S.I. 2006/1535, art. 2\(a\)](#) (with [Sch.](#))

- 6 The requirements of paragraph 3 (and those of paragraph 1) do not apply if the local housing authority—
- (a) have already served notices under paragraphs 1 and 3 in relation to the matter concerned; and
 - (b) consider that the further modifications which are now being proposed do not differ in any material respect from the modifications in relation to which a notice was last served under paragraph 3.

Commencement Information

- I6** Sch. 6 wholly in force at 16.6.2006; Sch. 6 not in force at Royal Assent see s. 270(4)(5); Sch. 6 in force for E. at 6.4.2006 by [S.I. 2006/1060, art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 6 in force for W. at 16.6.2006 by [S.I. 2006/1535, art. 2\(a\)](#) (with [Sch.](#))

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Requirements following making of interim or final management order

- 7 (1) This paragraph applies where the local housing authority make an interim management order or a final management order.
- (2) As soon as practicable after the order is made, the authority must serve on the occupiers of the house—
- (a) a copy of the order, and
 - (b) a notice under this sub-paragraph.
- (3) Those documents are to be regarded as having been served on the occupiers if they are fixed to a conspicuous part of the house.
- (4) The notice under sub-paragraph (2) must set out—
- (a) the reasons for making the order and the date on which it was made,
 - (b) the general effect of the order, and
 - (c) the date on which the order is to cease to have effect in accordance with [F1section 105(4), (5) or (7A) or 114(3), (4) or (4A)] (or, if applicable, how the date mentioned in section 105(6) is to be determined),
- and (if it is a final management order) give a general description of the way in which the house is to be managed by the authority in accordance with the management scheme contained in the order.
- (5) The authority must also serve a copy of the order, together with a notice under this sub-paragraph, on each relevant person.
- (6) The notice under sub-paragraph (5) must comply with sub-paragraph (4) and also contain information about—
- (a) the right of appeal against the order under Part 3 of this Schedule, and
 - (b) the period within which any such appeal may be made (see paragraph 25(2)).
- (7) The documents required to be served on each relevant person under sub-paragraph (5) must be served within the period of seven days beginning with the day on which the order is made.

Textual Amendments

- F1** Words in [Sch. 6 para. 7\(4\)\(c\)](#) substituted (6.4.2018) by [Housing and Planning Act 2016 \(c. 22\), s. 216\(3\), Sch. 3 para. 12\(2\)](#); [S.I. 2018/393, reg. 2\(b\)](#)

Commencement Information

- I7** Sch. 6 wholly in force at 16.6.2006; Sch. 6 not in force at Royal Assent see s. 270(4)(5); Sch. 6 in force for E. at 6.4.2006 by [S.I. 2006/1060, art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 6 in force for W. at 16.6.2006 by [S.I. 2006/1535, art. 2\(a\)](#) (with [Sch.](#))

Meaning of “the end of the consultation period” and “relevant person”

- 8 (1) In this Part of this Schedule “the end of the consultation period” means the last day for making representations in respect of the matter in question.
- (2) The end of the consultation period must be—
- (a) in the case of a notice under paragraph 1, a day which is at least 14 days after the date of service of the notice; and

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- (b) in the case of a notice under paragraph 3, a day which is at least 7 days after the date of service of the notice.
- (3) In sub-paragraph (2) “the date of service” of a notice means, in a case where more than one notice is served, the date on which the last of the notices is served.
- (4) In this Part of this Schedule “relevant person” means any person who, to the knowledge of the local housing authority, is—
 - (a) a person having an estate or interest in the house or part of it (but who 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.

Commencement Information

- 18** Sch. 6 wholly in force at 16.6.2006; Sch. 6 not in force at Royal Assent see s. 270(4)(5); Sch. 6 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 6 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (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\(3\)](#)