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**Changes to legislation:** *Housing Act 2004, Paragraph 9 is up to date with all changes known to be in force on or before 27 September 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*

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## SCHEDULES

### SCHEDULE 7

#### FURTHER PROVISIONS REGARDING EMPTY DWELLING MANAGEMENT ORDERS

##### PART 2

##### FINAL EDMOS

###### *Operation of final EDMOs*

- 9 (1) This paragraph deals with the time when a final EDMO comes into force or ceases to have effect.
- (2) The order does not come into force until such time (if any) as is the operative time for the purposes of this sub-paragraph under paragraph 29 (time when period for appealing expires without an appeal being made or when order is confirmed on appeal).
- (3) The order ceases to have effect at the end of the period of 7 years beginning with the date on which it comes into force, unless it ceases to have effect at some other time as mentioned below.
- (4) If the order provides that it is to cease to have effect on a date falling before the end of that period, it accordingly ceases to have effect on that date.
- (5) If—
- (a) the order provides that it is to cease to have effect on a date falling after the end of that period, and
  - (b) the relevant proprietor of the dwelling has consented to that provision,
- the order accordingly ceases to have effect on that date.
- (6) Sub-paragraphs (7) and (8) apply where—
- (a) a new final EDMO (“the new order”) has been made so as to replace the order (“the existing order”), but
  - (b) the new order has not come into force because of an appeal to [F1the appropriate tribunal] under paragraph 26 against the making of that order.
- (7) If the date on which the new order comes into force in relation to the dwelling following the disposal of the appeal is later than the date on which the existing order would cease to have effect apart from this sub-paragraph, the existing order continues in force until that later date.
- (8) If, on the application of the authority, the tribunal makes an order providing for the existing order to continue in force, pending the disposal of the appeal, until a date later than that on which it would cease to have effect apart from this sub-paragraph, the existing order accordingly continues in force until that later date.

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- (9) This paragraph has effect subject to paragraphs 15 and 16 (variation or revocation of orders) and to the power of revocation exercisable by [<sup>F2</sup>the appropriate tribunal] on an appeal made under paragraph 26 or 30.

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**Textual Amendments**

- F1** Words in Sch. 7 para. 9(6)(b) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 186(a)** (with Sch. 3)
- F2** Words in Sch. 7 para. 9(9) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 186(a)** (with Sch. 3)

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**Commencement Information**

- I1** Sch. 7 para. 9 wholly in force at 16.6.2006; Sch. 7 para. 9 not in force at Royal Assent see s. 270(4)(5); Sch. 7 para. 9 in force for E. at 6.4.2006 by [S.I. 2006/1060](#) , **art. 2(1)(a)** (with Sch. ); Sch. 7 para. 9 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\(3\)](#)