



Housing Act 2004

2004 CHAPTER 34

PART 4

ADDITIONAL CONTROL PROVISIONS IN RELATION TO RESIDENTIAL ACCOMMODATION

CHAPTER 1

INTERIM AND FINAL MANAGEMENT ORDERS

Introductory

101 Interim and final management orders: introductory

- (1) This Chapter deals with the making by a local housing authority of—
 - (a) an interim management order (see section 102), or
 - (b) a final management order (see section 113),in respect of an HMO or a Part 3 house [^{F1}or property let in breach of a banning order under section 16 of the Housing and Planning Act 2016].
- (2) Section 103 deals with the making of an interim management order in respect of a house to which that section applies.
- (3) An interim management order is an order (expiring not more than 12 months after it is made) which is made for the purpose of securing that the following steps are taken in relation to the house—
 - (a) any immediate steps which the authority consider necessary to protect the health, safety or welfare of persons occupying the house, or persons occupying or having an estate or interest in any premises in the vicinity, and
 - (b) any other steps which the authority think appropriate with a view to the proper management of the house pending ^{F2}... the making of a final management order in respect of it (or, if appropriate, the revocation of the interim management order).

Changes to legislation: Housing Act 2004, Section 101 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

- (4) A final management order is an order (expiring not more than 5 years after it is made) which is made for the purpose of securing the proper management of the house on a long-term basis in accordance with a management scheme contained in the order.
- (5) In this Chapter any reference to “the house”, in relation to an interim or final management order (other than an order under section 102(7) [^{F3} or (7A)]), is a reference to the HMO or Part 3 house to which the order relates.
- (6) Subsection (5) has effect subject to sections 102(8) and 113(7) (exclusion of part occupied by resident landlord).
- [^{F4}(6A) In this Chapter any reference to “the house”, in relation to an interim or final management order that relates to property let in breach of a banning order under section 16 of the Housing and Planning Act 2016, means the property let in breach of that order.
- (6B) In this Chapter any reference to property that is let in breach of a banning order under section 16 of the Housing and Planning Act 2016 includes property in respect of which a breach is (or would be) caused by a licence to occupy.
- (6C) When determining for the purposes of this Chapter whether property is let in breach of a banning order disregard any exception included in the banning order in reliance on section 17 of the Housing and Planning Act 2016.]
- (7) In this Chapter “third party”, in relation to a house, means any person who has an estate or interest in the house (other than an immediate landlord and any person who is a tenant under a lease granted under section 107(3)(c) or 116(3)(c)).

Textual Amendments

- F1** Words in s. 101(1) inserted (6.4.2018) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 3 para. 2(2)**; S.I. 2018/393, reg. 2(b)
- F2** Words in s. 101(3)(b) omitted (6.4.2018) by virtue of [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 3 para. 2(3)**; S.I. 2018/393, reg. 2(b)
- F3** Words in s. 101(5) inserted (6.4.2018) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 3 para. 2(4)**; S.I. 2018/393, reg. 2(b)
- F4** S. 101(6A)-(6C) inserted (6.4.2018) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 3 para. 2(5)**; S.I. 2018/393, reg. 2(b)

Commencement Information

- I1** S. 101 wholly in force at 16.6.2006; s. 101 not in force at Royal Assent see s. 270(4)(5); s. 101 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), **art. 2(1)(a)** (with [Sch.](#)); s. 101 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\(3\)](#)