



Housing Act 2004

2004 CHAPTER 34

PART 1

HOUSING CONDITIONS

CHAPTER 2

IMPROVEMENT NOTICES, PROHIBITION ORDERS AND HAZARD AWARENESS NOTICES

Prohibition orders

22 Contents of prohibition orders

- (1) A prohibition order under section 20 or 21 must comply with the following provisions of this section.
- (2) The order must specify, in relation to the hazard (or each of the hazards) to which it relates—
 - (a) whether the order is made under section 20 or 21,
 - (b) the nature of the hazard concerned and the residential premises on which it exists,
 - (c) the deficiency giving rise to the hazard,
 - (d) the premises in relation to which prohibitions are imposed by the order (see subsections (3) and (4)), and
 - (e) any remedial action which the authority consider would, if taken in relation to the hazard, result in their revoking the order under section 25.
- (3) The order may impose such prohibition or prohibitions on the use of any premises as—
 - (a) comply with section 20(3) and (4), and
 - (b) the local housing authority consider appropriate in view of the hazard or hazards in respect of which the order is made.

Changes to legislation: *Housing Act 2004, Section 22 is up to date with all changes known to be in force on or before 25 April 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) Any such prohibition may prohibit use of any specified premises, or of any part of those premises, either—
- (a) for all purposes, or
 - (b) for any particular purpose,
- except (in either case) to the extent to which any use of the premises or part is approved by the authority.
- (5) A prohibition imposed by virtue of subsection (4)(b) may, in particular, relate to—
- (a) occupation of the premises or part by more than a particular number of households or persons; or
 - (b) occupation of the premises or part by particular descriptions of persons.
- (6) The order must also contain information about—
- (a) the right under Part 3 of Schedule 2 to appeal against the order, and
 - (b) the period within which an appeal may be made,
- and specify the date on which the order is made.
- (7) Any approval of the authority for the purposes of subsection (4) must not be unreasonably withheld.
- (8) If the authority do refuse to give any such approval, they must notify the person applying for the approval of—
- (a) their decision,
 - (b) the reasons for it and the date on which it was made,
 - (c) the right to appeal against the decision under subsection (9), and
 - (d) the period within which an appeal may be made,
- within the period of seven days beginning with the day on which the decision was made.
- (9) The person applying for the approval may appeal to [^{F1}the appropriate tribunal] against the decision within the period of 28 days beginning with the date specified in the notice as the date on which it was made.
- (10) In this Part of this Act “specified premises”, in relation to a prohibition order, means premises specified in the order, in accordance with subsection (2)(d), as premises in relation to which prohibitions are imposed by the order.

Textual Amendments

- F1** Words in s. 22(9) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 150](#) (with Sch. 3)
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Commencement Information

- II** S. 22 wholly in force at 16.6.2006; s. 22 not in force at Royal Assent see s. 270(4)(5); s. 22 in force for E. at 6.4.2006 by [S. I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with Sch.); s. 22 in force for W. at 16.6.2006 by [S. I. 2006/1535](#), [art. 2\(a\)](#) (with Sch.)

Changes to legislation:

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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\(3\)](#)