



Housing Act 2004

2004 CHAPTER 34

PART 7

SUPPLEMENTARY AND FINAL PROVISIONS

Meaning of “house in multiple occupation”

256 Revocation of HMO declarations

- (1) A local housing authority may revoke an HMO declaration served under section 255 at any time if they consider that subsection (2) of that section no longer applies to the building or part of the building in respect of which the declaration was served.
- (2) The power to revoke an HMO declaration is exercisable by the authority either—
 - (a) on an application made by a relevant person, or
 - (b) on the authority’s own initiative.
- (3) If, on an application by such a person, the authority decide not to revoke the HMO declaration, they must without delay serve on him a notice informing him of—
 - (a) the decision,
 - (b) the reasons for it and the date on which it was made,
 - (c) the right to appeal against it under subsection (4), and
 - (d) the period within which an appeal may be made under that subsection.
- (4) A person who applies to a local housing authority for the revocation of an HMO declaration under subsection (1) may appeal to a residential property tribunal against a decision of the authority to refuse to revoke the notice.

The appeal must be made within the period of 28 days beginning with the date specified under subsection (3) as the date on which the decision was made.

- (5) Such an appeal—
 - (a) is to be by way of a re-hearing, but

Status: Point in time view as at 18/01/2005. This version of this provision has been superseded.

Changes to legislation: Housing Act 2004, Section 256 is up to date with all changes known to be in force on or before 22 April 2024. 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)

- (b) may be determined having regard to matters of which the authority were unaware.
- (6) The tribunal may—
- (a) confirm or reverse the decision of the authority, and
 - (b) if it reverses the decision, revoke the HMO declaration.

Status:

Point in time view as at 18/01/2005. This version of this provision has been superseded.

Changes to legislation:

Housing Act 2004, Section 256 is up to date with all changes known to be in force on or before 22 April 2024. 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.