



# Housing Act 2004

## 2004 CHAPTER 34

### PART 7

#### SUPPLEMENTARY AND FINAL PROVISIONS

#### *Meaning of “house in multiple occupation”*

#### **260 HMOs: presumption that sole use condition or significant use condition is met**

- (1) Where a question arises in any proceedings as to whether either of the following is met in respect of a building or part of a building—
- (a) the sole use condition, or
  - (b) the significant use condition,
- it shall be presumed, for the purposes of the proceedings, that the condition is met unless the contrary is shown.
- (2) In this section—
- (a) “the sole use condition” means the condition contained in—
    - (i) section 254(2)(d) (as it applies for the purposes of the standard test or the self-contained flat test), or
    - (ii) section 254(4)(e),as the case may be; and
  - (b) “the significant use condition” means the condition contained in section 255(2) that the occupation of the living accommodation or flat referred to in that provision by persons who do not form a single household constitutes a significant use of that accommodation or flat.