



# Housing Act 2004

## 2004 CHAPTER 34

### PART 3

#### SELECTIVE LICENSING OF OTHER RESIDENTIAL ACCOMMODATION

##### *Grant or refusal of licences*

#### **88 Grant or refusal of licence**

- (1) Where an application in respect of a house is made to the local housing authority under section 87, the authority must either—
  - (a) grant a licence in accordance with subsection (2), or
  - (b) refuse to grant a licence.
- (2) If the authority are satisfied as to the matters mentioned in subsection (3), they may grant a licence either—
  - (a) to the applicant, or
  - (b) to some other person, if both he and the applicant agree.
- (3) The matters are—
  - (a) that the proposed licence holder—
    - (i) is a fit and proper person to be the licence holder, and
    - (ii) is, out of all the persons reasonably available to be the licence holder in respect of the house, the most appropriate person to be the licence holder;
  - (b) that the proposed manager of the house is either—
    - (i) the person having control of the house, or
    - (ii) a person who is an agent or employee of the person having control of the house;
  - (c) that the proposed manager of the house is a fit and proper person to be the manager of the house; and

*Status: This is the original version (as it was originally enacted).*

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- (d) that the proposed management arrangements for the house are otherwise satisfactory.
- (4) Section 89 applies for the purposes of this section.