



Housing and Planning Act 2016

2016 CHAPTER 22

PART 2

ROGUE LANDLORDS AND PROPERTY AGENTS IN ENGLAND

CHAPTER 4

RENT REPAYMENT ORDERS

Amendments etc and interpretation

50 Rent repayment orders: consequential amendments

- (1) The Housing Act 2004 is amended as follows.
- (2) In section 73 (other consequences of operating unlicensed HMOs: rent repayment orders)—
 - (a) in subsection (4), after “section 74” insert “ (in the case of an HMO in Wales) or in accordance with Chapter 4 of Part 2 of the Housing and Planning Act 2016 (in the case of an HMO in England) ”;
 - (b) in subsection (5)(a), after “HMO” insert “ in Wales ”.
- (3) In section 96 (other consequences of operating unlicensed houses: rent repayment orders)—
 - (a) in subsection (4), after “section 97” insert “ (in the case of a house in Wales) or in accordance with Chapter 4 of Part 2 of the Housing and Planning Act 2016 (in the case of a house in England) ”;
 - (b) in subsection (5)(a), after “house” insert “ in Wales ”.

Commencement Information

II [S. 50](#) in force at 6.4.2017 by [S.I. 2017/281](#), [reg. 4\(c\)](#)

***Changes to legislation:** Housing and Planning Act 2016, Cross Heading: Amendments etc and interpretation is up to date with all changes known to be in force on or before 12 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*

51 Housing benefit: inclusion pending abolition

- (1) In this Chapter a reference to universal credit or a relevant award of universal credit includes housing benefit under Part 7 of the Social Security Contributions and Benefits Act 1992.
- (2) Where a local authority applies for a rent repayment order in relation to housing benefit, a reference in this Chapter to “rent” includes any payment in respect of which housing benefit may be paid.

Commencement Information

I2 [S. 51](#) in force at 6.4.2017 by [S.I. 2017/281](#), [reg. 4\(c\)](#)

52 Interpretation of Chapter

- (1) In this Chapter—
 - “offence to which this Chapter applies” has the meaning given by section 40;
 - “relevant award of universal credit” means an award of universal credit the calculation of which included an amount under section 11 of the Welfare Reform Act 2012;
 - “rent” includes any payment in respect of which an amount under section 11 of the Welfare Reform Act 2012 may be included in the calculation of an award of universal credit;
 - “rent repayment order” has the meaning given by section 40.
- (2) For the purposes of this Chapter an amount that a tenant does not pay as rent but which is offset against rent is to be treated as having been paid as rent.

Commencement Information

I3 [S. 52](#) in force at 6.4.2017 by [S.I. 2017/281](#), [reg. 4\(c\)](#)

Changes to legislation:

Housing and Planning Act 2016, Cross Heading: Amendments etc and interpretation is up to date with all changes known to be in force on or before 12 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.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)