



# Housing and Planning Act 2016

## 2016 CHAPTER 22

### PART 2

#### ROGUE LANDLORDS AND PROPERTY AGENTS IN ENGLAND

### CHAPTER 3

#### DATABASE OF ROGUE LANDLORDS AND PROPERTY AGENTS

##### *The database and its content*

#### **30 Power to include person convicted of banning order offence**

- (1) A local housing authority in England may make an entry in the database in respect of a person if—
  - (a) the person has been convicted of a banning order offence, and
  - (b) the offence was committed at a time when the person was a residential landlord or a property agent.
- (2) A local housing authority in England may make an entry in the database in respect of a person who has, at least twice within a period of 12 months, received a financial penalty in respect of a banning order offence committed at a time when the person was a residential landlord or a property agent.
- (3) A financial penalty is to be taken into account for the purposes of subsection (2) only if the period for appealing the penalty has expired and any appeal has been finally determined or withdrawn.
- (4) Section 31 imposes procedural requirements that must be met before an entry may be made in the database under this section.
- (5) An entry made under this section—

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*Status: This is the original version (as it was originally enacted).*

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- (a) must be maintained for the period specified in the decision notice given under section 31 before the entry was made (or that period as reduced in accordance with section 36), and
  - (b) must be removed at the end of that period.
- (6) Subsection (5)(a) does not prevent an entry being removed early in accordance under section 36.
- (7) The Secretary of State must publish guidance setting out criteria to which local housing authorities must have regard in deciding—
  - (a) whether to make an entry in the database under this section, and
  - (b) the period to specify in a decision notice under section 31.