



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

Removal or variation

37 Requests for exercise of powers under section 36 and appeals

- (1) A person in respect of whom an entry is made in the database under section 30 may request the responsible local housing authority to use its powers under section 36 to—
 - (a) remove the entry, or
 - (b) reduce the period for which the entry must be maintained.
- (2) The request must be in writing.
- (3) Where a request is made, the local housing authority must—
 - (a) decide whether to comply with the request, and
 - (b) give the person notice of its decision.
- (4) If the local housing authority decides not to comply with the request the notice must include—
 - (a) reasons for that decision, and
 - (b) a summary of the appeal rights conferred by this section.
- (5) Where a person is given notice that the responsible local housing authority has decided not to comply with the request the person may appeal to the First-tier Tribunal against that decision.

Changes to legislation: Housing and Planning Act 2016, Section 37 is up to date with all changes known to be in force on or before 15 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

- (6) An appeal to the First-tier Tribunal under subsection (5) must be made before the end of the period of 21 days beginning with the day on which the notice was given.
- (7) The First-tier Tribunal may allow an appeal to be made to it after the end of that period if satisfied that there is a good reason for the person's failure to appeal within the period (and for any subsequent delay).
- (8) On an appeal under this section the tribunal may order the local housing authority to—
 - (a) remove the entry, or
 - (b) reduce the period for which the entry must be maintained.

Commencement Information

II [S. 37](#) in force at 6.4.2018 by [S.I. 2018/393](#), [reg. 2\(a\)](#)

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[View outstanding changes](#)

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\(8\)\(a\)\(ii\)](#)