



Housing and Planning Act 2016

2016 CHAPTER 22

PART 2

ROGUE LANDLORDS AND PROPERTY AGENTS IN ENGLAND

CHAPTER 6

INTERPRETATION OF PART 2

54 Meaning of “letting agent” and related expressions

- (1) In this Part “letting agent” means a person who engages in letting agency work (whether or not that person engages in other work).
- (2) But a person is not a letting agent for the purposes of this Part if the person engages in letting agency work in the course of that person's employment under a contract of employment.
- (3) In this Part “letting agency work” means things done by a person in the course of a business in response to instructions received from—
 - (a) a person (“a prospective landlord”) seeking to find another person to whom to let housing, or
 - (b) a person (“a prospective tenant”) seeking to find housing to rent.
- (4) But “letting agency work” does not include any of the following things when done by a person who does nothing else within subsection (3)—
 - (a) publishing advertisements or disseminating information;
 - (b) providing a means by which a prospective landlord or a prospective tenant can, in response to an advertisement or dissemination of information, make direct contact with a prospective tenant or a prospective landlord;
 - (c) providing a means by which a prospective landlord and a prospective tenant can communicate directly with each other.

Changes to legislation: Housing and Planning Act 2016, Section 54 is up to date with all changes known to be in force on or before 04 September 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](#)

- (5) In this Part “English letting agency work” means letting agency work that relates to housing in England.

Commencement Information

I1 [S. 54](#) in force at 6.4.2017 by [S.I. 2017/281](#), [reg. 4\(e\)](#)

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