



# Housing and Planning Act 2016

## 2016 CHAPTER 22

### PART 3

#### RECOVERING ABANDONED PREMISES IN ENGLAND

PROSPECTIVE

#### 59 Warning notices

- (1) Before bringing a tenancy to an end under section 57 the landlord must give three warning notices, at different times, in accordance with this section.
- (2) The first two warning notices must be given to the following using one of the methods in section 61(2) or (3)—
  - (a) the tenant,
  - (b) any named occupiers, and
  - (c) any deposit payers.
- (3) The third warning notice must be given by fixing it to some conspicuous part of the premises to which the tenancy relates.
- (4) Each warning notice must explain—
  - (a) that the landlord believes the premises to have been abandoned,
  - (b) that the tenant, a named occupier or a deposit payer must respond in writing before a specified date if the premises have not been abandoned, and
  - (c) that the landlord proposes to bring the tenancy to an end if no tenant, named occupier or deposit payer responds in writing before that date.
- (5) The date specified under subsection (4)(b) must be after the end of the period of 8 weeks beginning with the day on which the first warning notice is given to the tenant.
- (6) The first warning notice may be given even if the unpaid rent condition is not yet met.

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**Status:** This version of this provision is prospective.

**Changes to legislation:** Housing and Planning Act 2016, Section 59 is up to date with all changes known to be in force on or before 05 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](#)

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- (7) The second warning notice may be given only once the unpaid rent condition has been met.
- (8) The second warning notice must be given at least two weeks, and no more than 4 weeks, after the first warning notice.
- (9) The third warning notice must be given before the period of 5 days ending with the date specified in the warning notices under subsection (4)(b).
- (10) The Secretary of State may make regulations setting out the form that the third warning notice must take.
- (11) In this Part—
  - “deposit payer” means a person who the landlord knows paid a tenancy deposit in relation to the tenancy on behalf of the tenant;
  - “named occupier” means a person named in the tenancy as a person who may live at the premises to which the tenancy relates.

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**Changes to legislation:**

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