

## SCHEDULE

### **Additional details with regard to certain Applications**

#### **Applications made under the 2004 Act**

##### *Applications relating to interim and final management orders*

**22.**—(1) This paragraph applies to an application under section 102(4) of the 2004 Act (LHA application for authorisation to make an interim management order).

(2) The specified documents are—

- (a) a copy of the draft order;
- (b) a statement of matters relevant to the tribunal’s consideration of—
  - (i) whether the health and safety condition in section 104 of the 2004 Act is satisfied; and
  - (ii) the extent to which any applicable code of practice approved under section 233 of the 2004 Act has been complied with; and
  - (iii) where the LHA requests that the application be dealt with as a matter of urgency under regulation 10, a statement giving sufficient details to enable the tribunal to form an opinion as to whether the exceptional circumstances mentioned in paragraph (3) of that regulation appear to exist.

(3) The specified respondent is a relevant person as defined in paragraphs 8(4) and 35 of Schedule 6 to the 2004 Act.

**23.**—(1) This paragraph applies to an application under section 102(7) of the 2004 Act (LHA application for authorisation to make an interim management order in respect of a house to which section 103 of the 2004 Act applies).

(2) The specified documents are—

- (a) a copy of the draft order;
- (b) a statement of matters relevant to the tribunal’s consideration as to whether the conditions in section 103(3) and (4) of the 2004 Act are satisfied; and
- (c) where the LHA requests that the application be dealt with as a matter of urgency under regulation 10, a statement giving sufficient details to enable the tribunal to form an opinion as to whether the exceptional circumstances mentioned in paragraph (3) of that regulation appear to exist.

(3) The specified respondent is a relevant person as defined in paragraphs 8(4) and 35 of Schedule 6 to the 2004 Act.

**24.**—(1) This paragraph applies to an application under section 105(10) of the 2004 Act (LHA application for order that an interim management order continue in force pending disposal of appeal).

(2) The specified documents are—

- (a) a copy of the interim management order; and
- (b) a copy of the notice of appeal under paragraph 24 of Schedule 6 to the 2004 Act against the making of a final management order.

(3) The specified respondent is the applicant who has made the relevant appeal.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**25.—**(1) This paragraph applies to an application under section 110(7) of the 2004 Act (application by relevant landlord for order regarding financial arrangements while interim management order in force).

- (2) The specified documents are—
  - (a) a copy of the interim management order; and
  - (b) a copy of the accounts kept by the LHA in accordance with section 110(6) of the 2004 Act.
- (3) The specified respondent is the LHA.

**26.—**(1) This paragraph applies to an application under section 114(7) of the 2004 Act (LHA application for order that existing final management order continue in force pending disposal of appeal against new final management order).

- (2) The specified documents are—
  - (a) a copy of the existing final management order;
  - (b) a copy of the new final management order made in order to replace it; and
  - (c) a copy of the notice of appeal under paragraph 24 of Schedule 6 to the 2004 Act against the making of the new final management order.
- (3) The specified respondent is the applicant who has made the relevant appeal.

**27.—**(1) This paragraph applies to an application under section 120(1) of the 2004 Act (application by an affected person for order that LHA manage in accordance with management scheme in final management order).

- (2) The specified document is a copy of the final management order which contains the management scheme to which the application relates.
- (3) The specified respondent is the LHA.

**28.—**(1) This paragraph applies to an application under section 126(4) of the 2004 Act (application for adjustment of rights and liabilities with regard to furniture vested in LHA while management order in force).

- (2) The specified documents are—
  - (a) a copy of the relevant management order; and
  - (b) a statement giving details of the respective rights and liabilities (including ownership) of the persons interested in the furniture.
- (3) The specified respondent is the other person interested in the furniture.

**29.—**(1) This paragraph applies to an application under section 130(9) of the 2004 Act (application to determine who is “the relevant landlord” (“*y landlord perthnasol*”) for the purposes of section 130 on termination of management order).

- (2) The specified document is a copy of the management order.
- (3) The specified respondent is the other relevant landlord<sup>(1)</sup>.

**30.—**(1) This paragraph applies to an application under paragraph 24 of Schedule 6 to the 2004 Act (appeal against making of a management order, or against the terms of the order or of associated management scheme).

- (2) The specified documents are—
  - (a) a copy of the management order (including the management scheme);

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(1) See section 130(11) of the 2004 Act for the definition of “relevant landlord”.

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- (b) a copy of the notice served by the LHA under paragraph 7(2)(b) of Schedule 6 to the 2004 Act;
  - (c) where the application relates to the terms of the management order, a statement specifying each term to which objection is made, with reasons for the objection; and
  - (d) where the application is made on the ground specified in paragraph 24(3) of Schedule 6 to the 2004 Act, a statement of the matters in section 110(5) of the 2004 Act (which relates to payments of surplus rents etc) relevant to that ground.
- (3) The specified respondent is the LHA.

**31.**—(1) This paragraph applies to an application under paragraph 28 of Schedule 6 to the 2004 Act (appeal against LHA’s decision to vary or revoke, or to refuse to vary or revoke a management order).

- (2) The specified documents are—
- (a) where the application relates to a decision to vary a management order, a copy of the LHA’s notices under paragraphs 9 and 11 of Schedule 6 to the 2004 Act;
  - (b) where the application relates to refusal to vary a management order, a copy of the LHA’s notices under paragraphs 14 and 16 of that Schedule;
  - (c) where the application relates to a decision to revoke a management order, a copy of the LHA’s notices under paragraphs 17 and 19 of that Schedule;
  - (d) where the application relates to refusal to revoke a management order, a copy of the LHA’s notices under paragraphs 20 and 22 of that Schedule; and
  - (e) in any case—
    - (i) a copy of the management order; and
    - (ii) a copy of the notice served by the LHA under paragraph 7(2)(b) of that Schedule.
- (3) The specified respondent is the LHA.

**32.**—(1) This paragraph applies to an application under paragraph 32(2) of Schedule 6 to the 2004 Act (appeal by third party against LHA’s decision under section 128 of the 2004 Act regarding compensation payable to third parties).

- (2) The specified documents are—
- (a) a copy of the management order (including the management scheme);
  - (b) a copy of the LHA’s notification of its decision to the third party in accordance with section 128(2) of the 2004 Act; and
  - (c) a statement giving full details of—
    - (i) the rights in respect of which it is claimed that there has been interference in consequence of the management order; and
    - (ii) the amount of compensation claimed in respect of that interference.
- (3) The specified respondent is the LHA.