

SCHEDULE 2

EXCEPTIONS TO SECTION 7

PART 5

TENANCIES AND LICENCES TO WHICH SPECIAL RULES APPLY: SUPPORTED ACCOMMODATION

County court review of decision to extend

- 16 (1) This section applies if a landlord gives a tenant or licensee a notice of extension under paragraph 15.
- (2) The tenant or licensee may apply to the county court for a review—
- (a) where the landlord is a local housing authority, of the decision to give a notice of extension, or
 - (b) where the landlord is not a local housing authority, of the local housing authority's decision to consent to the landlord giving the notice of extension.
- (3) The application must be made before the end of the period of 14 days starting with the day on which the landlord gives the tenant or licensee a notice of extension.
- (4) The county court may give permission for an application to be made after the end of the period allowed by sub-paragraph (3), but only if it is satisfied—
- (a) where permission is sought before the end of that period, that there is a good reason for the tenant or licensee to be unable to make the application in time, or
 - (b) where permission is sought after that time, that there is a good reason for the tenant or licensee's failure to make the application in time and for any delay in applying for permission.
- (5) The county court may—
- (a) confirm or quash the decision, or
 - (b) vary the length of the extension (subject to paragraph 15(2)).
- (6) In considering whether to confirm or quash the decision or vary the length of the extension, the county court must apply the principles applied by the High Court on an application for judicial review.
- (7) If the county court varies the length of the extension, the notice of extension has effect accordingly.
- (8) If the county court quashes the decision—
- (a) the notice of extension is of no effect, and
 - (b) the county court may make any order the High Court could make when making a quashing order on an application for judicial review.
- (9) If the county court quashes the decision and the landlord gives the tenant or licensee a further notice of extension under paragraph 15 before the end of the post-review period, the notice has effect as if given in accordance with paragraph 15(3) (other than for the purposes of sub-paragraph (3)).

Status: This is the original version (as it was originally enacted).

- (10) The post-review period is the period of 14 days beginning with the day on which the county court varies the length of the extension or quashes the decision.