

SCHEDULES

SCHEDULE 1

PROCEDURE AND APPEALS RELATING TO IMPROVEMENT NOTICES

PART 1

SERVICE OF IMPROVEMENT NOTICES

Service of improvement notices: premises licensed under Part 2 or 3

- 1 (1) This paragraph applies where the specified premises in the case of an improvement notice are—
- (a) a dwelling which is licensed under Part 3 of this Act, or
 - (b) an HMO which is licensed under Part 2 or 3 of this Act.
- (2) The local housing authority must serve the notice on the holder of the licence under that Part.

Service of improvement notices: premises which are neither licensed under Part 2 or 3 nor flats

- 2 (1) This paragraph applies where the specified premises in the case of an improvement notice are—
- (a) a dwelling which is not licensed under Part 3 of this Act, or
 - (b) an HMO which is not licensed under Part 2 or 3 of this Act, and which (in either case) is not a flat.
- (2) The local housing authority must serve the notice—
- (a) (in the case of a dwelling) on the person having control of the dwelling;
 - (b) (in the case of an HMO) either on the person having control of the HMO or on the person managing it.

Service of improvement notices: flats which are not licensed under Part 2 or 3

- 3 (1) This paragraph applies where any specified premises in the case of an improvement notice are—
- (a) a dwelling which is not licensed under Part 3 of this Act, or
 - (b) an HMO which is not licensed under Part 2 or 3 of this Act, and which (in either case) is a flat.
- (2) In the case of dwelling which is a flat, the local housing authority must serve the notice on a person who—
- (a) is an owner of the flat, and
 - (b) in the authority's opinion ought to take the action specified in the notice.

Status: This is the original version (as it was originally enacted).

- (3) In the case of an HMO which is a flat, the local housing authority must serve the notice either on a person who—
- (a) is an owner of the flat, and
 - (b) in the authority’s opinion ought to take the action specified in the notice,
- or on the person managing the flat.

Service of improvement notices: common parts

- 4 (1) This paragraph applies where any specified premises in the case of an improvement notice are—
- (a) common parts of a building containing one or more flats; or
 - (b) any part of such a building which does not consist of residential premises.
- (2) The local housing authority must serve the notice on a person who—
- (a) is an owner of the specified premises concerned, and
 - (b) in the authority’s opinion ought to take the action specified in the notice.
- (3) For the purposes of this paragraph a person is an owner of any common parts of a building if he is an owner of the building or part of the building concerned, or (in the case of external common parts) of the particular premises in which the common parts are comprised.

Service of copies of improvement notices

- 5 (1) In addition to serving an improvement notice in accordance with any of paragraphs 1 to 4, the local housing authority must serve a copy of the notice on every other person who, to their knowledge—
- (a) has a relevant interest in any specified premises, or
 - (b) is an occupier of any such premises.
- (2) A “relevant interest” means an interest as freeholder, mortgagee or lessee.
- (3) For the purposes of this paragraph a person has a relevant interest in any common parts of a building if he has a relevant interest in the building or part of the building concerned, or (in the case of external common parts) in the particular premises in which the common parts are comprised.
- (4) The copies required to be served under sub-paragraph (1) must be served within the period of seven days beginning with the day on which the notice is served.