



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 2

HOUSING

16 Proceedings for possession: anti-social behaviour

- (1) In the Housing Act 1985 (c. 68) after section 85 (which extends the court's discretion in certain proceedings for possession) there is inserted the following section—

“85A Proceedings for possession: anti-social behaviour

- (1) This section applies if the court is considering under section 84(2)(a) whether it is reasonable to make an order for possession on ground 2 set out in Part 1 of Schedule 2 (conduct of tenant or other person).
- (2) The court must consider, in particular—
- (a) the effect that the nuisance or annoyance has had on persons other than the person against whom the order is sought;
 - (b) any continuing effect the nuisance or annoyance is likely to have on such persons;
 - (c) the effect that the nuisance or annoyance would be likely to have on such persons if the conduct is repeated.”
- (2) In the Housing Act 1988 (c. 50) after section 9 (which extends the court's discretion in certain proceedings for possession) there is inserted the following section—

“9A Proceedings for possession: anti-social behaviour

- (1) This section applies if the court is considering under section 7(4) whether it is reasonable to make an order for possession on ground 14 set out in Part 2 of Schedule 2 (conduct of tenant or other person).
- (2) The court must consider, in particular—

Changes to legislation: There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 16. (See end of Document for details)

- (a) the effect that the nuisance or annoyance has had on persons other than the person against whom the order is sought;
- (b) any continuing effect the nuisance or annoyance is likely to have on such persons;
- (c) the effect that the nuisance or annoyance would be likely to have on such persons if the conduct is repeated.”

Commencement Information

- I1** S. 16 in force at 30.6.2004 for E. by S.I. 2004/1502, **art. 2(a)(v)** (with Sch. para. 2)
- I2** S. 16 in force at 30.9.2004 for W. by S.I. 2004/2557, **art. 2(a)(iii)** (with Sch. para. 2)

Changes to legislation:

There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 16.