
Changes to legislation: *Housing Act 2004, Cross Heading: Service on owners and occupiers of building containing flats etc. is up to date with all changes known to be in force on or before 27 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*

SCHEDULES

SCHEDULE 2

PROCEDURE AND APPEALS RELATING TO PROHIBITION ORDERS

PART 1

SERVICE OF COPIES OF PROHIBITION ORDERS

Modifications etc. (not altering text)

- C1** Sch. 2 Pt. 1 applied by [Housing Act 1985 \(c. 68\)](#), s. 300(5)(b) (as substituted (6.4.2006 (E.) and 16.6.2006 (W.)) by [Housing Act 2004 \(c. 34\)](#), ss. 265(1), 270(4)(5)(f), [Sch. 15 para. 20](#)); S.I. 2006/1060, [art. 2\(1\)\(d\)](#) (with [Sch.](#)); S.I. 2006/1535, [art. 2\(b\)](#) (with [Sch.](#))

Service on owners and occupiers of building containing flats etc.

- 2 (1) This paragraph applies to a prohibition order where the specified premises consist of or include the whole or any part of a building containing one or more flats or any common parts of such a building.
- (2) The authority must serve copies of the order on every person who, to their knowledge, is—
- (a) an owner or occupier of the whole or part of the building;
 - (b) authorised to permit persons to occupy the whole or part of the building; or
 - (c) a mortgagee of the whole or part of the building.
- (3) Where the specified premises consist of or include any external common parts of such a building, the authority must, in addition to complying with sub-paragraph (2), serve copies of the order on every person who, to their knowledge, is an owner or mortgagee of the premises in which the common parts are comprised.
- (4) The copies required to be served under sub-paragraph (2) or (3) must be served within the period of seven days beginning with the day on which the order is made.
- (5) A copy of the order is to be regarded as having been served on every occupier in accordance with sub-paragraphs (2)(a) and (4) if a copy of the order is fixed to some conspicuous part of the building within the period of seven days mentioned in sub-paragraph (4).

Commencement Information

- II** Sch. 2 wholly in force at 16.6.2006; Sch. 2 not in force at Royal Assent see s. 270(4)(5); Sch. 2 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 2 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)