



Housing Act 2004

2004 CHAPTER 34

PART 4

ADDITIONAL CONTROL PROVISIONS IN RELATION TO RESIDENTIAL ACCOMMODATION

CHAPTER 1

INTERIM AND FINAL MANAGEMENT ORDERS

Final management orders: making and operation of orders

114 Operation of final management orders

- (1) This section deals with the time when a final management order comes into force or ceases to have effect.
 - (2) The order does not come into force until such time (if any) as is the operative time for the purposes of this subsection under paragraph 27 of Schedule 6 (time when period for appealing expires without an appeal being made or when order is confirmed on appeal).
 - (3) The order ceases to have effect at the end of the period of 5 years beginning with the date on which it comes into force, unless it ceases to have effect at some other time as mentioned below.
 - (4) If the order provides that it is to cease to have effect on a date falling before the end of that period, it accordingly ceases to have effect on that date.
- [^{F1}(4A) An order under section 113(3A) or (6A) ceases to have effect (if it has not already ceased to have effect) when the relevant ban on letting housing in England ceases to have effect.
- (4B) In subsection (4A) “the relevant ban on letting housing in England” means the ban on letting contained in the banning order mentioned in section 102(7A).]

Changes to legislation: Housing Act 2004, Section 114 is up to date with all changes known to be in force on or before 14 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

- (5) Subsections (6) [F2to] (7) apply where—
- (a) a new final management order (“the new order”) has been made so as to replace the order (“the existing order”), but
 - (b) the new order has not come into force because of an appeal to [F3the appropriate tribunal] under paragraph 24 of Schedule 6 against the making of that order.
- (6) If—
- (a) the house would (but for the existing order being in force) be required to be licensed under Part 2 or 3 of this Act (see section 61(1) or 85(1)), and
 - (b) the date on which—
 - (i) the new order, or
 - (ii) any licence under Part 2 or 3, or
 - (iii) a temporary exemption notice under section 62 or 86,
 comes into force in relation to the house (or part of it) following the disposal of the appeal is later than the date on which the existing order would cease to have effect apart from this subsection,
- the existing order continues in force until that later date.
- [F4(6A) If—
- (a) the existing order was made under section 113(3A) or (6A), and
 - (b) the date on which the new order comes into force in relation to the house (or part of it) following the disposal of the appeal is later than the date on which the existing order would cease to have effect apart from this subsection,
- the existing order continues in force until that later date.]
- (7) If, on the application of the authority, the tribunal makes an order providing for the existing order to continue in force, pending the disposal of the appeal, until a date later than that on which it would cease to have effect apart from this subsection, the existing order accordingly continues in force until that later date.
- (8) This section has effect subject to sections 121 and 122 (variation or revocation of orders) and to the power of revocation exercisable by [F5the appropriate tribunal] on an appeal made under paragraph 24 or 28 of Schedule 6.

Textual Amendments

- F1** S. 114(4A)(4B) inserted (6.4.2018) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 3 para. 8(2)**; S.I. 2018/393, reg. 2(b)
- F2** Word in s. 114(5) substituted (6.4.2018) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 3 para. 8(3)**; S.I. 2018/393, reg. 2(b)
- F3** Words in s. 114(5)(b) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 163** (with Sch. 3)
- F4** S. 114(6A) inserted (6.4.2018) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 3 para. 8(4)**; S.I. 2018/393, reg. 2(b)
- F5** Words in s. 114(8) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 163** (with Sch. 3)

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Commencement Information

- II** S. 114 wholly in force at 16.6.2006; s. 114 not in force at Royal Assent see s. 270(4)(5); s. 114 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); s. 114 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\(3\)](#)