



# Housing Act 2004

## 2004 CHAPTER 34

### PART 1

#### HOUSING CONDITIONS

#### CHAPTER 1

##### ENFORCEMENT OF HOUSING STANDARDS: GENERAL

##### *Enforcement of housing standards*

### **8 Reasons for decision to take enforcement action**

- (1) This section applies where a local housing authority decide to take one of the kinds of enforcement action mentioned in section 5(2) or 7(2) (“the relevant action”).
- (2) The authority must prepare a statement of the reasons for their decision to take the relevant action.
- (3) Those reasons must include the reasons why the authority decided to take the relevant action rather than any other kind (or kinds) of enforcement action available to them under the provisions mentioned in section 5(2) or 7(2).
- (4) A copy of the statement prepared under subsection (2) must accompany every notice, copy of a notice, or copy of an order which is served in accordance with—
  - (a) Part 1 of Schedule 1 to this Act (service of improvement notices etc.),
  - (b) Part 1 of Schedule 2 to this Act (service of copies of prohibition orders etc.), or
  - (c) section 268 of the Housing Act 1985 (service of copies of demolition orders),in or in connection with the taking of the relevant action.
- (5) In subsection (4)—

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**Changes to legislation:** *Housing Act 2004, Section 8 is up to date with all changes known to be in force on or before 13 June 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*

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- (a) the reference to Part 1 of Schedule 1 to this Act includes a reference to that Part as applied by section 28(7) or 29(7) (hazard awareness notices) or to section 40(7) (emergency remedial action); and
  - (b) the reference to Part 1 of Schedule 2 to this Act includes a reference to that Part as applied by section 43(4) (emergency prohibition orders).
- (6) If the relevant action consists of declaring an area to be a clearance area, the statement prepared under subsection (2) must be published—
- (a) as soon as possible after the relevant resolution is passed under section 289 of the Housing Act 1985, and
  - (b) in such manner as the authority consider appropriate.

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**Commencement Information**

- II** S. 8 wholly in force at 16.6.2006; s. 8 not in force at Royal Assent see s. 270(4)(5); s. 8 in force for E. at 6.4.2006 by S.I. 2006/1060, art. 2(1)(a) (with Sch.); s. 8 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\(3\)](#)