



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 5

RECOVERY OF POSSESSION OF DWELLING-HOUSES: ANTI-SOCIAL BEHAVIOUR GROUNDS

Absolute ground for possession: secure tenancies

96 Review requirements for new ground

After section 85 of the Housing Act 1985 (extended discretion of court in certain proceedings for possession) there is inserted—

“85ZA Review of decision to seek possession on absolute ground for anti-social behaviour

- (1) A tenant may request a review of a landlord's decision to seek an order for possession of a dwelling-house under section 84A if the interest of the landlord belongs to—
 - (a) a local housing authority, or
 - (b) a housing action trust.
- (2) Such a request must be made in writing before the end of the period of 7 days beginning with the day on which the notice under section 83ZA is served.
- (3) On a request being duly made to it, the landlord must review its decision.
- (4) The landlord must notify the tenant in writing of the decision on the review.
- (5) If the decision is to confirm the original decision, the landlord must also notify the tenant of the reasons for the decision.

Changes to legislation: *Anti-social Behaviour, Crime and Policing Act 2014, Section 96 is up to date with all changes known to be in force on or before 19 April 2024. 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*

- (6) The review must be carried out, and the tenant notified, before the day specified in the notice under section 83ZA as the day after which proceedings for the possession of the dwelling-house may be begun.
- (7) The Secretary of State may by regulations make provision about the procedure to be followed in connection with a review under this section that relates to an order for possession of a dwelling-house in England.
- (8) The Welsh Ministers may by regulations make provision about the procedure to be followed in connection with a review under this section that relates to an order for possession of a dwelling-house in Wales.
- (9) Regulations under subsections (7) and (8) may, in particular, make provision—
 - (a) requiring the decision on review to be made by a person of appropriate seniority who was not involved in the original decision, and
 - (b) as to the circumstances in which the person concerned is entitled to an oral hearing, and whether and by whom the person may be represented at such a hearing.
- (10) Regulations under this section—
 - (a) may contain transitional or saving provision;
 - (b) are to be made by statutory instrument which—
 - (i) in the case of regulations made by the Secretary of State, is subject to annulment in pursuance of a resolution of either House of Parliament;
 - (ii) in the case of regulations made by the Welsh Ministers, is subject to annulment in pursuance of a resolution of the National Assembly for Wales.”

Commencement Information

- I1** [S. 96](#) in force at 17.9.2014 for specified purposes by [S.I. 2014/2454](#), [art. 2](#)
- I2** [S. 96](#) in force at 20.10.2014 for E. in so far as not already in force by [S.I. 2014/2590](#), [art. 2\(c\)](#)
- I3** [S. 96](#) in force at 21.10.2014 for W. by [S.I. 2014/2830](#), [art. 2\(c\)](#)

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[View outstanding changes](#)

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

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

- s. 102(2)(ba) inserted by [2022 c. 32 Sch. 11 para. 35\(2\)\(a\)](#)