



# Housing and Planning Act 2016

## 2016 CHAPTER 22

### PART 2

#### ROGUE LANDLORDS AND PROPERTY AGENTS IN ENGLAND

### CHAPTER 6

#### INTERPRETATION OF PART 2

#### **54 Meaning of “letting agent” and related expressions**

- (1) In this Part “letting agent” means a person who engages in letting agency work (whether or not that person engages in other work).
- (2) But a person is not a letting agent for the purposes of this Part if the person engages in letting agency work in the course of that person’s employment under a contract of employment.
- (3) In this Part “letting agency work” means things done by a person in the course of a business in response to instructions received from—
  - (a) a person (“a prospective landlord”) seeking to find another person to whom to let housing, or
  - (b) a person (“a prospective tenant”) seeking to find housing to rent.
- (4) But “letting agency work” does not include any of the following things when done by a person who does nothing else within subsection (3)—
  - (a) publishing advertisements or disseminating information;
  - (b) providing a means by which a prospective landlord or a prospective tenant can, in response to an advertisement or dissemination of information, make direct contact with a prospective tenant or a prospective landlord;
  - (c) providing a means by which a prospective landlord and a prospective tenant can communicate directly with each other.

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*Status: This is the original version (as it was originally enacted).*

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- (5) In this Part “English letting agency work” means letting agency work that relates to housing in England.