

SCHEDULE

Additional details with regard to certain Applications

Applications made under the 2004 Act

Applications relating to improvement notices

1.—(1) This paragraph applies to an application under paragraph 10(1) of Schedule 1 to the 2004 Act (appeal against improvement notice) other than an application referred to in paragraph 2.

(2) The specified documents are—

- (a) a copy of the improvement notice (including any schedule to it);
- (b) the statement of reasons; and
- (c) where the ground or one of the grounds of the application is that one of the courses of action mentioned in paragraph 12(2) of Schedule 1 to the 2004 Act is the best course of action in relation to the hazard, a statement identifying that course of action with the applicant's reasons for considering it the best course.

(3) The specified respondent is the LHA.

2.—(1) This paragraph applies to an application under paragraph 10 of Schedule 1 to the 2004 Act which consists of or includes the ground set out in paragraph 11(1) of that Schedule (ground of appeal relating to other persons).

(2) The specified documents are—

- (a) a copy of the improvement notice (including any schedule to it);
- (b) the statement of reasons;
- (c) where one of the grounds of the application is that another course of action mentioned in paragraph 12(2) of Schedule 1 to the 2004 Act is the best course of action in relation to the hazard, a statement identifying that course of action with the applicant's reasons for considering it the best course;
- (d) the name and address of any person who as an owner of the premises, in the applicant's opinion ought to take the action required by the improvement notice or pay the whole or part of the costs of taking that action ("the other owner");
- (e) proof of service of a copy of the application on the other owner; and
- (f) a statement containing the following details—
 - (i) the nature of the other owner's interest in the premises;
 - (ii) the reason the applicant considers the other owner ought to take the action concerned or pay the whole or part of the cost of taking that action; and
 - (iii) where the ground of the application is that the other owner ought to pay the whole or part of the cost of taking the action, the estimated cost of taking the action and the proportion of that cost which the applicant considers the other owner ought to pay.

(3) The specified respondent is the LHA.

3.—(1) This paragraph applies to an application under paragraph 13(1) of Schedule 1 to the 2004 Act (appeal against LHA's decision to vary, or to refuse to vary or revoke, an improvement notice).

(2) The specified documents are—

- (a) a copy of the improvement notice (including any schedule to it);

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) the statement of reasons; and
 - (c) a copy of the LHA's decision to vary, or to refuse to vary or revoke (including any documentation issued by the LHA in connection with its notice of decision).
- (3) The specified respondent is the LHA.
- 4.—(1) This paragraph applies to an application under—
- (a) paragraph 11(1) of Schedule 3 to the 2004 Act (appeal against demand by the LHA for recovery of expenses incurred by the LHA in taking action where improvement notice has been served); and
 - (b) that paragraph as applied with modifications by section 42 of the 2004 Act (an appeal against a demand by the LHA for recovery of expenses incurred by taking emergency remedial action).
- (2) The specified documents are—
- (a) a copy of the improvement notice or (as the case may be) the notice of emergency remedial action (including any schedule to it);
 - (b) the statement of reasons notice;
 - (c) a copy of the notice served by the LHA under paragraph 4 of Schedule 3 to the 2004 Act (notice of LHA's intention to enter premises to carry out specified actions without agreement);
 - (d) a copy of the LHA's demand for expenses; and
 - (e) where the application is made on the ground mentioned in paragraph 11(4) of that Schedule, details of the progress relied upon as being made towards compliance with the notice.
- (3) The specified respondent is the LHA.

Applications relating to prohibition orders

- 5.—(1) This paragraph applies to an application under section 22(9) of the 2004 Act (appeal against LHA's refusal to give approval of particular use under section 22(4)).
- (2) The specified documents are—
- (a) a copy of the prohibition order (including any schedule to it);
 - (b) the statement of reasons; and
 - (c) notice of the LHA's decision to refuse a particular use of the whole or part of the premises.
- (3) The specified respondent is the LHA.
- 6.—(1) This paragraph applies to an application under section 34(2) of the 2004 Act (application by lessor or lessee for order determining or varying lease where a prohibition order has become operative).
- (2) The specified documents are—
- (a) a copy of the prohibition order (including any schedule to it);
 - (b) the statement of reasons;
 - (c) a copy of the relevant lease; and
 - (d) a statement of the name and address of any other party to the lease and of any party to an inferior lease.
- (3) The specified respondent is the other party to the lease.

7.—(1) This paragraph applies to an application under paragraph 7(1) of Schedule 2 to the 2004 Act (appeal against prohibition order).

- (2) The specified documents are—
- (a) a copy of the prohibition order (including any schedule to it);
 - (b) the statement of reasons; and
 - (c) where one of the grounds of the application is that one of the courses of action mentioned in paragraph 8(2) of Schedule 2 to the 2004 Act is the best course of action in relation to the hazard, a statement identifying that course of action with the applicant's reasons for considering it the best course.
- (3) The specified respondent is the LHA.

8.—(1) This paragraph applies to an application under paragraph 9 of Schedule 2 to the 2004 Act (appeal against LHA's decision to vary, or to refuse to vary or revoke, a prohibition order).

- (2) The specified documents are—
- (a) a copy of the prohibition order (including any schedule to it);
 - (b) the statement of reasons; and
 - (c) a copy of the LHA's decision to vary, or to refuse to vary or revoke (including any documentation issued by the LHA in connection with its notice of decision).
- (3) The specified respondent is the LHA.

Applications relating to emergency remedial action

9.—(1) This paragraph applies to an application under section 45(1) of the 2004 Act (appeal by person upon whom a notice under section 41 of the 2004 Act has been served against LHA's decision to take emergency remedial action).

- (2) The specified documents are—
- (a) a copy of the notice of emergency remedial action (including any schedule to it); and
 - (b) the statement of reasons.
- (3) The specified respondent is the LHA.

10.—(1) This paragraph applies to an application under section 45(2) of the 2004 Act (appeal by relevant person against emergency prohibition order).

- (2) The specified documents are—
- (a) a copy of the notice of emergency prohibition order made under section 43 of the 2004 Act (including any schedule to it); and
 - (b) the statement of reasons.
- (3) The specified respondent is the LHA.

11.—(1) This paragraph applies to an application under—

- (a) paragraph 14 of Schedule 3 to the 2004 Act (application by LHA for order for recovery of expenses and interest from person profiting from the taking of action without agreement); and
 - (b) that paragraph as applied with modifications by section 42 of the 2004 Act (recovery of expenses of taking emergency remedial action).
- (2) The specified documents are—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) a copy of the improvement notice or, as the case may be, the notice of emergency remedial action (including any schedule to it);
 - (b) the statement of reasons;
 - (c) a copy of the demand for expenses served under paragraph 9 of that Schedule;
 - (d) a copy of any notice served under paragraph 12 of that Schedule; and
 - (e) proof of service of notice of the application on the person concerned as mentioned in paragraph 14(2) of that Schedule.
- (3) The specified respondent is the person from whom the LHA seeks to recover expenses and interest.

Applications relating to HMO licensing

12.—(1) This paragraph applies to an application under section 62(7) of the 2004 Act (appeal against refusal by LHA to serve a temporary exemption notice).

- (2) The specified documents are—
 - (a) a copy of the notification to the LHA under section 62(1) of the 2004 Act; and
 - (b) a copy of the LHA’s decision notice under section 62(6) of the 2004 Act.
- (3) The specified respondent is the LHA.

13.—(1) This paragraph applies to an application under section 73(5) of the 2004 Act (application by LHA or occupier for rent repayment order).

- (2) The specified documents are—
 - (a) where the application is made by the LHA—
 - (i) a copy of the notice of intending proceedings under section 73(7) of the 2004 Act;
 - (ii) a copy of any representation received in respect of the notice;
 - (iii) either—
 - (aa) a statement containing the details relied on in making the allegation that an offence under section 72(1) of the 2004 Act was committed; or
 - (bb) where the LHA relies on the provisions of section 74 of the 2004 Act, proof that the appropriate person has been convicted of an offence under section 72(1) of the 2004 Act; and
 - (iv) a document showing the housing benefit paid by the LHA in connection with occupation of the premises during the period in which it is alleged such an offence was committed;
 - (b) where the application is made by an occupier⁽¹⁾—
 - (i) evidence that the appropriate person has been convicted of an offence under section 72(1) of the 2004 Act or has been required by a rent repayment order to make a payment in respect of housing benefit; and
 - (ii) evidence that the occupier has paid periodical payments in respect of occupation of the premises during a period in which it is alleged that such an offence was being committed.
- (3) The specified respondent is the appropriate person⁽²⁾.

(1) See section 262 of the 2004 Act for the definition of “occupier”.

(2) See section 73(1) of the 2004 Act for the definition of “the appropriate person”.

14.—(1) This paragraph applies to an application under section 255(9) of the 2004 Act (appeal against decision of LHA to serve an HMO declaration).

- (2) The specified document is a copy of the HMO declaration.
- (3) The specified respondent is the LHA.

15.—(1) This paragraph applies to an application under section 256(4) of the 2004 Act (appeal against decision of LHA to refuse to revoke an HMO declaration).

- (2) The specified documents are—
 - (a) a copy of the HMO declaration; and
 - (b) a copy of the LHA’s notice of decision not to revoke the HMO declaration.
- (3) The specified respondent is the LHA.

16.—(1) This paragraph applies to an application under paragraph 31(1) of Schedule 5 to the 2004 Act (appeal against decision by LHA to grant, or refuse to grant, a licence under Part 2 of the 2004 Act, or against any of the terms of the licence).

- (2) The specified documents are—
 - (a) where the application relates to the grant or terms of a licence—
 - (i) a copy of the LHA’s notices under paragraphs 1 and 7 of Schedule 5 to the 2004 Act, and of any notice under paragraph 3 of that Schedule; and
 - (ii) a copy of the licence; and
 - (b) where the application relates to a refusal to grant a licence, a copy of the LHA’s notices under paragraphs 5 and 8 of that Schedule.
- (3) The specified respondent is the LHA.

17.—(1) This paragraph applies to an application under paragraph 32(1) of Schedule 5 to the 2004 Act (appeal by licence holder or any relevant person against decision by LHA with regard to the variation or revocation of licence).

- (2) The specified documents are—
 - (a) where the application relates to a decision to vary a licence, a copy of the LHA’s notices under paragraphs 14 and 16 of Schedule 5 to the 2004 Act;
 - (b) where the application relates to refusal to vary a licence, a copy of the LHA’s notices under paragraphs 19 and 21 of that Schedule;
 - (c) where the application relates to a decision to revoke a licence, a copy of the LHA’s notices under paragraphs 22 and 24 of that Schedule;
 - (d) where the application relates to refusal to revoke a licence, a copy of the LHA’s notices under paragraphs 26 and 28 of that Schedule; and
 - (e) in all cases a copy of the licence.
- (3) The specified respondent is the LHA.

Applications relating to selective licensing of other residential accommodation

18.—(1) This paragraph applies to an application under section 86(7) of the 2004 Act (appeal against refusal by the LHA to serve a temporary exemption notice).

- (2) The specified documents are—
 - (a) a copy of the notification to the LHA under section 86(1) of the 2004 Act; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) a copy of the LHA's decision notice under section 86(6) of the 2004 Act.
- (3) The specified respondent is the LHA.

19.—(1) This paragraph applies to an application under section 96(5) of the 2004 Act (application by LHA or occupier for a rent repayment order).

- (2) The specified documents are—
 - (a) where the application is made by the LHA—
 - (i) a copy of the notice of intended proceedings under section 96(7) of the 2004 Act;
 - (ii) a copy of any representation received in respect of the notice;
 - (iii) either—
 - (aa) a statement containing the details relied on in making the allegation that an offence under section 95(1) of the 2004 Act was committed; or
 - (bb) where the LHA relies on the provisions of section 97 of the 2004 Act, proof that the appropriate person has been convicted of an offence under section 95(1) of the 2004 Act; and
 - (iv) a document showing the housing benefit paid by the LHA in connection with occupation of the premises during the period in which it is alleged such an offence was committed;
 - (b) where the application is made by an occupier—
 - (i) evidence that the appropriate person has been convicted of an offence under section 95(1) of the 2004 Act or has been required by a rent repayment order to make a payment in respect of housing benefit; and
 - (ii) evidence that the occupier has paid periodical payments in respect of occupation of the premises for a period during which it is alleged that such an offence was being committed.
- (3) The specified respondent is the appropriate person.

20.—(1) This paragraph applies to an application under paragraph 31 of Schedule 5 to the 2004 Act (appeal against decision by LHA to grant or refuse licence under Part 3 or relating to terms of licence).

- (2) The specified documents are—
 - (a) where the application relates to the grant or terms of a licence—
 - (i) a copy of the LHA's notices under paragraphs 1 and 7 of Schedule 5 to the 2004 Act, and of any notice under paragraph 3 of that Schedule; and
 - (ii) a copy of the licence; and
 - (b) where the application relates to a refusal to grant a licence, a copy of the LHA's notices under paragraphs 5 and 8 of that Schedule.
- (3) The specified respondent is the LHA.

21.—(1) This paragraph applies to an application under paragraph 32(1) of Schedule 5 to the 2004 Act (appeal by licence holder or relevant person against decision by LHA relating to variation or revocation of licence).

- (2) The specified documents are—
 - (a) where the application relates to a decision to vary a licence, a copy of the LHA's notices under paragraphs 14 and 16 of Schedule 5 to the 2004 Act;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) where the application relates to refusal to vary a licence, a copy of the LHA's notices under paragraphs 19 and 21 of that Schedule;
 - (c) where the application relates to a decision to revoke a licence, a copy of the LHA's notices under paragraphs 22 and 24 of that Schedule;
 - (d) where the application relates to refusal to revoke a licence, a copy of the LHA's notices under paragraphs 26 and 28 of that Schedule; and
 - (e) in all cases a copy of the licence.
- (3) The specified respondent is the LHA.

Applications relating to interim and final management orders

22.—(1) This paragraph applies to an application under section 102(4) of the 2004 Act (LHA application for authorisation to make an interim management order).

- (2) The specified documents are—
- (a) a copy of the draft order;
 - (b) a statement of matters relevant to the tribunal's consideration of—
 - (i) whether the health and safety condition in section 104 of the 2004 Act is satisfied; and
 - (ii) the extent to which any applicable code of practice approved under section 233 of the 2004 Act has been complied with; and
 - (iii) where the LHA requests that the application be dealt with as a matter of urgency under regulation 10, a statement giving sufficient details to enable the tribunal to form an opinion as to whether the exceptional circumstances mentioned in paragraph (3) of that regulation appear to exist.
- (3) The specified respondent is a relevant person as defined in paragraphs 8(4) and 35 of Schedule 6 to the 2004 Act.

23.—(1) This paragraph applies to an application under section 102(7) of the 2004 Act (LHA application for authorisation to make an interim management order in respect of a house to which section 103 of the 2004 Act applies).

- (2) The specified documents are—
- (a) a copy of the draft order;
 - (b) a statement of matters relevant to the tribunal's consideration as to whether the conditions in section 103(3) and (4) of the 2004 Act are satisfied; and
 - (c) where the LHA requests that the application be dealt with as a matter of urgency under regulation 10, a statement giving sufficient details to enable the tribunal to form an opinion as to whether the exceptional circumstances mentioned in paragraph (3) of that regulation appear to exist.
- (3) The specified respondent is a relevant person as defined in paragraphs 8(4) and 35 of Schedule 6 to the 2004 Act.

24.—(1) This paragraph applies to an application under section 105(10) of the 2004 Act (LHA application for order that an interim management order continue in force pending disposal of appeal).

- (2) The specified documents are—
- (a) a copy of the interim management order; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) a copy of the notice of appeal under paragraph 24 of Schedule 6 to the 2004 Act against the making of a final management order.

(3) The specified respondent is the applicant who has made the relevant appeal.

25.—(1) This paragraph applies to an application under section 110(7) of the 2004 Act (application by relevant landlord for order regarding financial arrangements while interim management order in force).

(2) The specified documents are—

(a) a copy of the interim management order; and

(b) a copy of the accounts kept by the LHA in accordance with section 110(6) of the 2004 Act.

(3) The specified respondent is the LHA.

26.—(1) This paragraph applies to an application under section 114(7) of the 2004 Act (LHA application for order that existing final management order continue in force pending disposal of appeal against new final management order).

(2) The specified documents are—

(a) a copy of the existing final management order;

(b) a copy of the new final management order made in order to replace it; and

(c) a copy of the notice of appeal under paragraph 24 of Schedule 6 to the 2004 Act against the making of the new final management order.

(3) The specified respondent is the applicant who has made the relevant appeal.

27.—(1) This paragraph applies to an application under section 120(1) of the 2004 Act (application by an affected person for order that LHA manage in accordance with management scheme in final management order).

(2) The specified document is a copy of the final management order which contains the management scheme to which the application relates.

(3) The specified respondent is the LHA.

28.—(1) This paragraph applies to an application under section 126(4) of the 2004 Act (application for adjustment of rights and liabilities with regard to furniture vested in LHA while management order in force).

(2) The specified documents are—

(a) a copy of the relevant management order; and

(b) a statement giving details of the respective rights and liabilities (including ownership) of the persons interested in the furniture.

(3) The specified respondent is the other person interested in the furniture.

29.—(1) This paragraph applies to an application under section 130(9) of the 2004 Act (application to determine who is “the relevant landlord” (“*y landlord perthnasol*”) for the purposes of section 130 on termination of management order).

(2) The specified document is a copy of the management order.

(3) The specified respondent is the other relevant landlord**(3)**.

(3) See section 130(11) of the 2004 Act for the definition of “relevant landlord”.

30.—(1) This paragraph applies to an application under paragraph 24 of Schedule 6 to the 2004 Act (appeal against making of a management order, or against the terms of the order or of associated management scheme).

- (2) The specified documents are—
- (a) a copy of the management order (including the management scheme);
 - (b) a copy of the notice served by the LHA under paragraph 7(2)(b) of Schedule 6 to the 2004 Act;
 - (c) where the application relates to the terms of the management order, a statement specifying each term to which objection is made, with reasons for the objection; and
 - (d) where the application is made on the ground specified in paragraph 24(3) of Schedule 6 to the 2004 Act, a statement of the matters in section 110(5) of the 2004 Act (which relates to payments of surplus rents etc) relevant to that ground.
- (3) The specified respondent is the LHA.

31.—(1) This paragraph applies to an application under paragraph 28 of Schedule 6 to the 2004 Act (appeal against LHA's decision to vary or revoke, or to refuse to vary or revoke a management order).

- (2) The specified documents are—
- (a) where the application relates to a decision to vary a management order, a copy of the LHA's notices under paragraphs 9 and 11 of Schedule 6 to the 2004 Act;
 - (b) where the application relates to refusal to vary a management order, a copy of the LHA's notices under paragraphs 14 and 16 of that Schedule;
 - (c) where the application relates to a decision to revoke a management order, a copy of the LHA's notices under paragraphs 17 and 19 of that Schedule;
 - (d) where the application relates to refusal to revoke a management order, a copy of the LHA's notices under paragraphs 20 and 22 of that Schedule; and
 - (e) in any case—
 - (i) a copy of the management order; and
 - (ii) a copy of the notice served by the LHA under paragraph 7(2)(b) of that Schedule.
- (3) The specified respondent is the LHA.

32.—(1) This paragraph applies to an application under paragraph 32(2) of Schedule 6 to the 2004 Act (appeal by third party against LHA's decision under section 128 of the 2004 Act regarding compensation payable to third parties).

- (2) The specified documents are—
- (a) a copy of the management order (including the management scheme);
 - (b) a copy of the LHA's notification of its decision to the third party in accordance with section 128(2) of the 2004 Act; and
 - (c) a statement giving full details of—
 - (i) the rights in respect of which it is claimed that there has been interference in consequence of the management order; and
 - (ii) the amount of compensation claimed in respect of that interference.
- (3) The specified respondent is the LHA.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Applications in relation to empty dwelling management orders

33.—(1) This paragraph applies to an application under section 133(1) of the 2004 Act (LHA application for authorisation to make interim EDMO).

- (2) The specified documents are—
- (a) a copy of the draft interim EDMO;
 - (b) a statement of evidence—
 - (i) in respect of the matters as to which the tribunal must be satisfied under section 134(2) of the 2004 Act;
 - (ii) of the LHA’s consideration of the rights and interests specified in section 133(4) of the 2004 Act; and
 - (c) where the LHA in accordance with section 133(3) of the 2004 Act notified the relevant proprietor that it was considering making an interim EDMO, a copy of the notification.
- (3) The specified respondent is the relevant proprietor⁽⁴⁾.

34.—(1) This paragraph applies to an application under section 138(1) of the 2004 Act (application while interim EDMO in force for order that the LHA pay compensation to third party for interference with rights).

- (2) The specified documents are—
- (a) a copy of the interim EDMO;
 - (b) a copy of the LHA’s notification of its decision to the third party in accordance with section 138(4) of the 2004 Act; and
 - (c) a statement giving full details of—
 - (i) the rights in respect of which it is claimed that there has been interference in consequence of the interim EDMO; and
 - (ii) the amount of compensation claimed in respect of that interference.
- (3) The specified respondent is the LHA.

35.—(1) This paragraph applies to an application under paragraph 1(7) of Schedule 7 to the 2004 Act (LHA application for order that interim EDMO continue in force pending disposal of appeal under paragraph 26 of that Schedule).

- (2) The specified documents are—
- (a) a copy of the interim EDMO; and
 - (b) a copy of the notice of appeal under paragraph 26 of Schedule 7 to the 2004 Act against the making of an interim EDMO.
- (3) The specified respondent is the applicant who has made the relevant appeal.

36.—(1) This paragraph applies to an application under paragraph 2(3)(d) or paragraph 10(3)(d) of Schedule 7 to the 2004 Act (LHA’s application for order under paragraph 22 of that Schedule determining a lease or licence while interim or final EDMO is in force).

- (2) The specified documents are—
- (a) a copy of the interim or final EDMO (including any management scheme);
 - (b) a copy of the relevant lease or licence, or if not available, evidence of the existence of the lease or licence; and

(4) See section 132(4)(c) of the 2004 Act for the definition of “relevant proprietor”.

- (c) a statement containing the following details—
 - (i) the name and address where known of any lessor, lessee, sub-lessor, sub-lessee or licensee;
 - (ii) evidence of matters in respect of which the tribunal must be satisfied under paragraph 22(1)(b) of Schedule 7 to the 2004 Act; and
 - (iii) the amount of compensation (if any) which the LHA is willing to pay in respect of the determination of the lease or licence, including details of how such compensation has been calculated.

(3) The specified respondents are the parties to the lease or licence.

37.—(1) This paragraph applies to an application under paragraph 5(7) of Schedule 7 to the 2004 Act (application by relevant proprietor for order in connection with financial arrangements while interim EDMO in force).

- (2) The specified documents are—
 - (a) a copy of the interim EDMO; and
 - (b) a copy of the accounts kept by the LHA in accordance with paragraph 5(6) of Schedule 7 to the 2004 Act.
- (3) The specified respondent is the LHA.

38.—(1) This paragraph applies to an application under paragraph 9(8) of Schedule 7 to the 2004 Act (application by LHA for order that final EDMO should continue in force pending disposal of an appeal under paragraph 26 of that Schedule).

- (2) The specified documents are—
 - (a) a copy of the final EDMO; and
 - (b) a copy of the notice of appeal under paragraph 26 of Schedule 7 to the 2004 Act against the making of a final EDMO.
- (3) The specified respondent is the applicant who has made the relevant appeal.

39.—(1) This paragraph applies to an application under paragraph 14(1) of Schedule 7 to the 2004 Act (application by an affected person for order that LHA manage dwelling in accordance with management scheme in final EDMO).

- (2) The specified document is a copy of the final EDMO (including the management scheme).
- (3) The specified respondent is the LHA.

40.—(1) This paragraph applies to an application under paragraph 26(1) of Schedule 7 to the 2004 Act (appeal against LHA's decision to make final EDMO or against terms of the order or of associated management scheme).

- (2) The specified documents are—
 - (a) a copy of the final EDMO (including the management scheme);
 - (b) where the application relates to the terms of the management order, a statement specifying each term to which objection is made, with reasons for the objection; and
 - (c) where the application is made on the ground specified in paragraph 26(1)(c) of Schedule 7 to the 2004 Act, a statement of the matters in paragraph 5(5)(a) and (b) of that Schedule (which relate to payments of surplus rents etc) relevant to that ground.
- (3) The specified respondent is the LHA.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

41.—(1) This paragraph applies to an application under paragraph 30 of Schedule 7 to the 2004 Act (appeal against LHA’s decision to vary or revoke, or to refuse to vary or revoke interim or final EDMO).

(2) The specified documents are—

- (a) where the application relates to a decision to vary an interim or final EDMO, a copy of the LHA’s notices under paragraphs 9 and 11 of Schedule 6 to the 2004 Act (as applied by paragraph 17 of Schedule 7 to that Act);
- (b) where the application relates to refusal to vary an interim or final EDMO, a copy of the LHA’s notices under paragraphs 14 and 16 of that Schedule;
- (c) where the application relates to a decision to revoke an interim or final EDMO, a copy of the LHA’s notices under paragraphs 17 and 19 of that Schedule; and
- (d) where the application relates to refusal to revoke an interim or final EDMO, a copy of the LHA’s notices under paragraphs 20 and 22 of that Schedule; and
- (e) in any case a copy of the interim or final EDMO (as the case may be).

(3) The specified respondent is the LHA.

42.—(1) This paragraph applies to an application under paragraph 34(2) of Schedule 7 to the 2004 Act (appeal against LHA’s decision under section 136(4) or 138(3) of the 2004 Act in respect of compensation payable to third parties for interference with rights in consequence of final EDMO).

(2) The specified documents are—

- (a) a copy of the final EDMO (including the management scheme);
- (b) where the third party has requested compensation under section 138 of the 2004 Act, a copy of the LHA’s notification of its decision to the third party in accordance with subsection (4) of that section; and
- (c) a statement giving full details of—
 - (i) the rights in respect of which it is claimed that there has been interference in consequence of the final EDMO; and
 - (ii) the amount of compensation claimed in respect of that interference.

(3) The specified respondent is the LHA.

Applications in relation to overcrowding notices

43.—(1) This paragraph applies to an application under section 143(1) of the 2004 Act (appeal by a person aggrieved by overcrowding notice).

(2) The specified document is a copy of the overcrowding notice, or a statement by the applicant explaining the circumstances by reason of which the applicant is not able to provide a copy of this notice.

(3) The specified respondent is the LHA.

44.—(1) This paragraph applies to an application under section 144(2) of the 2004 Act (appeal by relevant person against LHA’s refusal to revoke or vary an overcrowding notice, or against failure by the LHA to respond in time to an application to revoke or vary it).

(2) The specified documents are—

- (a) a copy of the overcrowding notice; and
- (b) where the LHA refused to vary an overcrowding notice, a copy of the LHA’s decision.

(3) The specified respondent is the LHA.

Document Generated: 2024-04-10

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*