



# Housing Act 2004

## 2004 CHAPTER 34

### PART 4

#### ADDITIONAL CONTROL PROVISIONS IN RELATION TO RESIDENTIAL ACCOMMODATION

### CHAPTER 3

#### OVERCROWDING NOTICES

#### **141 Requirement as to overcrowding generally**

- (1) The requirement prescribed by this section is that the person on whom the notice is served must refrain from—
- (a) permitting a room to be occupied as sleeping accommodation otherwise than in accordance with the notice; or
  - (b) permitting persons to occupy the HMO as sleeping accommodation in such numbers that it is not possible to avoid persons of opposite sexes who are not living together as [<sup>F1</sup>a married couple or civil partners] sleeping in the same room.
- (2) For the purposes of subsection (1)(b)—
- (a) children under the age of 10 are to be disregarded; and
  - (b) it must be assumed that the persons occupying the HMO as sleeping accommodation sleep only in rooms for which a maximum is set by the notice and that the maximum set for each room is not exceeded.

#### **Textual Amendments**

- F1** Words in s. 141(1)(b) substituted (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), reg. 1(2), [Sch. 3 para. 26\(2\)](#)

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**Changes to legislation:** *Housing Act 2004, Section 141 is up to date with all changes known to be in force on or before 26 July 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*

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#### **Commencement Information**

- II** S. 141 wholly in force at 16.6.2006; s. 141 in force for certain purposes at Royal Assent see s. 270(2) (b); s. 141 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); s. 141 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\(3\)](#)