

SCHEDULES

SCHEDULE 3

Further provision about notices that specify works

Part 2

Failure to carry out works required by rectification notice or hazard notice

Recovery of expenses etc from other person benefiting from works

10.—(1) This paragraph applies if a court of summary jurisdiction is satisfied, on the application of the council, that—

- (a) any sums which the council is entitled to recover under paragraph 9 have not been, and are unlikely to be, recovered, and
- (b) some person is profiting by the execution of the works in respect of which the sums were incurred to obtain rents or other payments which would not have been obtainable if the number of persons occupying the HMO was limited to that appropriate for the HMO in its state before the works were executed.

(2) The court may order the person mentioned in sub-paragraph (1)(b) to make such payment or payments to the council as appear to the court to be just and equitable.

(3) But the court may make such an order only if it is satisfied that that person has had proper notice of the application.