



Housing Act 1957

1957 CHAPTER 56

PART II

PROVISIONS FOR SECURING THE REPAIR, MAINTENANCE AND SANITARY CONDITION OF HOUSES

Houses let in lodgings

36 Power to require execution of works or reduction of number of occupants of house

- (1) Where it appears to a local authority, in the case of a house within their district, or of part of such a house, which is let in lodgings or occupied by members of more than one family, that with respect to any such matters as are specified in paragraphs (d) to (h) of subsection (1) of section four of this Act the premises are so far defective, having regard to the number of individuals or households, or both, accommodated for the time being on the premises, as not to be reasonably suitable for occupation by those individuals or households, the local authority may serve on the person having control of the house a notice—
 - (a) specifying the works which in the opinion of the local authority are required for rendering the premises reasonably suitable for such occupation as aforesaid, and
 - (b) requiring that person, in default of the execution of those works within a period specified in the notice, to take such steps as are reasonably open to him (including if necessary the taking of legal proceedings) for securing that the number of individuals accommodated on the premises or the number of households accommodated there, or both, is limited in any manner so specified.
- (2) A person aggrieved by a notice under this section may, within twenty-one days after the date of the service of the notice, appeal to the county court within the jurisdiction of which the premises to which the notice relates are situated and on an appeal to the county court under this section—

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- (a) the judge may make such order confirming or quashing or varying the notice as he thinks fit, and
 - (b) the judge shall, if requested by the local authority so to do, include in his judgment a finding whether the house can or cannot be rendered fit for human habitation at a reasonable expense.
- (3) Nothing in the Rent Acts shall prevent possession being obtained of any house or part of a house possession of which is required for the purpose of complying with a requirement under paragraph (b) of subsection (1) of this section.
- (4) A person who fails to comply with any requirement of a notice under this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds; and if the failure continues after conviction he shall be guilty of a further offence and liable on summary conviction to a fine not exceeding two pounds for every day on which the failure so continues.
- (5) In the administrative county of London, other than the City of London, both the metropolitan borough council and the London County Council shall be local authorities for the purposes of this section.