



# Housing Act 1961

## 1961 CHAPTER 65

### PART II

#### AMENDMENTS OF HOUSING ACT, 1957

##### *Houses in multiple occupation*

#### **14 Power to require doing of work to make good neglect of proper standards of management**

- (1) If in the opinion of the local authority the condition of a house to which regulations under the last foregoing section for the time being apply is defective in consequence of neglect to comply with the requirements imposed by the regulations, or, in respect of a period falling wholly or partly before the regulations applied to the house, neglect to comply with standards corresponding to the requirements imposed by the regulations, the local authority may serve on the person managing the house (as defined by or under the last foregoing section) a notice specifying the works which in the opinion of the local authority are required to make good the neglect, and requiring the person on whom the notice is served to execute those works.
- (2) If it is not practicable after reasonable inquiry to ascertain the name or address of the person managing the house as so defined, the notice under this section may be served by addressing it to him by the description of " manager of the house " (naming the house to which it relates) and by delivering it to some person on the premises.
- (3) A notice under this section shall require the execution of the works within such period, being not less than twenty-one days from service of the notice, as may be specified in the notice, but that period may from time to time be extended by written permission of the local authority.
- (4) Where a local authority serve a notice on any person under this section they shall inform any other person who is to their knowledge an owner or lessee of the house of the fact that such a notice has been served.

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*Status: This is the original version (as it was originally enacted).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

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- (5) A person on whom a notice is served under this section may, within twenty-one days of service of the notice, or within such longer period as the local authority may in writing allow, appeal to a magistrates' court on any of the following grounds which are appropriate in the circumstances of the particular case—
- (a) that the condition of the house did not justify the local authority in requiring the execution of the works specified in the notice,
  - (b) that there has been some informality, defect or error in, or in connection with, the notice,
  - (c) that the local authority have refused unreasonably to approve the execution of alternative works, or that the works required by the notice to be executed are otherwise unreasonable in character or extent, or are unnecessary,
  - (d) that the time within which the works are to be executed is not reasonably sufficient for the purpose, and
  - (e) that some person other than the appellant is wholly or in part responsible for the state of affairs calling for the execution of the works, or will as the holder of an estate or interest in the premises derive a benefit from the execution of the works, and that that person ought to pay the whole or any part of the expenses of executing the works.
- (6) If and so far as an appeal under this section is based on the ground of some informality, defect or error in, or in connection with, the notice, the court shall dismiss the appeal if it is satisfied that the informality, defect, or error was not a material one.
- (7) Where the grounds on which an appeal is brought under this section include the ground specified in paragraph (e) of subsection (5) of this section, the appellant shall serve a copy of his notice of appeal on each other person referred to, and on the hearing of the appeal the court may make such order as it thinks fit with respect to the payment to be made by any such other person to the appellant, or, where the work is executed by the local authority, to the local authority.