



Housing Act 2004

2004 CHAPTER 34

PART 1 **E+W**

HOUSING CONDITIONS

CHAPTER 2 **E+W**

IMPROVEMENT NOTICES, PROHIBITION ORDERS AND HAZARD AWARENESS NOTICES

Enforcement: improvement notices

30 Offence of failing to comply with improvement notice **E+W**

- (1) Where an improvement notice has become operative, the person on whom the notice was served commits an offence if he fails to comply with it.
- (2) For the purposes of this Chapter compliance with an improvement notice means, in relation to each hazard, beginning and completing any remedial action specified in the notice—
 - (a) (if no appeal is brought against the notice) not later than the date specified under section 13(2)(e) and within the period specified under section 13(2)(f);
 - (b) (if an appeal is brought against the notice and is not withdrawn) not later than such date and within such period as may be fixed by the tribunal determining the appeal; and
 - (c) (if an appeal brought against the notice is withdrawn) not later than the 21st day after the date on which the notice becomes operative and within the period (beginning on that 21st day) specified in the notice under section 13(2)(f).
- (3) A person who commits an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) In proceedings against a person for an offence under subsection (1) it is a defence that he had a reasonable excuse for failing to comply with the notice.

Changes to legislation: Housing Act 2004, Cross Heading: Enforcement: improvement notices is up to date with all changes known to be in force on or before 09 June 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

- (5) The obligation to take any remedial action specified in the notice in relation to a hazard continues despite the fact that the period for completion of the action has expired.
- (6) In this section any reference to any remedial action specified in a notice includes a reference to any part of any remedial action which is required to be completed within a particular period specified in the notice.
- [^{F1}(7) See also section 249A (financial penalties as alternative to prosecution for certain housing offences in England).
- (8) If a local housing authority has imposed a financial penalty on a person under section 249A in respect of conduct amounting to an offence under this section the person may not be convicted of an offence under this section in respect of the conduct.]

Textual Amendments

- F1** S. 30(7)(8) inserted (6.4.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 9 para. 2**; S.I. 2017/281, reg. 4(f)

Modifications etc. (not altering text)

- C1** S. 30(1) modified (6.4.2017 for specified purposes, 6.4.2018 in so far as not already in force) by [Housing and Planning Act 2016 \(c. 22\)](#), ss. 40(4), 216(3); S.I. 2017/281, reg. 4(a) (with reg. 5); S.I. 2018/393, reg. 2(a)

Commencement Information

- I1** S. 30 wholly in force at 16.6.2006; s. 30 not in force at Royal Assent see s. 270(4)(5); s. 30 in force for E. at 6.4.2006 by [S. I. 2006/1060](#), **art. 2(1)(a)** (with [Sch.](#)); s. 30 in force for W. at 16.6.2006 by [S. I. 2006/1535](#), **art. 2(a)** (with [Sch.](#))

31 Enforcement action by local housing authorities **E+W**

Schedule 3 (which enables enforcement action in respect of an improvement notice to be taken by local housing authorities either with or without agreement and which provides for the recovery of related expenses) has effect.

Commencement Information

- I2** S. 31 wholly in force at 16.6.2006; s. 31 not in force at Royal Assent see s. 270(4)(5); s. 31 in force for E. at 6.4.2006 by [S. I. 2006/1060](#), **art. 2(1)(a)** (with [Sch.](#)); s. 31 in force for W. at 16.6.2006 by [S. I. 2006/1535](#), **art. 2(a)** (with [Sch.](#))

Changes to legislation:

Housing Act 2004, Cross Heading: Enforcement: improvement notices is up to date with all changes known to be in force on or before 09 June 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.

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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\(3\)](#)