



# Housing Act 2004

## 2004 CHAPTER 34

### PART 4

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

### CHAPTER 3

#### OVERCROWDING NOTICES

#### **140 Contents of overcrowding notices**

- (1) An overcrowding notice must state in relation to each room in the HMO concerned—
  - (a) what the local housing authority consider to be the maximum number of persons by whom the room is suitable to be occupied as sleeping accommodation at any one time; or
  - (b) that the local housing authority consider that the room is unsuitable to be occupied as sleeping accommodation.
- (2) An overcrowding notice may specify special maxima applicable where some or all of the persons occupying a room are under such age as may be specified in the notice.
- (3) An overcrowding notice must contain—
  - (a) the requirement prescribed by section 141 (not to permit excessive number of persons to sleep in the house in multiple occupation); or
  - (b) the requirement prescribed by section 142 (not to admit new residents if number of persons is excessive).
- (4) The local housing authority may at any time—
  - (a) withdraw an overcrowding notice which has been served on any person and which contains the requirement prescribed by section 142, and
  - (b) serve on him instead an overcrowding notice containing the requirement prescribed by section 141.

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**Status:** Point in time view as at 18/11/2004.

**Changes to legislation:** Housing Act 2004, Section 140 is up to date with all changes known to be in force on or before 28 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)

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#### Commencement Information

- II** S. 140 wholly in force at 16.6.2006; s. 140 in force for certain purposes at Royal Assent see s. 270(2)(b); s. 140 in force for E. at 6.4.2006 by S.I. 2006/1060, **art. 2(1)(a)** (with Sch.); s. 140 in force for W. at 16.6.2006 by S.I. 2006/1535, **art. 2(a)** (with Sch.)

**Status:**

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