



Housing Act 2004

2004 CHAPTER 34

PART 1

HOUSING CONDITIONS

CHAPTER 2

IMPROVEMENT NOTICES, PROHIBITION ORDERS AND HAZARD AWARENESS NOTICES

Enforcement: prohibition orders

34 Power of tribunal to determine or vary lease

- (1) Subsection (2) applies where—
 - (a) a prohibition order has become operative, and
 - (b) the whole or part of any specified premises form the whole or part of the subject matter of a lease.
- (2) The lessor or the lessee may apply to a residential property tribunal for an order determining or varying the lease.
- (3) On such an application the tribunal may make an order determining or varying the lease, if it considers it appropriate to do so.
- (4) Before making such an order, the tribunal must give any sub-lessee an opportunity of being heard.
- (5) An order under this section may be unconditional or subject to such terms and conditions as the tribunal considers appropriate.
- (6) The conditions may, in particular, include conditions about the payment of money by one party to the proceedings to another by way of compensation, damages or otherwise.

Status: *This is the original version (as it was originally enacted).*

- (7) In deciding what is appropriate for the purposes of this section, the tribunal must have regard to the respective rights, obligations and liabilities of the parties under the lease and to all the other circumstances of the case.
- (8) In this section “lessor” and “lessee” include a person deriving title under a lessor or lessee.