



Housing Act 2004

2004 CHAPTER 34

PART 3

SELECTIVE LICENSING OF OTHER RESIDENTIAL ACCOMMODATION

Grant or refusal of licences

88 Grant or refusal of licence

- (1) Where an application in respect of a house is made to the local housing authority under section 87, the authority must either—
 - (a) grant a licence in accordance with subsection (2), or
 - (b) refuse to grant a licence.
- (2) If the authority are satisfied as to the matters mentioned in subsection (3), they may grant a licence either—
 - (a) to the applicant, or
 - (b) to some other person, if both he and the applicant agree.
- (3) The matters are—
 - (a) that the proposed licence holder—
 - (i) is a fit and proper person to be the licence holder, and
 - (ii) is, out of all the persons reasonably available to be the licence holder in respect of the house, the most appropriate person to be the licence holder;
 - (b) that the proposed manager of the house is either—
 - (i) the person having control of the house, or
 - (ii) a person who is an agent or employee of the person having control of the house;
 - (c) that the proposed manager of the house is a fit and proper person to be the manager of the house; and

Status: Point in time view as at 01/06/2009. This version of this provision has been superseded.

Changes to legislation: Housing Act 2004, Section 88 is up to date with all changes known to be in force on or before 08 August 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)

(d) that the proposed management arrangements for the house are otherwise satisfactory.

(4) Section 89 applies for the purposes of this section.

Commencement Information

II S. 88 wholly in force at 16.6.2006; s. 88 not in force at Royal Assent see s. 270(4)(5); s. 88 in force for E. at 6.4.2006 by S.I. 2006/1060, art. 2(1)(a) (with Sch.); s. 88 in force for W. at 16.6.2006 by S.I. 2006/1535, art. 2(a) (with Sch.)

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