



# Consumers, Estate Agents and Redress Act 2007

## 2007 CHAPTER 17

### PART 1

#### [<sup>F1</sup>THE CONSUMER ADVOCACY BODIES]

##### *Information*

#### **26 Enforcement by court of section 24 notice**

- (1) This section applies where a person (“ the defaulter ”) refuses, or otherwise fails, to comply with a notice given to the defaulter under section 24(1) and the defaulter is—
  - (a) within section 24(3)(c), or
  - (b) a person in relation to whom this section applies by virtue of provision made under section 24(7)(b).
- (2) But this section does not apply in relation to a notice if, or to the extent that, section 25(1) applies in relation to the notice.
- (3) [<sup>F1</sup>The consumer advocacy body in question] may apply to the court for an order requiring the defaulter to comply with the notice or with such directions for the like purpose as may be contained in the order.
- (4) An order under this section may, in particular, provide that all the costs or expenses of and incidental to the application are to be borne—
  - (a) by the defaulter, or
  - (b) if officers of a company or other association are responsible for the failure to comply with the notice, by those officers.
- (5) In this section “the court”—
  - (a) in relation to England and Wales or Northern Ireland, means the High Court, and

*Changes to legislation: Consumers, Estate Agents and Redress Act 2007, Section 26 is up to date with all changes known to be in force on or before 12 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*

(b) in relation to Scotland, means the Court of Session.

#### Textual Amendments

- F1** Words in s. 26(3) substituted (1.4.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(3), **Sch. 1 para. 12(29)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)

#### Modifications etc. (not altering text)

- C1** Pt. 1 power to apply (with modifications) conferred (26.10.2023) by [Energy Act 2023 \(c. 52\)](#), s. 334(2)(1), **Sch. 18 para. 61(1)**
- C2** Pt. 1 power to extend (N.I.) conferred (26.10.2023) by [Energy Act 2023 \(c. 52\)](#), s. 334(2)(1), **Sch. 18 para. 61(3)**

#### Commencement Information

- I1** S. 26 in force at 1.10.2008 by [S.I. 2008/2550](#) , art. 2 , **Sch.**

**Changes to legislation:**

Consumers, Estate Agents and Redress Act 2007, Section 26 is up to date with all changes known to be in force on or before 12 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 42(4)(c) words substituted by [2023 c. 52 Sch. 17 para. 16\(a\)](#)
- s. 42(4)(c) words substituted by [2023 c. 52 Sch. 17 para. 16\(b\)](#)