



Housing and Regeneration Act 2008

2008 CHAPTER 17

PART 2

REGULATION OF SOCIAL HOUSING

CHAPTER 7

ENFORCEMENT POWERS

General

218 Exercise of enforcement powers

- (1) [^{F1}This section] applies where the regulator is deciding—
 - (a) whether to exercise a power under this Chapter,
 - (b) which power under this Chapter to exercise, or
 - (c) how to exercise a power under this Chapter.
- (2) The regulator shall consider—
 - (a) the desirability of registered providers being free to choose how to provide services and conduct business;
 - ^{F2}(b)
 - ^{F2}(c)
 - (d) the speed with which the failure or other problem needs to be addressed;
 - [^{F3}(e) whether the failure or other problem is serious or trivial.]
- ^{F4}(3)
- ^{F5}(4)

Changes to legislation: *Housing and Regeneration Act 2008, Section 218 is up to date with all changes known to be in force on or before 04 July 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*

Textual Amendments

- F1** Words in s. 218(1) substituted (1.4.2024) by [Social Housing \(Regulation\) Act 2023 \(c. 36\), s. 46\(3\), Sch. 5 para. 26\(a\)](#); S.I. 2024/437, reg. 2(z) (with reg. 5(3))
- F2** S. 218(2)(b)(c) repealed (1.4.2012) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 17 para. 17\(3\), Sch. 25 Pt. 27](#); S.I. 2012/628, art. 6(i)(j) (with arts. 911141517)
- F3** S. 218(2)(e) inserted (1.4.2024) by [Social Housing \(Regulation\) Act 2023 \(c. 36\), s. 46\(3\), Sch. 5 para. 26\(b\)](#); S.I. 2024/437, reg. 2(z) (with reg. 5(3))
- F4** S. 218(3) omitted (1.4.2024) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\), s. 46\(3\), Sch. 5 para. 26\(c\)](#); S.I. 2024/437, reg. 2(z) (with reg. 5(3))
- F5** S. 218(4) omitted (1.4.2024) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\), s. 46\(3\), Sch. 5 para. 26\(c\)](#); S.I. 2024/437, reg. 2(z) (with reg. 5(3))

Commencement Information

- I1** S. 218 in force at 1.4.2010 by [S.I. 2010/862, art. 2](#) (with Sch.)

Changes to legislation:

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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. 14(6A) inserted by [2023 c. 55 s. 138](#)
- s. 251(1)(c) and word inserted by [2023 c. 36 s. 31\(7\)](#)
- s. 251(1)(ab)(ac) inserted by [2023 c. 36 s. 10\(6\)](#)