



Housing and Regeneration Act 2008

2008 CHAPTER 17

PART 2

REGULATION OF SOCIAL HOUSING

CHAPTER 7

ENFORCEMENT POWERS

Management etc.

250 Section 249: supplemental

- (1) Before acting under section 249(2) the regulator must give the registered provider a notice—
 - (a) specifying grounds on which action might be taken under that section,
 - (b) warning the provider that the regulator is considering action under that section, and
 - (c) explaining the effect of this section.
- (2) The notice must specify a period during which the registered provider may make representations to the regulator.
- (3) The period must—
 - (a) be a period of at least 28 days, and
 - (b) begin with the date on which the registered provider receives the notice.
- (4) The regulator must send a copy of a notice under subsection (1) to—
 - ^{F1}(a)
 - ^{F2}(za) the HCA,]
 - ^{F3}(aa) in the case of a notice given to a registered provider who owns land in Greater London, the Greater London Authority,]

Status: Point in time view as at 20/09/2023.

Changes to legislation: Housing and Regeneration Act 2008, Section 250 is up to date with all changes known to be in force on or before 15 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)

- [^{F4}(b) in the case of a notice given to a local authority, the Secretary of State, and
 (c) any other persons the regulator thinks appropriate (having regard, in particular, to any person who provided information as a result of which the notice is given).]
- (5) A notice under subsection (1) must—
- (a) refer to section 125, and
 - (b) indicate whether or to what extent the regulator would accept a voluntary undertaking under that section instead of, or in mitigation of, action under section 249(2).
- (6) Notice under subsection (1) may be combined with notice under one or more of sections 230, 242, 248 and 252.
- (7) In imposing a requirement the regulator must have regard to views of—
- (a) relevant tenants,
 - (b) the registered provider,
 - [^{F5}(ba) the HCA,]
 - ^{F6}(c)
 - [^{F7}(ca) if the requirement would be imposed on a registered provider who owns land in Greater London, the Greater London Authority,]
 - [^{F8}(d) if the requirement would be imposed on a local authority, the Secretary of State, and
 - (e) if the regulator thinks it appropriate, any relevant local housing authority.]
- [^{F9}(8) If the regulator imposes a requirement it must send a copy—
- ^{F10}(a)
 - [^{F11}(za) the HCA,]
 - [^{F12}(aa) in the case of a requirement imposed on a registered provider who owns land in Greater London, to the Greater London Authority, and]
 - (b) in the case of a requirement imposed on a local authority, to the Secretary of State.]
- (9) A registered provider may appeal to the High Court against a requirement under section 249(2).
- [^{F13}(10) An appeal under this section must be brought within the period of 28 days beginning with the day on which the regulator notifies the registered provider of the imposition of a requirement on the provider under section 249(2).]

Textual Amendments

- F1** S. 250(4)(a) repealed (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 16 para. 51\(2\)](#), [Sch. 25 Pt. 26](#); [S.I. 2012/628](#), art. 6(i)(j) (with arts. 911141517)
- F2** S. 250(4)(za) inserted (1.10.2018) by [The Legislative Reform \(Regulator of Social Housing\) \(England\) Order 2018 \(S.I. 2018/1040\)](#), art. 1(2), [Sch. para. 34\(a\)](#) (with Pt. 4)
- F3** S. 250(4)(aa) inserted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 19 para. 63\(2\)](#); [S.I. 2012/628](#), art. 6(i) (with arts. 911141517)
- F4** S. 250(4)(b)(c) substituted for s. 250(4)(b) (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), [Sch. 1 para. 66\(2\)\(b\)](#)
- F5** S. 250(7)(ba) inserted (1.10.2018) by [The Legislative Reform \(Regulator of Social Housing\) \(England\) Order 2018 \(S.I. 2018/1040\)](#), art. 1(2), [Sch. para. 34\(b\)](#) (with Pt. 4)

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- F6** S. 250(7)(c) repealed (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 16 para. 51(3), **Sch. 25 Pt. 26**; S.I. 2012/628, art. 6(i)(j) (with arts. 911141517)
- F7** S. 250(7)(ca) inserted (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 19 para. 63(3)**; S.I. 2012/628, art. 6(i) (with arts. 911141517)
- F8** S. 250(7)(d)(e) substituted for s. 250(7)(d) (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 1 para. 66(3)(b)**
- F9** S. 250(8) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 1 para. 66(4)**
- F10** S. 250(8)(a) repealed (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 16 para. 51(4), **Sch. 25 Pt. 26**; S.I. 2012/628, art. 6(i)(j) (with arts. 911141517)
- F11** S. 250(8)(za) inserted (1.10.2018) by The Legislative Reform (Regulator of Social Housing) (England) Order 2018 (S.I. 2018/1040), art. 1(2), **Sch. para. 34(c)** (with Pt. 4)
- F12** S. 250(8)(aa) inserted (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 19 para. 63(4)**; S.I. 2012/628, art. 6(i) (with arts. 911141517)
- F13** S. 250(10) inserted (20.9.2023) by Social Housing (Regulation) Act 2023 (c. 36), s. 46(3), **Sch. 4 para. 12**; S.I. 2023/1001, reg. 2(x)

Commencement Information

- I1** S. 250 in force at 1.4.2010 by S.I. 2010/862, **art. 2** (with Sch.)

Status:

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