



Tenant Fees Act 2019

2019 CHAPTER 4

Enforcement

12 Offences

- (1) A person commits an offence if—
 - (a) the person breaches section 1 or 2,
 - (b) a relevant penalty has been imposed on the person in respect of a different breach of the same section and the final notice imposing the penalty has not been withdrawn, or the person has been convicted of an offence in respect of such a breach, and
 - (c) the breach mentioned in paragraph (a) occurs within the period of five years beginning with the day on which the relevant penalty was imposed or the person was convicted.
- (2) For the purposes of subsection (1)(c) a relevant penalty is imposed on the date specified in the final notice in respect of that penalty as the date on which it is served.
- (3) A person guilty of an offence under this section is liable on summary conviction to a fine.
- (4) A person may not be convicted of an offence under this section in respect of the breach mentioned in subsection (1)(a) if a financial penalty has been imposed under section 8 in respect of that breach.
- (5) In this section “relevant penalty” means a financial penalty which is imposed under section 8 where—
 - (a) the period for bringing an appeal against the penalty under paragraph 6 of Schedule 3 has expired without an appeal being brought,
 - (b) an appeal against the financial penalty under that paragraph has been withdrawn or abandoned, or
 - (c) the final notice imposing the penalty has been confirmed or varied on appeal.
- (6) In section 14 of the Housing and Planning Act 2016, after subsection (4) insert—

Changes to legislation: There are currently no known outstanding effects for the Tenant Fees Act 2019, Section 12. (See end of Document for details)

“(5) An offence under section 12 of the Tenant Fees Act 2019 is also a banning order offence for the purposes of this Part.”

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Commencement Information

II [S. 12](#) in force at 1.6.2019 by [S.I. 2019/857](#), **reg. 3(k)**

Changes to legislation:

There are currently no known outstanding effects for the Tenant Fees Act 2019, Section 12.