



# Tenant Fees Act 2019

## 2019 CHAPTER 4

### *Enforcement*

#### **14 Duty to notify when taking enforcement action**

- (1) Where a local weights and measures authority in England (“LA1”) proposes to take enforcement action in respect of a breach which occurs (or which also occurs) in the area of a different local weights and measures authority in England (“LA2”), LA1 must notify LA2 that it proposes to do so.
- (2) If LA1 notifies LA2 under subsection (1) but does not take the action referred to in that subsection, LA1 must notify LA2 of that fact.
- (3) Where a district council proposes to take enforcement action in respect of a breach, the district council must notify the local weights and measures authority for the area in which the breach occurs (or in which the breach also occurs) that it proposes to do so.
- (4) If a district council notifies a local weights and measures authority under subsection (3) but does not take the action referred to in that subsection, the district council must notify the local weights and measures authority of that fact.
- (5) Where a local weights and measures authority receives a notification under subsection (1) or (3), the authority is relieved of its duty to take enforcement action in relation to the breach unless the authority receives a notification under subsection (2) or (4).
- (6) An enforcement authority must notify the lead enforcement authority as soon as reasonably practicable if—
  - (a) the enforcement authority imposes a financial penalty under section 8 (financial penalties),
  - (b) a financial penalty imposed under that section by the enforcement authority is withdrawn,
  - (c) a financial penalty imposed under that section by the enforcement authority is quashed on appeal, or
  - (d) the enforcement authority brings proceedings for an offence under section 12 and the defendant in the proceedings is convicted of the offence.

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*Changes to legislation: There are currently no known outstanding effects for the Tenant Fees Act 2019, Section 14. (See end of Document for details)*

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- (7) Subsection (8) applies where—
- (a) an enforcement authority has imposed a financial penalty under section 8(3),
  - (b) the breach to which the penalty relates occurred in the area of a local housing authority which is not the enforcement authority which imposed the penalty, and
  - (c) the final notice imposing the penalty has not been withdrawn.
- (8) The enforcement authority must notify the local housing authority as soon as reasonably practicable if—
- (a) the period for bringing an appeal against the penalty under paragraph 6 of Schedule 3 expires without an appeal being brought,
  - (b) an appeal against the penalty is withdrawn or abandoned, or
  - (c) the final notice imposing the penalty is confirmed or varied on appeal.
- (9) Subsection (10) applies where—
- (a) an enforcement authority has brought proceedings against a person for an offence under section 12, and
  - (b) the conduct to which the offence relates occurred in the area of a local housing authority which is not the enforcement authority which has brought the proceedings.
- (10) The enforcement authority must notify the local housing authority as soon as reasonably practicable if the person is convicted of the offence.
- (11) In this section—
- (a) “local housing authority” has the meaning given by section 1 of the Housing Act 1985, and
  - (b) a reference to an enforcement authority taking enforcement action is a reference to that authority—
    - (i) imposing a financial penalty under section 8, or
    - (ii) bringing proceedings against a person for an offence under section 12.

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**Commencement Information**

**II** S. 14 in force at 1.6.2019 by S.I. 2019/857, reg. 3(m)

**Changes to legislation:**

There are currently no known outstanding effects for the Tenant Fees Act 2019, Section 14.