
STATUTORY INSTRUMENTS

2012 No. 1821

The Housing (Right to Manage) (England) Regulations 2012

PART 2

INITIATING THE PROCESS STAGE

Acceptance and refusal of proposal notices

11.—(1) Subject to paragraphs (4) and (5), an authority on which a proposal notice is served must accept it.

(2) An authority must notify the TMO within 28 days of receiving the proposal notice—

- (a) whether it has accepted or refused the proposal notice; and
- (b) where it has refused, the reasons for the refusal.

(3) Where an authority accepts a proposal notice, it must at the time of notification under paragraph (2)—

- (a) inform the TMO of any other management organisation or person which already exercises management functions in relation to the houses identified in the proposal notice; and
- (b) provide a copy of the proposal notice to any other such management organisation or person.

(4) An authority may refuse to accept a proposal notice if it contains a similar proposal to one contained in a previous proposal notice, and—

- (a) at least half of the houses identified in the current proposal notice were also identified in the previous proposal notice; and
- (b) within the two years preceding the date on which the current notice is received, the previous proposal notice was withdrawn voluntarily, by the TMO, or was deemed to be withdrawn as mentioned in—
 - (i) regulation 13(8) (competence of TMO);
 - (ii) regulation 15(4) (refusal of offer to tenants); or
 - (iii) regulation 17 (failure to register TMO).

(5) An authority may refuse to accept a proposal notice if it has reasonable grounds for believing that the TMO which served the notice has failed to comply with the requirements of regulation 10(a) or (b), or that the requirements of regulation 10(c) have not been met.