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## STATUTORY INSTRUMENTS

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# 2015 No. 1693

## The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

### PART 4

#### Penalty charges

#### Appeals

**11.**—(1) A landlord who is served with a notice under regulation 10(2)(c) confirming or varying a penalty charge notice may appeal to the First-tier Tribunal against the local housing authority's decision.

(2) The grounds for appeal are that—

- (a) the decision to confirm or vary the penalty charge notice was based on an error of fact;
- (b) the decision was wrong in law;
- (c) the amount of the penalty charge is unreasonable;
- (d) the decision was unreasonable for any other reason.

(3) Where a landlord appeals to the First-tier Tribunal, the operation of the penalty charge notice is suspended until the appeal is finally determined or withdrawn.

(4) The Tribunal may quash, confirm or vary the penalty charge notice, but may not increase the amount of the penalty charge.

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#### Commencement Information

**11** Reg. 11 in force at 1.10.2015, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Smoke and Carbon Monoxide Alarm (England) Regulations 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Regulations words substituted by [S.I. 2022/634 Sch. para. 1\(1\)\(3\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. para. 6A inserted by [S.I. 2022/707 reg. 12](#)
- reg. 1(3) inserted by [S.I. 2022/707 reg. 3\(2\)](#)
- reg. 4(1)(c) and word inserted by [S.I. 2022/707 reg. 5\(a\)\(iv\)](#)
- reg. 4(3A) inserted by [S.I. 2022/707 reg. 5\(b\)](#)
- reg. 5(4)-(7) inserted by [S.I. 2022/707 reg. 6](#)
- reg. 6(1A) inserted by [S.I. 2022/707 reg. 7\(b\)](#)
- reg. 6(3) inserted by [S.I. 2022/707 reg. 7\(d\)](#)
- reg. 7(6) inserted by [S.I. 2022/707 reg. 8\(c\)](#)
- reg. 16 inserted by [S.I. 2022/707 reg. 11](#)