

SCHEDULE

PART 1

ACTION UNDER THE 1985 ACT RELATING TO UNFITNESS

Repair notices

1.—(1) A repair notice served under section 189 or 190 of the 1985 Act before the commencement date ceases to have effect on that date unless it is a notice to which sub-paragraph (2) applies.

(2) This sub-paragraph applies to a repair notice—

- (a) which has become operative as mentioned in section 189(4) or 190(4) of the 1985 Act before the commencement date; or
- (b) in respect of which an appeal has been brought under section 191 of that Act before that date.

(3) During the period beginning on the commencement date and ending on 15 June 2007, the repeal of sections 189 to 208, 345, 398, 604 and 604A of, and Schedule 10 to, the 1985 Act do not have effect in relation to a repair notice to which sub-paragraph (2) applies.

(4) Where—

- (a) an appeal in respect of a repair notice to which sub-paragraph (2) applies is allowed; and
- (b) the judge includes in the judgment a finding such as is mentioned in section 191(3) of the 1985 Act,

the local housing authority must take the finding into account if they subsequently consider taking action of a kind mentioned in section 5(2) or 7(2) of the 2004 Act in respect of the premises concerned.

(5) A repair notice to which sub-paragraph (2) applies ceases to have effect on 16 June 2007 except in relation to anything done in connection with the notice before that date.

(6) The repeal of section 191(3A)(b) of the 1985 Act does not have effect in relation to an order made by a court under that paragraph before that date.

(7) The amendment made by paragraph 4(2) of Schedule 15 to the 2004 Act (which amends the Land Compensation Act 1973) does not have effect in relation to a repair notice to which sub-paragraph (2) applies.