
WELSH STATUTORY INSTRUMENTS

2006 No. 2823

**The Housing (Empty Dwelling Management Orders)
(Prescribed Exceptions and Requirements) (Wales) Order 2006**

Prescribed requirements

4.—(1) For the purpose of section 134(2)(e) of the Act the prescribed requirements with which a local housing authority must comply are that —

- (a) it must make reasonable efforts to establish from the relevant proprietor whether the relevant proprietor considers that any of the exceptions contained in article 3 apply to the dwelling;
- (b) it must provide to the residential property tribunal —
 - (i) details of the efforts they have made to notify the relevant proprietor that they are considering making an interim empty dwelling management order in respect of the relevant proprietor's dwelling, as required under section 133(3)(a) of the Act;
 - (ii) details of the enquiries they have made to ascertain what steps (if any) the relevant proprietor is taking, or is intending to take, to secure that the dwelling is occupied, as required under section 133(3)(b) of the Act;
 - (iii) details of any advice and assistance they have provided to the relevant proprietor with a view to the relevant proprietor securing that the dwelling is occupied;
 - (iv) all information they have that suggests that the dwelling may fall within one of the exceptions described in article 3, whether available from the authority's own enquiries or from representations made to it by the relevant proprietor; and
 - (v) the classification of the dwelling for council tax purposes under the Local Government Finance Act 1992(1); and
- (c) where the relevant proprietor —
 - (i) has undertaken or is undertaking repairs, maintenance or improvement works; or
 - (ii) has applied to a local planning authority or other authority for permission to make structural alterations or additions to the dwelling and awaits the decision of a relevant authority on the application,

a local housing authority must give reasons to the residential property tribunal why it considers that an empty dwelling management order is required to secure occupation of the dwelling.

(2) For the purpose of paragraph (1)(c)(ii) a relevant authority is —

- (a) the authority to whom the relevant proprietor has made the application; or,
- (b) where that authority has made a decision against which the relevant proprietor or another person has appealed, the person or body that determines the appeal.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
