

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Section 84A of the Housing Act 1985 (“the Act”) provides for a new, absolute, anti-social behaviour ground for possession of a dwelling that is the subject of a secure tenancy. Section 85ZA of the Act provides secure tenants of local housing authorities and housing action trusts with a right to request a review of a landlord’s decision to seek possession under section 84A. The landlord must review the decision if the tenant requests it.

Section 85ZA specifies how requests should be made, the time limits that apply to the review procedure and how the outcome of the review should be communicated to the tenant. These Regulations make provision about the procedure to be followed in connection with such a review.

Regulation 2 sets out the information that must be included in a tenant’s application for a review. Regulation 3 specifies that where an application includes a statement to the effect that the applicant requires the review to be conducted by way of an oral hearing, the review must be conducted in accordance with regulations 6 to 10. In any other case, the review must be conducted in accordance with regulation 5.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen. These Regulations relate to the implementation of Part 5 of the Anti-social Behaviour, Crime and Policing Act 2014. An Impact Assessment relating to that Part as well as an overarching Impact Assessment of the whole Act has been carried out by the Home Office and is published on the Home Office’s website. <https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour>.