

## GRAVESHAM BOROUGH COUNCIL

### HOUSING ACT 2004

Section 139(3)

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#### Information that local authority intend to serve an overcrowding notice

To:

Of:

The Gravesham Borough Council ("the Authority") inform you that they intend to serve an overcrowding notice in relation to a house in multiple occupation ("a HMO") in relation to which no interim or final management order is in force and which is not required to be licensed under Part 2 of the Housing Act 2004 ("the Act"), namely:-

Having regard to the rooms available, the local authority considers that an excessive number of persons [is being] [is likely to be] accommodated in the HMO.

Representations may be made to the Authority by <sup>1</sup>

Dated

Signature:.....

Description: Private Sector Renewal Manager  
the officer appointed for this purpose

*Name and, address for all communications:*

The Private Sector Renewal Manager  
Gravesham Borough Council  
Civic Centre  
Windmill Street  
Gravesend  
Kent DA12 1AU

Delete any words in square brackets which do not apply

† Insert title of proper officer

<sup>1</sup> This date must allow at least 7 days for representations before an overcrowding notice may be served (s.139(3))

#### NOTES

These notes are intended as general information to the recipient(s) of this information. The notes are not intended to be definitive and the recipient should refer to the full version of the Housing Act 2004.

### **139 Service of overcrowding notices**

- (3) The authority must, at least 7 days before serving an overcrowding notice –
  - (a) inform in writing every relevant person (whether or not the person on whom the authority is to serve the notice) of their intention to serve the notice; and
  - (b) ensure that, so far as is reasonably possible, every occupier of the HMO concerned is informed of the authority's intention.
- (4) The authority must also give the persons informed under subsection (3) an opportunity of making representations about the proposal to serve an overcrowding notice.
- (5) An overcrowding notice becomes operative, if no appeal is brought under section 143, at the end of the period of 21 days from the date of service of the notice.

#### **Advice:**

If you do not understand this information or wish to know more about it, you should contact the Local Authority. If you want independent advice about your rights and obligations, you should go to a Citizens' Advice Bureau, Housing Aid Centre, Law Centre or a solicitor. You may be able to obtain help with all or part of the cost of legal advice from a solicitor under the Legal Aid Scheme. If you do not know whether you could apply for Legal Aid you can see a solicitor who may be prepared to give you half-an-hour of legal advice for a small fee. If you want to know more about the works the Local Authority require you to do, you may wish to consult a surveyor.