



Estate Agents Act 1979

1979 CHAPTER 38

[^{F1}Redress schemes

[^{F1}23B Enforcement

- (1) If a duly authorised officer of an enforcement authority ^{F2}... believes that a person has engaged (or is engaging) in estate agency work in relation to residential property in breach of the duty imposed by an order under section 23A(1) he may give a penalty charge notice to that person.
- (2) A penalty charge notice may not be given after the end of the period of six months beginning with the day (or in the case of a continuing breach the last day) on which the breach of duty was committed.
- (3) Schedule 4 (which makes further provision in connection with penalty charge notices) shall have effect.
- (4) An enforcement authority other than the [^{F3}lead enforcement authority] must notify the [^{F3}lead enforcement authority] if it believes that a person has engaged (or is engaging) in estate agency work in relation to residential property in breach of the duty imposed by an order under section 23A(1).]

Textual Amendments

- F1** Ss. 23A-23C and cross-heading inserted (12.10.2007) by [Consumers, Estate Agents and Redress Act 2007](#) (c. 17), s. 66(2), **Sch. 6 para. 2**; S.I. 2007/2934, art. 3, Sch.
- F2** Words in s. 23B(1) omitted (31.3.2014) by virtue of [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014](#) (S.I. 2014/631), art. 1(5), **Sch. 2 para. 1(8)(a)** (with Sch. 1 para. 28, 2 paras. 13-15)
- F3** Words in s. 23B(4) substituted (31.3.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014](#) (S.I. 2014/631), art. 1(5), **Sch. 2 para. 1(8)(b)** (with Sch. 1 para. 28, 2 paras. 13-15)

Changes to legislation:

Estate Agents Act 1979, Section 23B is up to date with all changes known to be in force on or before 27 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

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

- s. 21A inserted by [2007 c. 17 s. 54\(1\)](#)