

IMMIGRATION ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Access to Services etc

Chapter 1: Residential tenancies

Section 30: Appeals

163. This section sets out the right of appeal where the landlord or agent wishes to challenge the Secretary of State's decision on their objection to a penalty, and ensures a right of appeal should the Secretary of State fail to respond to an objection within the required timeframe.
164. *Subsection (1)* provides that a landlord or agent on whom a penalty is served may appeal to a court on the grounds that he or she is not liable to the penalty, the amount is too high, or he or she is excused payment having complied with the specified requirements.
165. *Subsection (2)* covers the actions that may be taken by the court.
166. *Subsection (3)* sets out the nature of the appeal and the matters to which the court must have regard in determining the case. This may include matters of which the Secretary of State was unaware.
167. *Subsection (5)* requires that a landlord or agent must already have made an objection under section 29 before an appeal may be brought.
168. *Subsections (6) to (9)* provide for the time limits within which an appeal must be brought.