

*These notes refer to the Immigration Act 2014  
(c.22) which received Royal Assent on 14 May 2014*

# IMMIGRATION ACT 2014

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 3: Access to Services etc**

##### *Chapter 1: Residential tenancies*

##### *Section 25: Penalty notices: agents*

147. This section sets out the circumstances where an agent contracted by a landlord to carry out checks on an occupant's right to rent can be held liable for any breach of the restriction on renting to disqualified persons. An agent may be liable where they act in the course of a business, so for instance letting agents who make status checks on tenants (*subsection (2)*); the landlord cannot simply pass the checking burden on by asking a friend to carry out the checks for them. The agreement with the agent must be made in writing.
148. *Subsections (3) and (4)* empower the Secretary of State to impose a penalty of up to £3,000 on an agent for each disqualified adult that is allowed to occupy property.
149. *Subsection (5)* provides for the maximum amount of the penalty specified in subsection (4) to be varied by order. This order is subject to the affirmative resolution procedure (see section 74(2)).