STATUTORY INSTRUMENTS

2026 No. 1085

HOUSING, ENGLAND

The Housing (Empty Dwelling Management Orders) (Prescribed Period of Time and Prescribed Requirements) (England) (Amendment) Order 2026

Made - - - -	*at 7.56 a.m. on 14th October 2026*
Laid before Parliament	*at 4.30 p.m. on 14th October 2026*
Coming into force - -	*5th November 2026*

The Secretary of State makes this Order in exercise of the powers conferred by sections 134(5)(b) and (c) and 250(2) of the Housing Act 2004(**a**).

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Housing (Empty Dwelling Management Orders) (Prescribed Period of Time and Prescribed Requirements) (England) (Amendment) Order 2026.

(2) This Order comes into force on 5th November 2026.

(3) This Order extends to England and Wales and applies in relation to England only.

Amendment to the Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (England) Order 2006

2. In article 4(1) of the Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (England) Order 2006(**b**) (prescribed requirements)—

(a) insert "and" after sub-paragraph (b)(iv);

(b) insert "and" after sub-paragraph (b)(v);

(c) omit sub-paragraphs (b)(vi) and (b)(vii)(**c**).

Amendment to the Housing (Empty Dwelling Management Orders) (Prescribed Period of Time and Additional Prescribed Requirements) (England) (Amendment) Order 2012

3. Omit article 2 of the Housing (Empty Dwelling Management Orders) (Prescribed Period of Time and Additional Prescribed Requirements) (England) (Amendment) Order 2012(**d**) (prescribed period of time).

(**a**) 2004 c. 34. The powers conferred by section 134(5) of the Housing Act 2004 are exercisable in relation to England by the Secretary of State; see the definition of appropriate national authority in section 261(1) of that Act.
(**b**) S.I. 2006/367.
(**c**) Article 4(1)(b)(vi) and (vii) were inserted by S.I. 2012/2625; article 4(1)(b) was amended by S.I. 2013/1036.
(**d**) S.I. 2012/2625.

Transitional Provision

4. The provisions in articles 2 and 3 shall not have effect in relation to applications for interim EDMOs(**a**) submitted to the residential property tribunal(**b**) for authorisation under section 134 of the Housing Act 2004 (authorisation to make interim EDMOs) before the day on which this Order comes into force.

Signed by the authority of the Secretary of State for Housing, Communities and Local Government

Matthew Pennycook
Minister of State
At 7.56 a.m. on 14th October 2026 Ministry of Housing, Communities and Local Government

(**a**) See section 132 of the Housing Act 2004 for the definition of "interim EDMO".
(**b**) See section 229 of the Housing Act 2004 for the definition of "residential property tribunal".

EXPLANATORY NOTE

(This note is not part of the Order)

Chapter 2 of Part 4 of the Housing Act 2004 (c. 34) ("the Act") deals with the making of interim and final empty dwelling management orders ("EDMOs) which may be made by local housing authorities in respect of dwellings which are wholly unoccupied.

An interim EDMO is an order made by a local housing authority to enable it to take steps for the purpose of securing that a dwelling becomes and continues to be occupied. A final EDMO is made in succession to an interim EDMO for the purposes of securing that a dwelling is occupied (section 132 of the Act).

Section 133 of the Act sets out the basis upon which a local housing authority may make an interim EDMO, which includes authorisation of the making of the Order by a residential property tribunal under section 134 of the Act. Section 134 sets out the matters upon which the residential property tribunal must be satisfied before it authorises the making of an interim EDMO; these include that the dwelling has been wholly unoccupied for at least 6 months or such longer period as may be prescribed and that other prescribed requirements have been complied with by the local housing authority.

The Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (England) Order 2006 ("the 2006 Order") (S.I. 2006/367) prescribes requirements that a local housing authority must have complied with when making an application to a residential property tribunal for authorisation of an interim EDMO.

The Housing (Empty Dwelling Management Orders) (Prescribed Period of Time and Additional Prescribed Requirements) (England) (Amendment) Order 2012 ("the 2012 Order") (S.I. 2012/2625) amended the 2006 Order. It prescribes additional requirements which must be complied with before a residential property tribunal may authorise an interim EDMO (see article 3 of the 2012 Order). It also prescribes a period of time of at least 2 years for which the dwelling must be unoccupied, in substitution for the period of at least 6 months specified in section 134(2)(a) of the Act (see article 2 of the 2012 Order).

Article 2 of this Order revokes two of the additional prescribed requirements that must be complied with before a residential property tribunal may authorise an interim EDMO.

Article 3 of this Order revokes the 2 year prescribed period of time for which the dwelling must be unoccupied before a residential property tribunal may authorise the interim EDMO, and reinstates the prescribed period of time of at least 6 months specified in section 134(2)(a) of the Act.

Article 4 of this Order limits the effect of the amendments made by articles 2 and 3 to applications for interim EMDOs submitted to the residential property tribunal on or after the day on which this Order is in force.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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