



# Housing Act 1985

## 1985 CHAPTER 68

### PART V

#### THE RIGHT TO BUY

##### *Supplementary provisions*

#### **178** Costs.

- (1) An agreement between—
- (a) the landlord and a tenant claiming to exercise the right to buy, the right to be granted a shared ownership lease, or any such right as is mentioned in paragraphs 1(1), 2 or 8 of Schedule 8 (terms of shared ownership lease: right to acquire additional shares or call for conveyance of freehold), or
  - (b) the landlord or, as the case may be, the [F<sup>1</sup>Corporation] and a tenant claiming to exercise the right to a mortgage, or such a right as is mentioned in paragraph 1 of Schedule 9 (right to further advances),
- is void in so far as it purports to oblige the tenant to bear any part of the costs incurred by the landlord or [F<sup>1</sup>Corporation] in connection with the tenant's exercise of that right.
- (2) Where a tenant exercises the right to a mortgage, or such a right as is mentioned in paragraph 1 of Schedule 9 (right to further advances), the landlord or, as the case may be, the [F<sup>1</sup>Corporation] may charge to him the costs incurred by it in connection with his exercise of that right, but only—
- (a) on the execution of the deed by which the mortgage is effected, and
  - (b) to the extent that the costs do not exceed such amount as the Secretary of State may by order specify.
- (3) An order under this section—
- (a) may make different provision with respect to different cases or descriptions of case, including different provision for different areas, and
  - (b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: Housing Act 1985, Section 178 is up to date with all changes known to be in force on or before 19 August 2024. 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. (See end of Document for details)*

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#### **Textual Amendments**

**F1** Word substituted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 140(1), [Sch. 17 Pt. II para. 106](#)

**Status:**

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