



# Housing Act 1957

## 1957 CHAPTER 56

### PART II

#### PROVISIONS FOR SECURING THE REPAIR, MAINTENANCE AND SANITARY CONDITION OF HOUSES

##### *Unfit premises capable of repair at reasonable cost*

### 13 Recovery by lessees of proportion of cost of execution of works

- (1) Where any person who incurs expenditure in complying with a notice under the foregoing provisions of this Part of this Act requiring the execution of works or in defraying expenses incurred by a local authority under those provisions in carrying out such works, is a lessee of the house or the agent of such a lessee, the lessee may recover from the lessor under the lease such part (if any) of that expenditure as may, in default of agreement between the parties, be determined by the county court to be just having regard—
  - (a) to the obligations of the lessor and the lessee under the lease with respect to the repair of the house,
  - (b) to the length of the unexpired term of the lease,
  - (c) to the rent payable under the lease, and
  - (d) to all other relevant circumstances.
- (2) Where a person from whom any sum is recoverable under the foregoing subsection is himself a lessee of the house, the provisions of that subsection shall apply as if any sum so recoverable from him were expenditure as mentioned in that subsection.
- (3) The foregoing provisions of this section shall not apply in relation to any expenditure in respect of which a charging order is in force under this Part of this Act, or in respect of which an application for such an order is for the time being pending.
- (4) In this section " lease " includes an under-lease and any tenancy or agreement for a lease, under-lease or tenancy, and the expressions " lessee " and " lessor " shall be construed accordingly.