



Building Act 1984

1984 CHAPTER 55

PART IV

GENERAL

Compensation, and recovery of sums

107 Recovery of expenses etc.

- (1) Where a local authority have incurred expenses for whose repayment the owner of the premises in respect of which the expenses were incurred is liable, either under this Act or by agreement with the authority, those expenses, together with interest from the date of service of a demand for the expenses, may be recovered by the authority—
 - (a) from the person who is the owner of the premises at the date on which the works are completed, or
 - (b) if he has ceased to be the owner of the premises before the date on which a demand for the expenses is served, either from him or from the person who is the owner at the date on which the demand is served,and, as from the date of the completion of the works, the expenses and interest accrued due thereon are, until recovered, a charge on the premises and on all estates and interests in them.
- (2) A local authority, for the purpose of enforcing a charge under subsection (1) above, have all the same powers and remedies under the ^{M1}Law of Property Act 1925 and otherwise as if they were mortgagees by deed having powers of sale and lease, or accepting surrenders of leases and appointing a receiver.
- (3) The rate of interest chargeable under subsection (1) above is such reasonable rate as the authority may determine.
- (4) A sum that a local authority are entitled to recover under this Act, and with respect to whose recovery provision is not made by any other section of this Act, may be recovered as a simple contract debt in any court of competent jurisdiction.

Status: Point in time view as at 13/07/2004. This version of this provision has been superseded.

Changes to legislation: Building Act 1984, Section 107 is up to date with all changes known to be in force on or before 17 July 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)

(5) Where—

- (a) a person has been given a notice in relation to which section 102 above applies, and
- (b) the local authority take proceedings against him for the recovery of expenses that they are entitled to recover from him,

it is not open to him to raise any question that he could have raised on an appeal under that section.

Modifications etc. (not altering text)

C1 Ss. 107-110 applied (with modifications) (13.7.2004) by [London Local Authorities Act 2004 \(c. i\)](#), ss. 1(1), **10(3)-(5)**

Marginal Citations

M1 1925 c. 20.

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