



Housing Act 1985

CHAPTER 68

HOUSING ACT 1985

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- 450A Right to a loan in certain cases after exercise of right to buy.
- 450B Power to make loans in other cases.
- 450C Supplementary provisions as to regulations under s. 450A or 450B.

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- 451 Loans by Public Works Loan Commissioners.
- 452 Vesting of house in authority entitled to exercise power of sale.
- 453 Further advances in case of disposal on shared ownership lease.
- 454 LOANS FOR ACQUISITION OR IMPROVEMENT OF HOUSING
- 455 LOANS FOR ACQUISITION OR IMPROVEMENT OF HOUSING
- 456 Advances under the Small Dwellings Acquisition Acts.

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- 457 Meaning of “house” and “house property”.
- 458 Minor definitions.
- 459 Index of defined expressions: Part XIV.

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- 523 Assistance for provision of separate service pipe for water supply.
- 524 Contributions under superseded enactments.

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- 525 Minor definitions.
- 526 Index of defined expressions: Part XV

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- 528 Designation of defective dwellings by Secretary of State.
- 529 Variation or revocation of designation.
- 530 Meaning of “relevant interest”.
- 531 Conditions of eligibility: disposal by public sector authority, &c.
- 532 Construction of references to disposal, &c.
- 533 Exceptions to eligibility.

Determination of entitlement

- 534 Application for assistance.
- 535 Application not to be entertained where grant application pending or approved.
- 536 Determination of eligibility.
- 537 Determination of form of assistance to which applicant is entitled.
- 538 Conditions for assistance by way of reinstatement grant.
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- 547 Repurchase.
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- 549 Interest subject to right of pre-emption &c.
- 550 Compulsory purchase compensation to be made up to 95 per cent of defect-free value.
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- 552 Reimbursement of expenses incidental to repurchase.

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- 553 Effect of repurchase on certain existing tenancies.
- 554 Grant of tenancy to former owner-occupier.
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- 556 Alternative accommodation under s. 554 or 555,
- 557 Request for tenancy under s. 554 or 555.
- 558 Interpretation of ss. 553 to 557.

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- 559 Designation of defective dwellings under local schemes.
- 560 Variation or revocation of designation under local scheme.
- 561 Secretary of State's control over designation, variation or revocation.

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- 562 Duty of local housing authority to publicise availability of assistance.
- 563 Duties of public sector authority disposing of defective dwelling.
- 564 Reinstatement of defective dwelling by local housing authority.
- 565 Death of person eligible for assistance, &c.
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- 567 Modifications of this Part in relation to shared ownership leases.
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- 569 Contributions by Secretary of State.
- 570 Power to vary relevant percentage.

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- 571 Service of notices.
- 572 Jurisdiction of county court.
- 573 Meaning of "public sector authority".
- 574 Disposal of certain Crown interests in land treated as disposal by public sector authority.
- 575 Meaning of "dwelling" and "house".
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- 577 Index of defined expressions: Part XVI.

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Introductory

- 578 General enactments relating to compulsory purchase, &c., apply subject to this Part.
- 578A Modification of compulsory purchase order in case of acquisition of land for clearance.

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579

Compulsory purchase

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581

582 Restriction on recovery of possession after making of compulsory purchase order.

583 Continuance of tenancies of houses compulsorily acquired and to be used for housing purposes.

584 Power to enter and determine short tenancies of land acquired or appropriated.

584A Compensation payable in case of prohibition and demolition orders.

584B Repayment on revocation of demolition or prohibition order.

585—

592

Other land Compensation Matters

593—

595

596 Power to compensate shop-keepers in areas affected by clearance.

597 Compensation payable on demolition of obstructive building.

598

599 Application of compensation due to another local authority.

Supplementary provisions

600 Powers of entry.

601 Penalty for obstruction.

602 Minor definitions.

603 Index of defined expressions: Part XVII.

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General provisions relating to housing conditions

604 Fitness for human habitation.

604A Authority to consider guidance given by Secretary of State in deciding whether to take action under Section 189, Section 264, Section 265 or Section 289.

605 Consideration by local housing authority of housing conditions in their district.

606 Reports on particular houses or areas.

Environmental considerations

607 Local housing authority to have regard to environmental considerations.

608 Acquisition of ancient monuments, &c.

Enforceability of covenants, &c.

609 Enforcement of covenants against owner for the time being.

610 Power of court to authorise conversion of premises into flats.

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Miscellaneous powers of local housing authorities

- 611 Removal or alteration of apparatus of statutory undertakers.

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- 612 Exclusion of Rent Act protection.
 613 Liability of directors, &c. in case of offence by body corporate.
 614 Power to prescribe forms &c.
 615 Dispensation with advertisements and notices.
 616 Local inquiries.
 617 Service of notices.
 618 The Common Council of the City of London.
 619 The Inner and Middle Temples.
 620 The Isles of Scilly.
 621 Meaning of “lease” and “tenancy” and related expressions.
 621A Meaning of “service charge” and related expressions.
 622 Minor definitions: general.
 623 Minor definitions: Part XVIII
 624 Index of defined expressions: Part XVIII.

Final provisions

- 625 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 — Tenancies which are not Secure Tenancies

Long leases

- 1 A tenancy is not a secure tenancy if it is...

Introductory tenancies

- 1A A tenancy is not a secure tenancy if it is...
 1B A tenancy is not a secure tenancy if it is...

Premises occupied in connection with employment

- 2 (1) Subject to sub-paragraph (4B)a tenancy is not a secure...

Land acquired for development

- 3 (1) A tenancy is not a secure tenancy if the...

Accommodation for homeless persons

- 4 A tenancy granted in pursuance of any function under Part...

Family intervention tenancies

- 4ZA (1) A tenancy is not a secure tenancy if it...

Accommodation for asylum-seekers

- 4A (1) A tenancy is not a secure tenancy if it...

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Accommodation for persons with Temporary Protection

4B A tenancy is not a secure tenancy if it is...

Temporary accommodation for persons taking up employment

5 (1) Subject to sub-paragraphs (1A) and (1B), a tenancy is...

Short-term arrangements

6 A tenancy is not a secure tenancy if—

Temporary accommodation during works

7 A tenancy is not a secure tenancy if—

Agricultural holdings etc.

8 (1) A tenancy is not a secure tenancy if—

Licensed premises

9 A tenancy is not a secure tenancy if the dwelling-house...

Student lettings

10 (1) Subject to sub-paragraphs (2A) and (2B), a tenancy of...

1954 Act tenancies

11 A tenancy is not a secure tenancy if it is...

Almshouses

12 A licence to occupy a dwelling-house is not a secure...

SCHEDULE 2 — Grounds for Possession of Dwelling-Houses Let under Secure Tenancies

Part I — GROUNDS ON WHICH COURT MAY ORDER POSSESSION IF IT CONSIDERS IT REASONABLE

Ground 1

Rent lawfully due from the tenant has not been paid...

Ground 2

The tenant or a person residing in or visiting the...

Ground 2A

The dwelling-house was occupied (whether alone or with others) by...

Ground 3

The condition of the dwelling-house or of any of the...

Ground 4

The condition of furniture provided by the landlord for use...

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Ground 5

The tenant is the person, or one of the persons,...

Ground 6

The tenancy was assigned to the tenant, or to a...
In this paragraph “premium” means any fine or other like...

Ground 7

The dwelling-house forms part of, or is within the curtilage...

Ground 8

The dwelling-house was made available for occupation by the tenant...
Part II — GROUNDS ON WHICH THE COURT MAY ORDER POSSESSION IF
SUITABLE ALTERNATIVE ACCOMMODATION IS AVAILABLE

Ground 9

The dwelling-house is overcrowded, within the meaning of Part X,...

Ground 10

The landlord intends, within a reasonable time of obtaining possession...

Ground 10A

The dwelling-house is in an area which is the subject...

Ground 11

The landlord is a charity and the tenant’s continued occupation...
Part III — GROUNDS ON WHICH THE COURT MAY ORDER POSSESSION IF
IT CONSIDERS IT REASONABLE AND SUITABLE ALTERNATIVE
ACCOMMODATION IS AVAILABLE

Ground 12

The dwelling-house forms part of, or is within the curtilage...

Ground 13

The dwelling-house has features which are substantially different from
those...

Ground 14

The landlord is a housing association or housing trust which...

Ground 15

The dwelling-house is one of a group of dwelling-houses which...

Ground 16

The accommodation afforded by the dwelling-house is more extensive
than...

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Part IV — SUITABILITY OF ACCOMMODATION

- 1 For the purposes of section 84(2)(b) and (c) (case in...
- 2 In determining whether the accommodation is reasonably suitable to the...
- 3 Where possession of a dwelling-house is sought on ground 9...
- 4 (1) A certificate of the appropriate local housing authority that...

Part V — APPROVAL OF REDEVELOPMENT SCHEMES FOR PURPOSES OF GROUND 10A

- 1 (1) The Secretary of State may, on the application of...
- 2 (1) Where a landlord proposes to apply to the Secretary...
- 3 (1) In considering whether to give his approval to a...
- 4 The Secretary of State shall not approve a scheme or...
- 5 (1) Approval may be given subject to conditions and may...
- 6 Where the landlord is a private registered provider of social...
- 7 In this Part of this Schedule references to the landlord...

SCHEDULE 3 — Grounds for Withholding Consent to Assignment by Way of Exchange

Ground 1

The tenant or the proposed assignee is subject to an...

Ground 2

Proceedings have been begun for possession of the dwelling-house of...

Ground 2A

Either— a relevant order or suspended Ground 2 or 14...

Ground 3

The accommodation afforded by the dwelling-house is substantially more extensive...

Ground 4

The extent of the accommodation afforded by the dwelling-house is...

Ground 5

The dwelling-house— (a) forms part of or is within the...

Ground 6

The landlord is a charity and the proposed assignee's occupation...

Ground 7

The dwelling-house has features which are substantially different from those...

Ground 8

The landlord is a housing association or housing trust which...

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Ground 9

The dwelling-house is one of a group of dwelling-houses which...

Ground 10

The dwelling-house is the subject of a management agreement under...

SCHEDULE 3A — Consultation before Disposal to Private Sector Landlord

Disposals to which this Schedule applies

- 1 (1) This Schedule applies to the disposal by a local...

Application for Secretary of State's consent

- 2 (1) The Secretary of State shall not entertain an application...

Requirements as to consultation

- 3 (1) The requirements as to consultation referred to above are...

Power to require further consultation

- 4 The Secretary of State may require the authority to carry...

Consent to be withheld if majority of tenants are opposed

- 5 (1) The Secretary of State shall not give his consent...

Guidance

- 5A (1) The appropriate person must give guidance to local authorities...

Protection of purchasers

- 6 The Secretary of State's consent to a disposal is not...

SCHEDULE 4 — Qualifying Period for Right to Buy and Discount

Introductory

- 1 The period to be taken into account—

Periods occupying accommodation subject to public sector tenancy

- 2 A period qualifies under this paragraph if it is a...
3 For the purposes of paragraph 2 a person who, as...
4 (1) This paragraph applies where the public sector tenant of...

Periods occupying forces accommodation

- 5 A period qualifies under this paragraph if it is a...

Periods during which right to buy is preserved

- 5A A period qualifies under this paragraph if it is a...

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Meaning of “public sector tenant”

6 (1) In this Schedule a “public sector tenant” means a...

The landlord condition

- 7 (1) The landlord condition is, subject to paragraphs 7A and...
- 7A (1) The landlord condition shall be treated as having been...
- 7B The landlord condition shall be treated as having been satisfied...
- 8 (1) The landlord condition shall also be treated as having...

The tenant condition

- 9 The tenant condition is that the tenant was an individual...
- 9A The tenant condition is not met during any period when...

Application to certain housing association tenancies

10 For the purpose of determining whether at any time a...

SCHEDULE 5 — Exceptions to the Right to Buy

Charities

1 The right to buy does not arise if the landlord...

Certain housing associations

- 2 The right to buy does not arise if the landlord...
- 3 The right to buy does not arise if the landlord...

Landlord with insufficient interest in the property

4 The right to buy does not arise unless the landlord...

Dwelling-houses let in connection with employment

5 (1) The right to buy does not arise if the...

Certain dwelling-houses for the disabled

- 6
- 7 The right to buy does not arise if the dwelling-house...
- 8
- 9 (1) The right to buy does not arise if—

Certain dwelling-houses for persons of pensionable age

- 10 (1) The right to buy does not arise if the...
- 11 (1) The right to buy does not arise if the...

Dwelling-houses held on Crown tenancies

12 (1) The right to buy does not arise if the...

Dwelling-house due to be demolished within 24 months

- 13 (1) The right to buy does not arise if a...
- 14 (1) A final demolition notice may only be served for...

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- 15 (1) The Secretary of State may, on an application by...
 15A (1) This paragraph applies if— (a) a final demolition notice...
 16 (1) Any notice under paragraph 13 , 15 or 15A...

SCHEDULE 5A — Initial demolition notices

Initial demolition notices

- 1 (1) For the purposes of this Schedule an “ initial...

Period of validity of initial demolition notice

- 2 (1) For the purposes of this Schedule an initial demolition...

Revocation or termination of initial demolition notices

- 3 (1) Paragraph 15(4) to (7A) of Schedule 5 (revocation notices)...

Transfer of initial demolition notices

- 3A (1) This paragraph applies if— (a) an initial demolition notice...

Restriction on serving further demolition notices

- 4 (1) This paragraph applies where an initial demolition notice (“...

Service of notices

- 5 Paragraph 16 of Schedule 5 (service of notices) applies in...

Interpretation

- 6 (1) In this Schedule (other than paragraph 3A) any reference...

SCHEDULE 6 — Conveyance of Freehold and Grant of Lease in Pursuance of Right to Buy

Part I — COMMON PROVISIONS

Rights to be conveyed or granted—general

- 1 The conveyance or grant shall not exclude or restrict the...

Rights of support, passage of water, etc.

- 2 (1) The conveyance or grant shall, by virtue of this...

Rights of way

- 3 The conveyance or grant shall include— (a) such provisions (if...

Covenants and conditions

- 4A he conveyance or grant shall be expressed to be made...
 4 The conveyance or grant shall include such provisions (if any)...
 5 Subject to paragraph 6, and to Parts II and III...

No charge to be made for landlord's consent or approval

- 6 A provision of the conveyance or lease is void in...

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Meaning of “incumbrances” and “tenant’s incumbrance”

- 7 In this Schedule— “incumbrances” includes personal liabilities attaching in respect...

Part II — CONVEYANCE OF FREEHOLD

General

- 8 The conveyance shall not exclude or restrict the all estate...
9 (1) The conveyance shall be of an estate in fee...

Covenants

- 10
Part III — LEASES

General

- 11 A lease shall be for the appropriate term defined in...

The appropriate term

- 12 (1) If at the time the grant is made the...

Common use of premises and facilities

- 13 Where the dwelling house is a flat and the tenant...

Covenants by the landlord

- 14 (1) This paragraph applies where the dwelling-house is a flat...
15 (1) This paragraph applies where the landlord’s interest in the...

Covenant by tenant

- 16 Unless otherwise agreed between the landlord and the tenant, there...

Service charges and other contributions payable by the tenant

- 16A (1) The lease may require the tenant to bear a...
16B (1) Where a lease of a flat requires the tenant...
16C (1) Where a lease of a flat requires the tenant...
16D (1) The Secretary of State may by order prescribe—
16E (1) Where a lease of a flat granted in pursuance...

Avoidance of certain provisions

- 17 (1) A provision of the lease, or of an agreement...
18 Where the dwelling-house is a flat, a provision of the...
19 A provision of the lease, or of an agreement collateral...

Part IV — CHARGES

Grant of lease

- 20 A charge (however created or arising) on the interest of...

Conveyance of freehold

- 21 (1) This paragraph applies to a charge (however created or...

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Schedule 6A — REDEMPTION OF LANDLORD'S SHARE

Obligation to redeem landlord's share in certain circumstances

- 1 (1) The conveyance or grant shall contain a covenant binding...

Right to redeem landlord's share at any time

- 2 (1) The conveyance or grant shall include provision entitling the...

Value of landlord's share and amount of final payment

- 3 The value of the landlord's share shall be determined by...

Final discount

- 4 (1) Where a final payment is made by, or by...

Restrictions on and deductions from final discount

- 5 (1) Except where the Secretary of State so determines, a...

Right to make interim payment at any time

- 6 (1) The conveyance or grant shall include provision entitling the...

Landlord's reduced share and interim discount

- 7 The landlord's share after the making of an interim payment...

Value of dwelling-house

- 8 (1) For the purposes of the final payment or any...

Costs of independent valuation

- 9 The conveyance or grant shall include provision requiring any sums...

No charges to be made by landlord

- 10 A provision of the conveyance or grant is void in...

Other covenants and provisions

- 11 Subject to the provisions of this Schedule, the conveyance or...

Interpretation

- 12 (1) In this Schedule— “ independent valuer ” means an...

SCHEDULE 7 — Mortgage in Pursuance of Right to a Mortgage

- 1 The deed shall provide for repayment of the amount secured...
 2 (1) The period over which repayment is to be made...
 3 (1) The Secretary of State may by order—
 4 The deed may contain such other provisions as may be—...

SCHEDULE 8 — Terms of Shared Ownership Lease

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Additional shares

- 1 (1) The lease shall state the tenant's initial share of...
- 2 (1) Where the dwelling-house is a house and the landlord...

Additional contributions

- 3 (1) The consideration for an additional share (referred to in...

Rent

- 4 (1) The lease shall provide that, for any period for...
- 5 The lease shall provide that, for any period for which...

Payment for outstanding share on disposal

- 6 (1) The lease shall contain a covenant binding on the...
- 7 The lease shall provide that, on the discharge of a...
- 8 (1) Where the dwelling-house is a house and the landlord...

No disposals of part while share outstanding

- 9 (1) The lease shall contain a covenant binding on the...

Applications of provisions after disposal

- 10 (1) The lease shall provide that in the event of...

Value of dwelling-house or part

- 11 (1) For the purposes of paragraph 3 (additional contributions) and...

SCHEDULE 9 — Right to Further Advances

Right to further advances

- 1 (1) The deed shall enable the tenant to require further...

Amount of further advance

- 2 The amount which a tenant exercising the right to a...
- 3 (1) The limit is that the aggregate of that amount...
- 4 (1) The Secretary of State may by regulations make provision...

Notice of amount and terms of further advance

- 5 As soon as practicable after the service on it of...

Terms of deed by which further mortgage is effected

- 6 Schedule 7 (terms of mortgage granted in pursuance of right...

Schedule 9A — Land Registration and Related Matters where Right to Buy Preserved

Statement to be contained in instrument effecting qualifying disposal

- 1 On a qualifying disposal, the disponent shall secure that the...

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Registration of title on qualifying disposal

- 2 (1) Where on a qualifying disposal which takes the form...
- 3 Where a qualifying disposal takes the form of the grant...

Entries on register protecting preserved right to buy

- 4 (1) This paragraph applies where the Chief Land Registrar approves...

Change of qualifying dwelling-house

- 5 (1) This paragraph applies where by virtue of section 171B(6)...

Effect of non-registration

- 6 (1) The rights of a qualifying person under this Part...

Statement required on certain disposals on which right to buy ceases to be preserved

- 7 (1) A conveyance of the freehold or grant of a...

Removal of entries on land register

- 8 Where the registered title to land contains an entry made...

Liability to compensate or indemnify

- 9 (1) An action for breach of statutory duty lies where—...

Meaning of disposal and instrument effecting disposal

- 10 References in this Schedule to a disposal or to the...

SCHEDULE 10 —

Introductory

- 1 The provisions of this Schedule have effect for enabling the...

Recovery of expenses

- 2 (1) The expenses are recoverable by the authority

Service of demand

- 3 (1) A demand for the expenses, together with interest in...

Interest

- 4 Expenses in respect of which a demand is served carry...
- 5

Appeals

- 6 (1) A person aggrieved by a demand for the recovery...

Expenses and interest recoverable from occupiers

- 6A (1) Where a demand becomes operative by virtue of paragraph...

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Expenses and interest to be a charge on the premises

7 (1) The expenses recoverable by the authority, together with the...

Recovery of expenses and interest from other persons profiting from execution of works

8 (1) This paragraph applies only to notices under section 352,...

SCHEDULE 11 — . . .

SCHEDULE 12 — . . .

SCHEDULE 13 —

Part I — MANAGEMENT SCHEMES

Contents of management scheme

1 (1) The scheme shall give particulars of all works which,...

The estimate in the scheme of surpluses on revenue account

2 (1) References in this Schedule to the surpluses on revenue...

Appeal against scheme

3 (1) A person having an estate or interest in a...

Expenditure on works to be set against surpluses on revenue account

4 (1) An account shall be kept by the local housing...

Variation or review of surpluses on revenue accounts settled by the scheme

5 The local housing authority may at any time vary a...

6 (1) The local housing authority, or a person having an...

Part II — COMPENSATION PAYABLE TO DISPOSSESSED PROPRIETOR

Rate of compensation

7 The compensation payable by the local housing authority to the...

Ascertainment of gross value of house

8 Subject to the following provisions, the gross value of a...

9 (1) If the house forms part only of a hereditament,...

10 If the house consists or forms part of more than...

11 (1) The gross value of a hereditament whose rateable value...

12 Where after the date on which the control order comes...

The appropriate multiplier

13 (1) The appropriate multiplier for the purposes of this Part...

Calculation of rental value

13A (1) The rental value of a house is an amount...

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Apportionment of compensation between proprietors of different parts of house

- 14 (1) If different persons are the dispossessed proprietors of different...
Part III — CESSATION OF CONTROL ORDER

General consequences of cessation of control order

- 15 (1) On and after the date on which a control...
16 (1) When a control order ceases to have effect, a...

Revocation of order by county court on appeal against making of order

- 17 (1) The provisions of this paragraph apply where a control...
18 (1) If a control order is revoked by the county...
19 (1) The provisions of this paragraph have effect for the...

Revocation of control order on further appeal

- 20 (1) If on an appeal from a decision of the...

Revocation of control order by county court on appeal against refusal to revoke

- 21 (1) The provisions of this paragraph apply where a control...
Part IV — CONTROL ORDER FOLLOWED BY COMPULSORY PURCHASE
ORDER

Introductory

- 22 The provisions of this Part of this Schedule apply where...

Preparation and service of management scheme

- 23 (1) The local housing authority need not prepare or serve...

Control order ceases to have effect on acquisition of house

- 24 Where the compulsory purchase order is confirmed by the Secretary...

Balances payable to dispossessed proprietor

- 25 (1) Where a control order ceases to have effect by...

Recovery of capital expenditure incurred by local housing authority

- 26 (1) The provisions of this paragraph have effect for the...

SCHEDULE 14 — . . .

SCHEDULE 15 — Superseded Contributions, Grants, Subsidies, &c.
Part I — LOANS UNDER THE HOUSING (RURAL WORKERS) ACTS 1926 TO
1942
Part II — ANNUAL GRANTS FOR AGRICULTURAL HOUSING

Status: Point in time view as at 26/07/2011.

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(s. 46 of the Housing (Financial Provisions) Act 1958)

Annual grants by local housing authorities

- 1 (1) Annual grants shall, notwithstanding the abolition of exchequer contributions...

Conditions of payment of annual grant

- 2 (1) It is a condition of the payment of a...
3 (1) In the case of a house completed on or...

Grants payable to owners by local housing authority

- 4 A grant shall not be made or shall be reduced,...

No further payments if house vests in local housing authority

- 5 Where a house which has been provided under arrangements under...

Commutation of future annual grant

- 6 (1) A local authority may make an offer in writing...
Part III — CONTRIBUTIONS FOR IMPROVEMENT OF DWELLINGS BY
HOUSING AUTHORITIES

*(s. 9 of the Housing (Financial Provisions) Act 1958;
s. 13 of the House Purchase and Housing Act 1959)*

- 1 (1) Subject to sub-paragraph (2), contributions by the Secretary of...

(ss. 17 to 20 of the Housing Act 1969)

- 2 (1) Contributions by the Secretary of State to a housing...

(s. 79 of the Housing Act 1974)

- 3 (1) Subject to sub-paragraph (2), contributions by the Secretary of...
Part IV — TOWN DEVELOPMENT SUBSIDY

(s. 9 of the Housing Finance Act 1972; s. 5 of the Housing Rents and Subsidies Act 1975)

Transitional town development subsidy

- 1 (1) Transitional town development subsidy is payable each year,
subject...
2 (1) The subsidy is payable by the Secretary of State...

Reduction or discontinuance of subsidy

- 3 (1) The Secretary of State may reduce or discontinue a...

Payments to receiving authority

- 4 (1) Where transitional town development subsidy is payable, the
sending...

Status: Point in time view as at 26/07/2011.

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Communication of subsidy and payments to receiving authority

- 5 (1) The Secretary of State may, with the agreement of...

Meaning of “receiving authority”

- 6 In this part of this Schedule “receiving authority” means the...

SCHEDULE 16 — Local Authority Mortgage Interest Rates

The rate of interest

- 1 (1) The rate of interest shall be whichever is for...

The standard national rate

- 2 The standard national rate is the rate for the time...

The local average rate

- 3 A local authority shall for every period of six months...
4 (1) The rate declared under paragraph 3(a) or (b) shall...

Variation of rate of interest

- 5 (1) Where on a change of the standard national rate...
6 (1) On a variation of the rate of interest, the...

Directions by Secretary of State

- 7 (1) The Secretary of State may by notice in writing...

SCHEDULE 17 — Vesting of Mortgaged House in Authority Entitled to Exercise Power of Sale

Vesting of house with leave of court

- 1 (1) The authority may, if the county court gives it...

Effect of vesting

- 2 (1) On the vesting of the house the authority’s mortgage...

Compensation and accounting

- 3 (1) Where the authority has vested the house in itself...

Modifications in case of conveyance or grant before 8th August 1980

- 4 In a case to which this Schedule applies by virtue...

SCHEDULE 18 — Provisions with Respect to Advances under the Small Dwellings Acquisition Acts 1899 to 1923

Repayment of advance

- 1 (1) The advance shall be repaid with interest within such...

Status: Point in time view as at 26/07/2011.

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The statutory conditions

- 2 (1) The house of which the ownership was acquired by...

Condition as to residence may be dispensed with or suspended

- 3 (1) The statutory condition as to residence may at any...

Personal liability and powers of the proprietor

- 4 (1) The proprietor of the house of which the ownership...

Circumstances in which local authority may take possession or order sale

- 5 (1) Where default is made in complying with the statutory...

Recovery of possession and disposal of house

- 6 (1) Where a local authority take possession of a house,...

Procedure as to ordering sale

- 7 (1) Where a local authority order the sale of a...

List of advances and accounts to be kept

- 8 (1) A local authority shall keep at their offices a...

Meaning of “residence”, “ownership” and “proprietor”

- 9 (1) A person shall not be treated for the purposes...

Date of advance

- 10 For the purposes of this Schedule an advance shall be...

SCHEDULE 19 — Contributions Under Superseded Enactments

(Section 36 of the Housing (Financial Provisions) Act 1958)

- 1 (1) Contributions remain payable by the Secretary of State under...

(Section 16 of the Housing Act 1969)

- 2 (1) Contributions remain payable by the Secretary of State under...

SCHEDULE 20 — Assistance by Way of Repurchase

Part I — THE AGREEMENT TO REPURCHASE

The interest to be acquired

- 1 In this Schedule “the interest to be acquired” means the...

Request for notice of proposed terms of acquisition

- 2 (1) A person who is entitled to assistance by way...

Authority’s notice of proposed terms

- 3 The purchasing authority shall, within the period of three months...

Status: Point in time view as at 26/07/2011.

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Settlement of terms

- 4 Subject to the provisions of Part II of this Schedule...

Service of draft agreement

- 5 The authority shall, within three months of all the provisions...

Notice to enter into agreement

- 6 (1) The person entitled to assistance may, at any time...

Part II — PRICE PAYABLE AND VALUATION

The price

- 7 (1) The price payable for the acquisition of an interest...

The value

- 8 (1) For the purposes of this Schedule, the value of...

Determination of value

- 9 (1) Any question arising under this Schedule as to the...

Service of amended draft agreement

- 10 Where the value of an interest is determined, or redetermined,...

Part III — SUPPLEMENTARY PROVISIONS

Introductory

- 11 (1) In this Part of this Schedule “the agreement” means...

Conveyance frees interest acquired from relevant charges

- 12 (1) The conveyance is effective— (a) to discharge the interest...

Application of purchase price in satisfaction of relevant charges

- 13 (1) The authority shall apply the purchase price in the...

- 14 If the authority do not apply an amount which under...

Power to make payment into court in case of difficulty

- 15 (1) Where a person is or may be entitled by...

Duty to pay into court in certain cases

- 16 (1) The authority shall pay the purchase price into court...

Registration of title

- 17 (1) Section 123 of the Land Registration Act 1925 (compulsory...

Interest acquired by local housing authority treated as acquired under Part II

- 18 If the authority are a local housing authority, the interest...

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Certain grant conditions cease to have effect

- 19 (1) Where the interest acquired is or includes a dwelling...

Overreaching effect of conveyance

- 20 The conveyance has effect under section 2(1) of the Law...

SCHEDULE 21 — Dwellings Included in More Than One Designation

Introductory

- 1 This Schedule applies in relation to a defective dwelling where...

Cases in which later designation to be disregarded

- 2 Where a person is already eligible for assistance in respect...

In other cases any applicable designation may be relied on

- 3 Where a person is eligible for assistance in respect of...

Procedure to be followed where later designation comes into operation

- 4 The following provisions of this Schedule apply where—
5 (1) The local housing authority shall, as soon as reasonably...
6 (1) This paragraph applies where it appears to the authority...
7 (1) This paragraph applies where a person entitled to assistance...

SCHEDULES 22—24. — . . .

— TABLE OF DERIVATIONS

- 1 The following abbreviations are used in this Table— Acts of...
2 The Table does not show the effect of Transfer of...
3 The letter R followed by a number indicates that the...
4 A reference followed by “passim” indicates that the provision of...
5 The entry “drafting” indicates a provision of a mechanical or...

Status:

Point in time view as at 26/07/2011.

Changes to legislation:

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