



Housing Act 1985

1985 CHAPTER 68

PART V

THE RIGHT TO BUY

Modifications of Leasehold Reform Act 1967 in relation to leases granted under this Part

172 Exclusion of leases where landlord is housing association and freeholder is a charity.

- (1) Part I of the ^{M1}Leasehold Reform Act 1967 (enfranchisement and extension of long leaseholds) does not apply where, in the case of a tenancy or sub-tenancy to which this section applies, the landlord is a housing association and the freehold is owned by a body of persons or trust established for charitable purposes only.
- (2) This section applies to a tenancy created by the grant of a lease in pursuance of this Part of a dwelling-house which is a house.
- (3) Where Part I of the 1967 Act applies as if there had been a single tenancy granted for a term beginning at the same time as the term under a tenancy falling within subsection (2) and expiring at the same time as the term under a later tenancy, this section also applies to that later tenancy.
- (4) This section applies to any sub-tenancy directly or indirectly derived out of a tenancy falling within subsection (2) or (3).

Marginal Citations

M1 1967 c. 88.

^{F1}173

Status: Point in time view as at 01/04/2013.

Changes to legislation: Housing Act 1985, Cross Heading: Modifications of Leasehold Reform Act 1967 in relation to leases granted under this Part is up to date with all changes known to be in force on or before 30 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)

Textual Amendments

F1 S. 173 repealed (19.11.1998) by 1998 c. 43, s. 1(1), [Sch. 1 Pt. X](#) Group 5

174 Leases granted under this Part to be treated as long leases at a low rent.

For the purposes of Part I of the ^{M2}Leasehold Reform Act 1967 (enfranchisement and extension of long leaseholds)—

(a) a tenancy created by the grant of a lease in pursuance of this part of a dwelling-house which is a house shall be treated as being a long tenancy notwithstanding that it is granted for a term of 21 years or less, ^{F2} . . .

^{F2}(b)

Textual Amendments

F2 S. 174(b) and the preceding word repealed (19.11.1998) by 1998 c. 43, s. 1(1), [Sch. 1 Pt. X](#) Group 5

Marginal Citations

M2 1967 c. 88.

175 Determination of price payable.

- (1) Where, in the case of a tenancy or sub-tenancy to which this section applies, the tenant exercises his right to acquire the freehold under Part I of the Leasehold Reform Act 1967, the price payable for the dwelling-house shall be determined in accordance with section 9(1A) of that Act notwithstanding that [^{F3}the circumstances specified in that section do not apply].
- (2) This section applies to a tenancy created by the grant of a lease in pursuance of this Part of a dwelling-house which is a house.
- (3) Where Part I of the 1967 Act applies as if there had been a single tenancy granted for a term beginning at the same time as the term under a tenancy falling within subsection (2) and expiring at the same time as the term under a later tenancy, this section also applies to that later tenancy.
- (4) This section applies to any sub-tenancy directly or indirectly derived out of a tenancy falling within subsection (2) or (3).
- (5) This section also applies to a tenancy granted in substitution for a tenancy or sub-tenancy falling within subsections (2) to (4) in pursuance of Part I of the 1967 Act.

Textual Amendments

F3 Words substituted by [S.I. 1990/434, reg. 2](#), [Sch. para. 20](#)

Status:

Point in time view as at 01/04/2013.

Changes to legislation:

Housing Act 1985, Cross Heading: Modifications of Leasehold Reform Act 1967 in relation to leases granted under this Part is up to date with all changes known to be in force on or before 30 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.