



Housing Act 1985

1985 CHAPTER 68

PART XV

GRANTS FOR WORKS OF IMPROVEMENT, REPAIR AND CONVERSION

Repairs grants

491 Works for which repairs grants may be made.

- (1) The works for which a repairs grant may be given are works of repair or replacement relating to a dwelling, not being works associated with other works required for the provision of the dwelling by conversion of a house or other building or for the improvement of the dwelling.
- (2) A local housing authority shall not approve an application for a repairs grant unless—
 - (a) they are satisfied that the relevant works are of a substantial and structural character, or
 - (b) the relevant works satisfy such requirements as may be prescribed for the purposes of this section by order of the Secretary of State made with the consent of the Treasury.
- (3) An order—
 - (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.

492 Dwellings in respect of which repairs grants may be made.

- (1) An application for a repairs grant shall only be approved if it is made in respect of an old dwelling, as defined by order of the Secretary of State.
- (2) Where an application for a repairs grant is accompanied by a certificate of owner-occupation, and the dwelling is not situated in a housing action area, the application

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shall only be approved if the rateable value at the date of the application is within the limits specified by order of the Secretary of State made with the consent of the Treasury.

- (3) An order under subsection (1) or (2)—
- (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.

493 Standard of repair to be attained.

- (1) The local housing authority shall not approve an application for a repairs grant unless they are satisfied that on completion of the relevant works the dwelling or, as the case may be, each of the dwellings to which the application relates will be in reasonable repair.
- (2) If in the opinion of the authority the relevant works are more extensive than is necessary for the purpose of securing that the dwelling or dwellings attain that standard, the authority may, with the consent of the applicant, treat the application as varied so that the relevant works include only such works as seem to the authority to be necessary for that purpose; and they may then approve the application as so varied.

494 Mandatory grants for works required by repairs notice.

- (1) The local housing authority shall not refuse an application, duly made, for a repairs grant so far so far as it relates to the execution of works required by a notice under section 189 or 190 (repair notices) and the authority are satisfied that the works are necessary for compliance with the notice.
- (2) So far as this section applies to an application, the following provisions do not apply—
 - section 463 (preliminary condition: interest of applicant in the property),
 - section 464 (preliminary condition: certificate as to future occupation), and
 - section 465 (restriction on grants for works already begun).

495 Repairs grants not within s. 494 are discretionary.

- (1) To the extent that the application does not fall within section 494 (mandatory grants for works required by repairs notice), the local housing authority may approve an application for a repairs grant in such circumstances as they think fit.
- (2) Subsection (1) has effect subject to the following provisions (which restrict the cases in which applications may be approved)—
 - section 463(2) (person who proposes to acquire but has not yet acquired an owner's interest),
 - section 465 (works already begun),
 - section 491(2) (nature of works for which repairs grants may be given),
 - section 492 (dwelling in respect of which repairs grants may be given), and
 - section 493 (standard of repair to be attained).

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496 Repairs grants: estimated expense of works.

- (1) Where a local housing authority approve an application for a repairs grant, they shall determine the amount of the expenses which in their opinion are proper to be incurred for the execution of the relevant works and shall notify the applicant of that amount.
- (2) If, after an application for a grant has been approved, the authority are satisfied that owing to circumstances beyond the control of the applicant the relevant works will not be carried out on the basis of the estimate contained in the application, they may, on receiving a further estimate, redetermine the estimated expense in relation to the grant.
- (3) If the applicant satisfied the authority that—
 - (a) the relevant works cannot be, or could not have been, carried out without carrying out additional works, and
 - (b) this could not have been reasonably foreseen at the time the application was made,the authority may determine a higher amount under subsection (1).

497 Repairs grants: limit on expense eligible for grant.

- (1) Except in a case or description in respect of which the Secretary of State approves a higher eligible expense, the eligible expense for the purpose of a repairs grant is so much of the estimated expense as does not exceed £800 or such other amount as may be prescribed.
- (2) In subsection (1) “prescribed” means prescribed by order of the Secretary of State.
- (3) An order—
 - (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 the House of Commons.

498 Repairs grants: determination of amount.

- (1) The amount of a repairs grant—
 - (a) so far as the grant is made in pursuance of section 494(1) (mandatory grants for works required by repairs notice), is the appropriate percentage of the eligible expense, and
 - (b) otherwise, is such as may be fixed by the local housing authority when they approve the application for the grant but shall not exceed the appropriate percentage of the eligible expense.
- (2) The authority shall notify the applicant of the amount of the grant together with the notification under section 496(1) (notification of estimated expense of works).
- (3) Where the authority redetermine the amount of the estimated expense under section 496(2) (new estimate where works cannot be carried out in accordance with original estimate), they shall make such other adjustments relating to the amount of the grant as appear to them to be appropriate; but the amount of the grant shall not be increased beyond the amount which could have been notified when the application was approved if the estimate contained in the application had been of the same amount as the further estimate.

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- (4) Where the authority redetermine the amount of the estimated expense under section 496(3) (redetermination where additional works prove necessary), the eligible expense shall be re-calculated under section 497, and if on the re-calculation the amount is greater than when the application was approved the amount of the grant shall be increased, and the applicant notified, accordingly.