



Housing Act 1985

1985 CHAPTER 68

PART V

THE RIGHT TO BUY

The right to a shared ownership lease

151 Terms and effect of grant and mortgage.

- (1) A grant of a shared ownership lease in pursuance of this Part shall conform—
 - (a) with Schedule 8 (terms of shared ownership lease), and
 - (b) subject to that, with Parts I and III of Schedule 6 (terms of lease granted in pursuance of right to buy);and part IV of Schedule 6 (charges) applies to a shared ownership lease as it applies to a lease granted in pursuance of the right to buy.
- (2) The secure tenancy comes to an end on the grant of the shared ownership lease, and if there is then a sub-tenancy section 139 of the Law of Property Act 1925 (effect of extinguishment of reversion) applies as on a merger or surrender.
- (3) Where the transaction is duly completed the sum of £100 deposited by the tenant with the landlord in pursuance of section 142 (deferment of completion) shall be treated as having been paid towards the tenant's initial contribution.
- (4) A deed by which a mortgage is effected where the tenant exercises both the right to a mortgage and the right to be granted a shared ownership lease shall, unless otherwise agreed between the parties, conform with—
 - (a) Schedule 7 (terms of mortgage granted in pursuance of right to a mortgage), and
 - (b) without prejudice to that, with Schedule 9 (right to further advances).