



# Housing Act 1985

## 1985 CHAPTER 68

### PART V

#### THE RIGHT TO BUY

##### *Powers of Secretary of State*

#### **164 Secretary of State's general power to intervene.**

- (1) The Secretary of State may use his powers under this section where it appears to him that tenants generally, a tenant or tenants of a particular landlord, or tenants of a description of landlords, have or may have difficulty in exercising effectively and expeditiously the right to buy or the [<sup>F1</sup>right to acquire on rent to mortgage terms].
- (2) The powers may be exercised only after he has given the landlord or landlords notice in writing of his intention to do so and while the notice is in force.
- (3) Such a notice shall be deemed to be given 72 hours after it has been sent.
- (4) Where a notice under this section has been given to a landlord or landlords, no step taken by the landlord or any of the landlords while the notice is in force or before it was given has any effect in relation to the exercise by a secure tenant of the right to buy, [<sup>F1</sup>or the right to acquire on rent to mortgage terms], except in so far as the notice otherwise provides.
- (5) While a notice under this section is in force the Secretary of State may do all such things as appear to him necessary or expedient to enable secure tenants of the landlord or landlords to which the notice was given to exercise the right to buy, [<sup>F1</sup>and the right to acquire on rent to mortgage terms]; and he is not bound to take the steps which the landlord would have been bound to take under this Part.

<sup>F2</sup>(6) .....

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*Status: Point in time view as at 01/04/2010.*

*Changes to legislation: Housing Act 1985, Section 164 is up to date with all changes known to be in force on or before 27 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)*

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#### Textual Amendments

- F1** Words in s. 164(1)(4)(5) substituted (11.10.1993) by 1993 c. 28, s. 187(1), **Sch. 21 para. 16**; S.I. 1993/2134, **arts. 2, 4(b)** (with saving in **Sch. 1 para. 4(1)**).
- F2** S. 164(6) repealed (11.10.1993) by 1993 c. 28, s. 187(2), **Sch. 22**; S.I. 1993/2134, arts. 2, 4(b), **Sch. 2** (with saving in **Sch. 1 para. 4(1)**).

**Status:**

Point in time view as at 01/04/2010.

**Changes to legislation:**

Housing Act 1985, Section 164 is up to date with all changes known to be in force on or before 27 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.