



Housing Act 1985

1985 CHAPTER 68

PART IX

SLUM CLEARANCE

Demolition orders

272 Demolition orders: expenses of local housing authority, &c.

- (1) Expenses incurred by the local housing authority under section 271 (execution of demolition order), after giving credit for any amount realised by the sale of materials, may be recovered by them from the owner of the premises.
- (2) If there is more than one owner—
 - (a) the expenses may be recovered by the local housing authority from the owners in such shares as [^{F1}a residential property tribunal] may determine to be just and equitable, and
 - (b) an owner who pays to the authority the full amount of their claim may recover from any other owner such contribution, if any, as [^{F2}such a tribunal] may determine to be just and equitable.
- (3) A surplus in the hands of the authority shall be paid by them to the owner of the premises or, if there is more than one owner, as the owners may agree.
- (4) If there is more than one owner and the owners do not agree as to the division of the surplus, the authority shall, by virtue of this subsection, be trustees of the surplus for the owners of the premises and section 63 of the ^{M1}Trustee Act 1925 (which relates to payment into court by trustees) has effect accordingly.
- (5) [^{F3}A residential property tribunal has jurisdiction to hear and determine proceedings under subsection (1) (as well as those under subsection (2)), and a county court has] jurisdiction under section 63 of the ^{M2}Trustee Act 1925 in relation to such a surplus as is referred to in subsection (4).

Status: Point in time view as at 01/04/2010. This version of this provision has been superseded.

Changes to legislation: Housing Act 1985, Section 272 is up to date with all changes known to be in force on or before 19 August 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)

- (6) In determining for the purposes of this section the shares in which expenses are to be paid or contributed by, or a surplus divided between, two or more owners of premises, [F4 a tribunal or court] shall have regard to all the circumstances of the case, including—
- (a) their respective interests in the premises, and
 - (b) their respective obligations and liabilities in respect of maintenance and repair under any covenant or agreement, whether express or implied.

Textual Amendments

- F1** Words in s. 272(2) substituted (6.4.2006 for E. and 16.6.2006 for W.) by [Housing Act 2004 \(c. 34\)](#), [ss. 48\(3\)\(a\)](#), [270\(4\)\(5\)](#); [S.I. 2006/1060](#), [art. 2\(1\)](#) (with [Sch.](#)); [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))
- F2** Words in s. 272(2) substituted (6.4.2006 for E. and 16.6.2006 for W.) by [Housing Act 2004 \(c. 34\)](#), [ss. 48\(3\)\(a\)](#), [270\(4\)\(5\)](#); [S.I. 2006/1060](#), [art. 2\(1\)](#) (with [Sch.](#)); [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))
- F3** Words in s. 272(5) substituted (6.4.2006 for E. and 16.6.2006 for W.) by [Housing Act 2004 \(c. 34\)](#), [ss. 48\(3\)\(b\)](#), [270\(4\)\(5\)](#); [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))
- F4** Words in s. 272(6) substituted (6.4.2006 for E. and 16.6.2006 for W.) by [Housing Act 2004 \(c. 34\)](#), [ss. 48\(3\)\(c\)](#), [270\(4\)\(5\)](#); [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

Marginal Citations

- M1** 1925 c. 19
- M2** 1925 c. 19.

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Changes to legislation:

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