



# Housing Act 1985

## 1985 CHAPTER 68

### PART II

#### PROVISION OF HOUSING ACCOMMODATION

##### *Disposal of land held for housing purposes*

#### **44 Avoidance of certain disposals of houses without consent.**

- (1) A disposal of a house by a local authority made without the consent required by section 32 or 43 is void, unless—
  - (a) the disposal is to an individual (or to two or more individuals), and
  - (b) the disposal does not extend to any other house.
- (2) Subsection (1) has effect notwithstanding section 29 of the <sup>M1</sup>Town and Country Planning Act 1959 and section 128(2) of the <sup>M2</sup>Local Government Act 1972 (protection of purchasers dealing with authority).
- (3) In this section “house” does not have the extended meaning applicable by virtue of the definition of “housing accommodation” in section 56, but includes a flat.

#### **Modifications etc. (not altering text)**

- C1** Ss. 43, 44, 45 amended by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 57(7), [Sch. 13 paras. 22 and 23](#) as substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, [Sch. 2 para. 61](#)
- C2** Ss. 43, 44 extended (5.7.1994) by [1994 c. 19, ss. 39, 66\(2\)\(b\)](#), [Sch. 13 para. 21\(a\)](#) (with [ss. 54\(5\)\(7\), 55\(5\)](#), [Sch. 17 paras. 22\(1\), 23\(2\)](#))
- C3** Ss. 43, 44 modified (1.4.1995) by [S.I. 1995/401, art. 18](#), [Sch. para. 8\(a\)](#)

#### **Marginal Citations**

- M1** [1959 c. 53](#).
- M2** [1972 c. 70](#).

**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

Housing Act 1985, Section 44 is up to date with all changes known to be in force on or before 17 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.