



Housing Associations Act 1985

1985 CHAPTER 69

PART I

REGULATION OF HOUSING ASSOCIATIONS

Disposal of land

10 Dispositions excepted from s. 9

- (1) A disposition by an unregistered housing association which is a charity is not within section 9 if by virtue of section 29 of the Charities Act 1960 it cannot be made without an order of the court or the Charity Commissioners; but the Charity Commissioners shall consult the Housing Corporation before making an order in such a case.
- (2) A letting by a registered housing association, or by an unregistered housing association which is a housing trust, is not within section 9 if it is—
 - (a) a letting of land under a secure tenancy, or
 - (b) a letting of land under what would be a secure tenancy but for any of paragraphs 2 to 12 of Schedule 3 to the Housing Act 1985 or paragraphs 2 to 7 of Schedule 1 to the Tenants' Rights &c. (Scotland) Act 1980 (tenancies excepted from being secure tenancies for reasons other than that they are long leases).
- (3) The grant by an unregistered housing association which does not satisfy the landlord condition in section 80 of the Housing Act 1985 (bodies which are capable of granting secure tenancies) of a lease for a term ending within the period of seven years and three months beginning on the date of the grant is not within section 9 unless—
 - (a) there is conferred on the lessee (by the lease or otherwise) an option for renewal for a term which, together with the original term, would expire outside that period, or
 - (b) the lease is granted wholly or partly in consideration of a fine.
- (4) In subsection (3) the expression "lease" includes an agreement for a lease and a licence to occupy, and the expressions "grant" and "term" shall be construed accordingly.