



# Housing Act 1988

## 1988 CHAPTER 50

### PART V

#### MISCELLANEOUS AND GENERAL

##### *Right to buy etc. and grants to obtain accommodation*

#### **126 Restriction on disposal of dwelling-houses in National Parks etc. acquired under the right to buy.**

- (1) In Part V of the <sup>M1</sup> Housing Act 1985 (the right to buy), section 157 (restriction on disposal of dwelling-houses in National Parks etc.) shall be amended in accordance with this section.
- (2) In subsection (2) (the covenanted limitation) after the word “his” there shall be inserted ““(a) ” and at the end there shall be added “and—
  - (b) there will be no disposal by way of tenancy or licence without the written consent of the landlord unless the disposal is to a person satisfying that condition or by a person whose only or principal home is and, throughout the duration of the tenancy or licence, remains the dwelling-house”.
- (3) In subsection (3) (disposals limited to persons employed or living locally) after the words “application for consent” there shall be inserted the words ““or, in the case of a disposal by way of tenancy or licence, preceding the disposal ””.
- (4) At the end of subsection (6) (disposals in breach of covenant to be void) there shall be added “and, so far as it relates to disposals by way of tenancy or licence, such a covenant may be enforced by the landlord as if—
  - (a) the landlord were possessed of land adjacent to the house concerned; and
  - (b) the covenant were expressed to be made for the benefit of such adjacent land”.

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*Status: Point in time view as at 24/07/2020.*

*Changes to legislation: Housing Act 1988, Section 126 is up to date with all changes known to be in force on or before 17 June 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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(5) After subsection (6) there shall be inserted the following subsection—

“(6A) Any reference in the preceding provisions of this section to a disposal by way of tenancy or licence does not include a reference to a relevant disposal or an exempted disposal.”

(6) This section has effect where the conveyance or grant referred to in subsection (1) of section 157 is executed on or after the commencement of this Act.

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**Marginal Citations**

**M1** 1985 c.68.

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