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# Housing Act 1996

## CHAPTER 52

### HOUSING ACT 1996

#### PART I

##### SOCIAL RENTED SECTOR REGULATED BY THE WELSH MINISTERS

#### CHAPTER I

##### REGISTERED SOCIAL LANDLORDS

###### *Registration*

- A1 Introduction
  - 1 The register of social landlords.
- 1A Welsh bodies
  - 2 Eligibility for registration.
  - 3 Registration.
  - 4 Removal from the register.
  - 5 Criteria for registration or removal from register.
  - 6 Appeal against decision on removal.

###### *Voluntary undertakings*

- 6A Voluntary undertakings

###### *Regulation of registered social landlords*

- 7 Regulation of registered social landlords.

#### CHAPTER 1A

##### BOARD MEMBERSHIP AND VOTING RIGHTS

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### *General*

7A Meaning of key terms used in this Chapter

#### *Limit on local authority appointees to board*

- 7B Limit on local authority appointments to board
- 7C Removal of local authority appointees to comply with 24 per cent limit
- 7D Procedure for selection by registered social landlord of local authority appointees for removal

#### *Quorum and voting rights of board members*

- 7E Board quorum: no requirement for local authority appointee
- 7F Board resolutions: 75 per cent threshold

#### *Consent to constitutional change*

- 7G Constitutional changes: no requirement for local authority consent and no power of veto

#### *Voting rights of members of registered social landlord*

- 7H Voting rights of local authorities
- 7I Provision in agreements that is to be treated as having no effect

#### *Wholly controlled subsidiaries: power to disapply this Chapter*

- 7J Power to disapply provisions of this Chapter

## **CHAPTER II**

### **DISPOSAL OF LAND AND RELATED MATTERS**

#### *Power of registered social landlord to dispose of land*

- 8 Power of registered social landlord to dispose of land.

#### *Requirements relating to land transactions*

- 9 Notification to Welsh Ministers of disposal of land
- 10 Lettings and other disposals not requiring consent of Relevant Authority.
- 11 Covenant for repayment of discount on disposal
- 11A Increase in value of house attributable to home improvements to be disregarded
- 12 Priority of charge for repayment of discount.
- 12A Right of first refusal for registered social landlord
- 12B Consideration payable for disposal under section 12A
- 13 Restriction on disposal of houses in National Parks, &c.
- 14 Treatment of options.
- 15 Relevant and exempted disposals.
- 15A Treatment of deferred resale agreements for purposes of section 11

#### *Right of tenant to acquire dwelling*

- 16 Right of tenant to acquire dwelling.

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- 16A Extension of section 16 to dwellings funded by grants under section 27A
- 16B Restriction on exercising the right to acquire
- 16C Exception to restriction on exercising the right to acquire
- 17 Right of tenant to acquire dwelling: supplementary provisions.

### CHAPTER III

#### GRANTS AND OTHER FINANCIAL MATTERS

##### *Grants and other financial assistance*

- 18 Social housing grants.
- 19 Land subject to housing management agreement.
- 20 Purchase grant where right to acquire exercised.
- 21 Purchase grant in respect of other disposals.
- 22 Assistance from local authorities.
- 23 Loans by Public Works Loans Commissioners.

##### *Treatment of disposal proceeds*

- 24 The disposal proceeds fund.
- 25 Application or appropriation of disposal proceeds.
- 26 Disposal proceeds: power to require information.

##### *Recovery, &c. of social housing grants*

- 27 Recovery, &c. of social housing grants.

##### *Grants to bodies other than registered social landlords*

- 27A Grants to bodies other than registered social landlords
- 27B Transfer of property funded by grants under section 27A

##### *Grants, &c. under earlier enactments*

- 28 Grants under Part 2 of the Housing Act 1988.
- 29 Commutation of payments of special residual subsidy.

### CHAPTER IV

#### GENERAL POWERS OF THE RELEVANT AUTHORITY

##### *Information*

- 30 General power to obtain information.
- 31 Enforcement of notice to provide information, &c.
- 32 Disclosure of information to the Welsh Ministers.
- 33 Disclosure of information by the Welsh Ministers.

##### *Standards of performance*

- 33A Standards of performance
- 33B Guidance on standards of performance
- 33C Consultation
- 34 Standards of performance – housing in England .

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- 35 Information as to levels of performance.

*Complaints about performance*

- 35A Guidance about complaints about performance  
35B Consultation

*Housing management*

- 36 Issue of guidance by the Welsh Ministers – housing in England .  
37 Powers of entry.  
38 Penalty for obstruction of person exercising power of entry.

*Insolvency, &c. of registered social landlord*

- 39 Insolvency, &c. of registered social landlord: scheme of provisions.  
40 Initial notice to be given to the Welsh Ministers.  
41 Further notice to be given to the Welsh Ministers.  
42 Moratorium on disposal of land, &c.  
43 Period of moratorium.  
43A Appointment of interim manager  
44 Proposals as to ownership and management of landlord's land.  
45 Effect of agreed proposals.  
46 Appointment of manager to implement agreed proposals.  
47 Powers of the manager.  
48 Powers of the manager: transfer of engagements.  
49 Assistance by the Welsh Ministers.  
50 Application to court to secure compliance with agreed proposals.

**CHAPTER 4A**

**ENFORCEMENT POWERS**

*General*

- 50A Application of Chapter 4A  
50B Exercise of enforcement powers

*Enforcement notice*

- 50C Grounds for giving notice  
50D Content  
50E Appeal  
50F Withdrawal  
50G Sanction

*Penalty*

- 50H Grounds for imposition  
50I Imposition  
50J Amount  
50K Warning  
50L Representations  
50M Enforcement  
50N Appeal

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### *Compensation*

- 50O Grounds for award
- 50P Persons to whom compensation may be awarded
- 50Q Award
- 50R Impact
- 50S Warning
- 50T Representations
- 50U Enforcement
- 50V Appeal

## **CHAPTER V**

### MISCELLANEOUS AND GENERAL PROVISIONS

#### *Housing complaints*

- 51 Schemes for investigation of complaints.
- 51A Social Housing Ombudsman for Wales
- 51B Investigation of complaints
- 51C Meaning of “social landlord in Wales”

#### *Orders and determinations*

- 52 General provisions as to orders.
- 53 General provisions as to determinations.
- 54 Determinations of the **Housing Corporation** requiring approval.

#### *Minor and consequential amendments*

- 55 Minor and consequential amendments: Part I.

#### *Interpretation*

- 56 Meaning of “the Welsh Ministers”.
- 57 Definitions relating to registered societies.
- 58 Definitions relating to charities.
- 59 Meaning of “officer” of registered social landlord.
- 60 Meaning of “subsidiary”.
- 61 Meaning of “associate”.
- 62 Members of a person’s family: Part I.
- 63 Minor definitions: Part I.
- 64 Index of defined expressions: Part I.

## **PART II**

### HOUSES IN MULTIPLE OCCUPATION

#### *Registration schemes*

- 65 Making and approval of registration schemes.
- 66 Registration schemes: control provisions.
- 67 Registration schemes: special control provisions.
- 68 Offences in connection with registration schemes.
- 69 Information requirements in connection with registration schemes.
- 70 Existing registration schemes.

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*Other amendments of Part XI of the Housing Act 1985*

- 71 Restriction on notices requiring execution of works.
- 72 Recovery of expenses of notice requiring execution of works.
- 73 Duty to keep premises fit for number of occupants.
- 74 Section 354 direction to be local land charge.
- 75 Means of escape from fire.
- 76 Works notices: improvement of enforcement procedures.
- 77 Codes of practice.
- 78 Increase of fines, &c.
- 79 Minor amendments.

*Common lodging houses*

- 80 Repeal of Part XII of the Housing Act 1985.

**PART III**

LANDLORD AND TENANT

**CHAPTER I**

TENANTS' RIGHTS

*Forfeiture*

- 81 Restriction on termination of tenancy for failure to pay service charge.
- 82 Notice under s.146 of the Law of Property Act 1925.

*Service charges*

- 83 Determination of reasonableness of service charges.
- 84 Right to appoint surveyor to advise on matters relating to service charges.

*Appointment of manager*

- 85 Appointment of manager by the court.
- 86 Appointment of manager: transfer of jurisdiction to leasehold valuation tribunal.
- 87 Text of Part II of the Landlord and Tenant Act 1987, as amended.
- 88 Period after which acquisition order may be made.

*Right of first refusal*

- 89 Application of right of first refusal in relation to contracts.
- 90 Notice required to be given by landlord making disposal.
- 91 Offence of failure to comply with requirements of Part I.
- 92 Procedure for exercise of rights of first refusal.
- 93 Duty of new landlord to inform tenant of rights.

*General advice etc.*

- 94 Provision of general advice etc. about residential tenancies.

*Supplementary*

- 95 Jurisdiction of county courts.

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---

## CHAPTER II

### ASSURED TENANCIES

#### *Assured shorthold tenancies*

- 96 Tenancies which are assured shorthold tenancies.
- 97 Duty of landlord to provide statement of terms of assured shorthold tenancy.
- 98 Form of notices under s. 21 of the Housing Act 1988.
- 99 Restriction on recovery of possession on expiry or termination.
- 100 Applications for determination of rent: time limit.

#### *Grounds for possession*

- 101 Mandatory possession for non-payment of rent: reduction in arrears required.
- 102 Recovery of possession where grant induced by false statement.

#### *Assured agricultural occupancies*

- 103 Assured agricultural occupancies: exclusion of tenancies of agricultural holdings and farm business tenancies.

#### *Consequential amendments*

- 104 Consequential amendments: assured tenancies.

## CHAPTER III

### LEASEHOLD REFORM

#### *Scope of rights*

- 105 Low rent test: nil rateable values.
- 106 Low rent test: extension of rights.
- 107 Collective enfranchisement: multiple freeholders.

#### *Valuation*

- 108 Collective enfranchisement: removal of need for professional valuation of interests to be acquired.
- 109 Collective enfranchisement: valuation principles.
- 110 New leases: valuation principles.

#### *Trusts*

- 111 Landlord and Tenant
- 112 Landlord and Tenant
- 113 Powers of trustees.

#### *Miscellaneous*

- 114 Minor amendment of section 1(1)(a) of Leasehold Reform Act 1967.
- 115 Power for leasehold valuation tribunal to determine amount of costs payable under Leasehold Reform Act 1967.

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- 116 Compensation for postponement of termination in connection with ineffective claims.
- 117 Priority of interests on grant of new lease.
- 118 Estate management schemes in connection with enfranchisement by virtue of s. 106.
- 119 Leasehold valuation tribunals: pre-trial review.

#### **PART IV**

##### UNIVERSAL CREDIT, HOUSING BENEFIT AND RELATED MATTERS

- 120 Payment of housing benefit to third parties.
- 121 Administration of housing benefit, &c.
- 122 Functions of rent officers in connection with universal credit, housing benefit and rent allowance subsidy.
- 123 Consequential amendments: Part IV.

#### **PART V**

##### CONDUCT OF TENANTS

#### **CHAPTER I**

##### INTRODUCTORY TENANCIES

###### *General provisions*

- 124 Introductory tenancies.
- 125 Duration of introductory tenancy.
- 125A Extension of trial period by 6 months
- 125B Review of decision to extend trial period
- 126 Licences.

###### *Proceedings for possession*

- 127 Proceedings for possession.
- 128 Notice of proceedings for possession.
- 129 Review of decision to seek possession.
- 130 Effect of beginning proceedings for possession.

###### *Succession on death of tenant*

- 131 Persons qualified to succeed tenant.
- 132 Cases where the tenant is a successor.
- 133 Succession to introductory tenancy.

###### *Assignment*

- 134 Assignment in general prohibited.

###### *Repairs*

- 135 Right to carry out repairs.

###### *Provision of information and consultation*

- 136 Provision of information about tenancies.
- 137 Consultation on matters of housing management.



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*Introductory tenancies that are to become flexible tenancies*

137A Introductory tenancies that are to become flexible tenancies

*Supplementary*

- 138 Jurisdiction of county court.
- 139 Meaning of “dwelling-house”.
- 140 Members of a person’s family: Chapter I.
- 141 Consequential amendments: introductory tenancies.
- 142 Regulations and orders.
- 143 Index of defined expressions: introductory tenancies.

**CHAPTER 1A**

*General provisions*

*Demoted tenancies*

143A Demoted tenancies

*Duration of demoted tenancy*

143B Duration of demoted tenancy

*Change of landlord*

143C Change of landlord

*Proceedings for possession*

*Proceedings for possession*

143D Proceedings for possession

*Notice of proceedings for possession*

143E Notice of proceedings for possession

*Review of decision to seek possession*

143F Review of decision to seek possession

*Effect of proceedings for possession*

143G Effect of proceedings for possession

*Succession*

*Succession to demoted tenancy*

143H Succession to demoted tenancy

*No successor tenant: termination*

143I No successor tenant: termination

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*Successor tenants*

143J Successor tenants

*Assignment*

*Restriction on assignment*

143K Restriction on assignment

*Repairs*

*Right to carry out repairs*

143L Right to carry out repairs

*Provision of information*

*Provision of information*

143M Provision of information

*Demoted tenancies that are to become flexible tenancies*

143MA Demoted tenancies that are to become flexible tenancies

*Supplementary*

*Jurisdiction of county court*

143N Jurisdiction of county court

*Meaning of dwelling house*

143O Meaning of dwelling house

*Members of a person's family*

143P Members of a person's family

**CHAPTER II**

**REPOSSESSION, &C.: SECURE AND ASSURED TENANCIES**

*Secure tenancies*

- 144 Extension of ground of nuisance or annoyance to neighbours, &c.
- 145 New ground of domestic violence: secure tenancies.
- 146 Extension of ground that grant of tenancy induced by false statement.
- 147 Proceedings for possession or termination.

*Assured tenancies*

- 148 Extension of ground of nuisance or annoyance to adjoining occupiers &c.
- 149 New ground of domestic violence: assured tenancies.
- 150 Additional notice requirements: domestic violence.
- 151 Early commencement of certain proceedings for possession.

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## CHAPTER III

### INJUNCTIONS AGAINST ANTI-SOCIAL BEHAVIOUR

- 152 Power to grant injunctions against anti-social behaviour.
- 153 Power of arrest for breach of other injunctions against anti-social behaviour.
- 153A Anti-social behaviour injunction
- 153B Injunction against unlawful use of premises
- 153C Injunctions: exclusion order and power of arrest
- 153D Injunction against breach of tenancy agreement
- 153E Injunctions: supplementary
- 154 Powers of arrest: ex-parte applications for injunctions.
- 155 Arrest and remand.
- 156 Remand for medical examination and report.
- 157 Powers of arrest: supplementary provisions.
- 158 Interpretation: Chapter III.

## PART VI

### ALLOCATION OF HOUSING ACCOMMODATION

#### *Introductory*

- 159 Allocation of housing accommodation.
- 160 Cases where provisions about allocation do not apply.

#### *Eligibility for allocation of housing accommodation*

- 160ZA Allocation only to eligible and qualifying persons: England
- 160A Allocation only to eligible persons: Wales

#### *The housing register*

- 161 Allocation of housing accommodation
- 162 Allocation of housing accommodation
- 163 Allocation of housing accommodation
- 164 Allocation of housing accommodation
- 165 Allocation of housing accommodation

#### *Applications for housing accommodation*

- 166 Applications for housing accommodation

#### *Allocation schemes*

- 166A Allocation in accordance with allocation scheme: England
- 167 Allocation in accordance with allocation scheme : Wales
- 168 Information about allocation scheme.

#### *Supplementary*

- 169 Guidance to authorities by the Secretary of State.
- 170 Co-operation between certain social landlords and local housing authorities.
- 171 False statements and withholding information.
- 172 Regulations.

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- 173 Consequential amendments: Part VI.
- 174 Index of defined expressions: Part VI.

## PART VII

### HOMELESSNESS: ENGLAND

#### *Homelessness and threatened homelessness*

- 175 Homelessness and threatened homelessness.
- 176 Meaning of accommodation available for occupation.
- 177 Whether it is reasonable to continue to occupy accommodation.
- 178 Meaning of associated person.

#### *General functions in relation to homelessness or threatened homelessness*

- 179 Duty of local housing authority in England to provide advisory services
- 180 Assistance for voluntary organisations.
- 181 Terms and conditions of assistance.
- 182 Guidance by the Secretary of State.

#### *Application for assistance in case of homelessness or threatened homelessness*

- 183 Application for assistance.
- 184 Inquiry into cases of homelessness or threatened homelessness.

#### *Eligibility for assistance*

- 185 Persons from abroad not eligible for housing assistance.
- 186 Asylum-seekers and their dependants.
- 187 Provision of information by Secretary of State.

#### *Interim duty to accommodate*

- 188 Interim duty to accommodate in case of apparent priority need.
- 189 Priority need for accommodation.

#### *Duty to assess every eligible applicant's case and agree a plan*

- 189A Assessments and personalised plan

#### *Duties to persons found to be homeless or threatened with homelessness*

- 189B Initial duty owed to all eligible persons who are homeless
  - 190 Duties to persons becoming homeless intentionally.
  - 191 Becoming homeless intentionally.
  - 192 Duty to persons not in priority need who are not homeless intentionally.
  - 193 Duty to persons with priority need who are not homeless intentionally.
- 193A Consequences of refusal of final accommodation offer or final Part 6 offer at the initial relief stage
- 193B Notices in cases of an applicant's deliberate and unreasonable refusal to co-operate
- 193C Notice under section 193B: consequences
  - 194 Homelessness
  - 195 Duties in cases of threatened homelessness
- 195A Re-application after private rented sector offer
  - 196 Becoming threatened with homelessness intentionally.

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*Duty where other suitable accommodation available*

197 Homelessness

*Referral to another local housing authority*

- 198 Referral of case to another local housing authority.
- 199 Local connection.
- 199A Duties to the applicant whose case is considered for referral or referred under section 198(A1)
- 200 Duties to applicant whose case is considered for referral or referred under section 198(1).
- 201 Application of referral provisions to cases arising in Scotland.
- 201A Cases referred from a local housing authority in Wales

*Right to request review of decision*

- 202 Right to request review of decision.
- 203 Procedure on a review.
- 204 Right of appeal to county court on point of law.
- 204A Section 204(4): appeals

*Supplementary provisions*

- 205 Discharge of functions: introductory.
- 206 Discharge of functions by local housing authorities.
- 207 Discharge of functions: provision of accommodation by the authority.
- 208 Discharge of functions: out-of-area placements.
- 209 Discharge of interim duties: arrangements with private landlord
- 210 Suitability of accommodation.
- 211 Protection of property of homeless persons and persons threatened with homelessness.
- 212 Protection of property: supplementary provisions.
- 213 Co-operation between relevant housing authorities and bodies.
- 213A Co-operation in certain cases involving children
- 213B Duty of public authority to refer cases in England to local housing authority

*General provisions*

- 214 False statements, withholding information and failure to disclose change of circumstances.
- 214A Codes of practice
- 215 Regulations and orders.
- 216 Transitional and consequential matters.
- 217 Minor definitions: Part VII.
- 218 Index of defined expressions: Part VII.

**PART VIII**

MISCELLANEOUS AND GENERAL PROVISIONS

*Miscellaneous*

- 218A Anti-social behaviour: landlords' policies and procedures
- 219 Directions as to certain charges by social landlords.
- 220 Directions as to certain charges: supplementary provisions.

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---

- 220A Provision of general advice etc about residential licences: England
- 221 Exercise of compulsory purchase powers in relation to Crown land.
- 222 Miscellaneous minor amendments.

#### *General*

- 223 Offences by body corporate.
- 224 The Common Council of the City of London.
- 225 The Isles of Scilly.
- 226 Corresponding provision for Northern Ireland.
- 227 Repeals.
- 228 Financial provisions.
- 229 Meaning of “lease” and “tenancy” and related expressions.
- 230 Minor definitions: general.

#### *Final provisions*

- 231 Extent.
- 232 Commencement.
- 233 Short title.

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### SCHEDULES

#### SCHEDULE 1 — Registered social landlords: regulation Part I — CONTROL OF PAYMENTS TO MEMBERS, &C

##### *Payments by way of gift, dividend or bonus*

- 1 (1) A registered social landlord shall not make a gift...

##### *Payments and benefits to officers and employees, &c.*

- 2 (1) A registered social landlord which is a registered society...

##### *Maximum amounts payable by way of fees, expenses, &c.*

- 3 (1) The Relevant Authority may from time to time specify...  
Part II — CONSTITUTION, CHANGE OF RULES, AMALGAMATION AND  
DISSOLUTION

##### *General power to remove officer*

- 4 (1) The Relevant Authority may, in accordance with the following...

##### *Restriction on power of removal in case of registered charity*

- 5 (1) The Relevant Authority may make an order under paragraph...

##### *Registered charity: power to appoint new officer*

- 6 (1) The Relevant Authority may by order appoint a person...

##### *Company: power to appoint new officer*

- 7 (1) The Relevant Authority may by order appoint a person...

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*Registered society: power to appoint officer*

- 8 (1) The Relevant Authority may by order appoint a person...

*Change of rules, &c. by registered society*

- 9 (1) This paragraph applies to a registered society whose registration...

*Change of objects by certain charities*

- 10 (1) This paragraph applies to a registered social landlord—

*Change of articles of company*

- 11 (1) This paragraph applies to a company (including a company...

*Amalgamation and dissolution &c. of registered society*

- 12 (1) This paragraph applies to a registered society whose registration...

*Arrangement, reconstruction, &c. of company*

- 13 (1) This paragraph applies to a company whose registration as...

*Directions to registered social landlords about notifications*

- 13A (1) The Welsh Ministers may give directions to registered social...

*Relevant Authority's power to petition for winding up*

- 14 (1) The Relevant Authority may present a petition for the...

*Transfer of net assets on dissolution or winding up*

- 15 (1) This paragraph applies— (a) where a registered social landlord...

*Transfer of net assets on termination of charity not within paragraph 15(1)*

- 15A (1) The Welsh Ministers may by regulations provide for any...

*Management etc*

15B *Management tender*

15C *Management tender: supplemental*

15D *Management transfer*

15E *Management transfer: supplemental*

15F *Appointment of manager of registered social landlord*

15G *Appointment of manager: supplemental*

15H *Amalgamation*

Part III — ACCOUNTS AND AUDIT

*General requirements as to accounts and audit*

- 16 (1) The Relevant Authority may from time to time determine...

*Companies exempt from audit requirements: accountant's report*

- 16A (1) This paragraph applies to a registered social landlord that—...

- 16B (1) The report required for the purposes of paragraph 16A(2)...

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- 16C (1) The reporting accountant must be either—  
 16D (1) The provisions of the Companies Act 2006 listed in...  
 16E In paragraphs 16A to 16D— “company” means a company registered...

*Registered societies exempt from audit requirements: accountant’s report*

- 17 (1) This paragraph applies to registered social landlords which are...

*Accounting and audit or reporting requirements for charities*

- 18 (1) A registered social landlord which is a registered charity...

*Charities exempt from audit requirements: accountant’s report*

- 18A (1) The report referred to in paragraph 18(4A) is a...

*Responsibility for securing compliance with accounting requirements*

- 19 (1) Every responsible person, that is to say, every person...

*Disclosure of information by auditors etc. to the Relevant Authority*

- 19A (1) A person who is, or has been, an auditor...

**PART 3A — INSPECTION**

- 19B *Overview and application*

- 19C *Inspection*

- 19D *Inspection: supplemental*

- 19E *Inspector's powers to require provision of documents or information*

- 19F *Inspector's powers to require provision of documents or information: supplemental*

- 19G *Inspector's powers of entry and inspection*

**Part IV — INQUIRY INTO AFFAIRS OF REGISTERED SOCIAL LANDLORDS**

*Inquiry*

- 20 (1) The Relevant Authority may direct an inquiry into the...

*Evidence*

- 20A (1) For the purposes of an inquiry the person or...

*Power of appointed person to obtain information*

- 21 (1) A person appointed by the Relevant Authority under paragraph...

*Extraordinary audit for purposes of inquiry*

- 22 (1) For the purposes of an inquiry under paragraph 20...

*Powers exercisable on interim basis*

- 23 (1) The Relevant Authority may make an order under this...

*Powers exercisable as a result of final report or audit*

- 24 (1) Where the Relevant Authority is satisfied, as the result...



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*Disqualification as officer of registered social landlord.*

- 25 (1) A person is disqualified from acting as an officer...

*Persons acting as officer while disqualified.*

- 26 (1) A person who acts as an officer of a...

*Power to direct transfer of land*

- 27 (1) Where as a result of an inquiry under paragraph...

*Availability of powers in relation to registered charities.*

- 28 (1) The Relevant Authority may exercise its powers under paragraphs...  
29 The Relevant Authority may not exercise its powers under paragraph...

SCHEDULE 2 — Social rented sector: housing complaints

*Social landlords required to be member of approved scheme*

- 1 (1) A social landlord, other than a local housing authority,...

*Matters for which scheme must provide*

- 2 (1) A scheme shall not be approved for the purposes...

*Approval of scheme, or amendment, and withdrawal of approval*

- 3 (1) An application to the Secretary of State for approval...

*Notice to be given of becoming a member of an approved scheme*

- 4 (1) A social landlord who— (a) becomes a member of...

*Withdrawal from approved scheme*

- 5 (1) A social landlord wishing to withdraw from membership of...

*Register of approved schemes*

- 6 (1) The Regulator of Social Housing shall maintain a register...

*Determinations by housing ombudsman*

- 7 (1) A housing ombudsman under an approved scheme shall investigate...

*Complaints must be referred by designated person unless paragraph 7B applies*

- 7A (1) A complaint against a social landlord is not “duly...

*Complaints that need not be made by way of referral by designated person*

- 7B (1) Paragraph 7A(1) does not apply in relation to a...

*Designated tenant panels*

- 7C (1) In paragraph 7A(3)(c) “designated tenant panel ” means...

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*Enforcement of a housing ombudsman's determinations*

7D (1) The Secretary of State may by order make provision...

*Publication of determinations, &c.*

8 (1) A housing ombudsman under an approved scheme may publish—...

*Absolute privilege for communications, &c.*

9 For the purposes of the law of defamation absolute privilege...

*Appointment and status of housing ombudsman*

10 (1) Where an approved scheme provides that it shall be...

*Collaborative working with Local Commissioners*

10A (1) If at any stage in the course of conducting...

*Subscriptions payable in respect of approved schemes*

11 (1) Members of an approved scheme shall pay a subscription,...

*General provision about orders*

12 Section 52 shall apply to an order of the Secretary...

SCHEDULE 2A — Further Provision About The Social Housing Ombudsman For Wales

*Status*

1 Further Provision About The Social Housing Ombudsman For Wales

*Remuneration, etc.*

2 Further Provision About The Social Housing Ombudsman For Wales

*Remuneration, etc.*

3 Further Provision About The Social Housing Ombudsman For Wales

*Staff and advisers*

4 Further Provision About The Social Housing Ombudsman For Wales

*Delegation of functions*

5 Further Provision About The Social Housing Ombudsman For Wales

*Reports and determinations*

6 Further Provision About The Social Housing Ombudsman For Wales

*Reports and determinations*

7 Further Provision About The Social Housing Ombudsman For Wales

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*Reports and determinations*

8 Further Provision About The Social Housing Ombudsman For Wales

*Expenses*

9 Further Provision About The Social Housing Ombudsman For Wales

*Absolute privilege for communications etc.*

10 Further Provision About The Social Housing Ombudsman For Wales

*Disclosure of information*

11 Further Provision About The Social Housing Ombudsman For Wales

*Disclosure of information*

12 Further Provision About The Social Housing Ombudsman For Wales

*Accounts and audit*

13 Further Provision About The Social Housing Ombudsman For Wales

*Accounts and audit*

14 Further Provision About The Social Housing Ombudsman For Wales

*Accounting officer*

15 Further Provision About The Social Housing Ombudsman For Wales

*Examinations into use of resources*

16 Further Provision About The Social Housing Ombudsman For Wales

*Examinations into use of resources*

17 Further Provision About The Social Housing Ombudsman For Wales

SCHEDULE 3 — Social rented sector: minor amendments

*Finance Act 1981 (c.35)*

- 1 (1) Section 107 of the Finance Act 1981 (stamp duty...  
Local Government Finance Act 1982 (c.32)
- 2 Social rented sector: minor amendments

*Housing Associations Act 1985 (c.69)*

- 3 Section 33 of the Housing Associations Act 1985 (recognition of...
- 4 In section 69(1) of the Housing Associations Act 1985 (power...
- 5 In section 75(1) of the Housing Associations Act 1985 (general...
- 6 .....
- 7 In section 87 of the Housing Associations Act 1985 (financial...

*Income and Corporation Taxes Act 1988 (c.1)*

- 8 (1) The Income and Corporation Taxes Act 1988 is amended...

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*Housing (Scotland) Act 1988 (c.43)*

9 Social rented sector: minor amendments

*Housing Act 1988 (c.50)*

10 Section 58 of the Housing Act 1988 (application of Housing...

11 In section 79(2) of the Housing Act 1988 (permitted disposals...

SCHEDULE 4 — Rights exercisable by surveyor appointed by tenants' association

*Introductory*

1 (1) A surveyor appointed for the purposes of section 84...

*Appointment of assistants*

2 (1) The surveyor may appoint such persons as he thinks...

*Right to inspect documents, &c.*

3 (1) The surveyor has a right to require the landlord...

*Right to inspect premises*

4 (1) The surveyor also has the right to inspect any...

*Enforcement of rights by the court*

5 (1) If the landlord or other person to whom notice...

*Documents held by superior landlord*

6 (1) Where a landlord is required by a notice under...

*Effect of disposal by landlord*

7 (1) Where a notice under paragraph 3 has been given...

*Effect of person ceasing to be a relevant person*

8 Where a notice under paragraph 3 has been given to...

SCHEDULE 5 — Text of Part II of the Landlord and Tenant Act 1987, as amended

SCHEDULE 6 — Amendments of Part I of the Landlord and Tenant Act 1987

Part I — RIGHTS OF FIRST REFUSAL

The following sections are substituted for sections 5 to 10...

Part II — ENFORCEMENT BY TENANTS OF RIGHTS AGAINST PURCHASER

The following sections are substituted for sections 11 to 15...

Part III — ENFORCEMENT OF RIGHTS AGAINST SUBSEQUENT PURCHASERS  
AND TERMINATION OF RIGHTS

The following sections replace sections 16 and 17 of the...

Part IV — CONSEQUENTIAL AMENDMENTS

1 In section 4(2) of the Landlord and Tenant Act 1987...

2 Before section 19 of the Landlord and Tenant Act 1987,...

3 (1) Section 20(1) of the Landlord and Tenant Act 1987...

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- 4 In section 20(2) of the Landlord and Tenant Act 1987,...
- 5 In Part III of the Landlord and Tenant Act 1987...
- 6 In section 52(1) of the Landlord and Tenant Act 1987...
- 7 Amendments of Part I of the Landlord and Tenant Act 1987
- 8 Amendments of Part I of the Landlord and Tenant Act 1987
- 9 In section 54(4) of the Landlord and Tenant Act 1987...
- 10 In section 60(1) of the Landlord and Tenant Act 1987...
- 11 (1) In Schedule 1 to the Landlord and Tenant Act...

SCHEDULE 7 — Assured tenancies: schedule inserted after Schedule 2 to the Housing Act 1988

SCHEDULE 8 — Assured tenancies: consequential amendments

*Housing Act 1985 (c.68)*

- 1 In section 553(2) of the Housing Act 1985, for paragraph...

*Housing Act 1988 (c.50)*

- 2 (1) The Housing Act 1988 shall be amended as follows....

SCHEDULE 9 — Low rent test: extension of rights

*Right to enfranchisement*

- 1 In the Leasehold Reform Act 1967, after section 1A there...
- 2 (1) In consequence of paragraph 1 above, the Leasehold Reform...

*Right to collective enfranchisement*

- 3 Low rent test: extension of rights

*Right to new lease*

- 4 Low rent test: extension of rights
- 5 (1) In Chapter VII of that Part (general), section 94...

SCHEDULE 10 — Section 107: consequential amendments

- 1 Chapter I of Part I of the Leasehold Reform, Housing...
- 2 In section 1(4) (right to acquire additional property satisfied by...
- 3 (1) Section 9 (the reversioner and other relevant landlords) shall...
- 4 Section 107: consequential amendments
- 5 (1) Section 11 (right of qualifying tenant to obtain information...
- 6 (1) Section 13 (notice by qualifying tenants of claim to...
- 7 (1) Section 19 (effect of notice under section 13 on...
- 8 (1) Section 21 (reversioner's counter-notice) shall be amended as follows....
- 9 (1) Section 26 (application to court where relevant landlords cannot...
- 10 In section 30 (effect on acquisition of institution of compulsory...
- 11 (1) Section 34 (conveyance to nominee purchaser) shall be amended...
- 12 (1) Section 36 (nominee purchaser required to grant leases back...
- 13 In section 38 (interpretation of Chapter I), in subsection (3),...
- 14 In Schedule 1 (conduct of proceedings by reversioner on behalf...

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- 15 In that Schedule, after Part I there shall be inserted—...
- 16 In Schedule 2 (special categories of landlords), in paragraph 1(1),...
- 17 (1) Part II of Schedule 3 (which makes provision for...
- 18 (1) Schedule 6 (purchase price payable by nominee purchaser) shall...
- 19 In Schedule 7 (conveyance to nominee purchaser on enfranchisement),  
in...
- 20 (1) Schedule 9 (grant of leases back to former freeholder)...

SCHEDULE 11 — Compensation for postponement of termination in connection  
with ineffective claims

*Claims under Part I of the Leasehold Reform Act 1967*

- 1 (1) After section 27 of the Leasehold Reform Act 1967...

*Claims under Chapter I of Part I of the Leasehold  
Reform, Housing and Urban Development Act 1993*

- 2 (1) After section 37 of the Leasehold Reform, Housing and...

*Claims under Chapter II of Part I of the Leasehold  
Reform, Housing and Urban Development Act 1993*

- 3 (1) After section 61 of the Leasehold Reform, Housing and...

SCHEDULE 12 — Administration of housing benefit, &c

*Administration of housing benefit*

- 1 (1) Section 134 of the Social Security Administration Act 1992...

*Administration of council tax benefit*

- 2 In section 138 of the Social Security Administration Act 1992...
- 3 (1) Section 139 of the Social Security Administration Act 1992...

*Subsidy*

- 4 After section 140 of the Social Security Administration Act 1992...

*Transitional provision*

- 5 (1) The Secretary of State may by order make such...

SCHEDULE 13 — Housing benefit and related matters: consequential amendments

*Rent Act 1977 (c.42)*

- 1 In section 63(7) of the Rent Act 1977 (expenditure on...

*Housing Act 1985 (c.68)*

- 2 In section 425(2)(b) of the Housing Act 1985 (housing subsidy:...

*Social Security Administration Act 1992 (c.5)*

- 3 (1) The Social Security Administration Act 1992 is amended as...

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*Leasehold Reform, Housing and Urban Development Act 1993 (c.28)*

4 In section 135(8) of the Leasehold Reform, Housing and Urban...

SCHEDULE 14 — Introductory tenancies: consequential amendments

*Housing Act 1985 (c.68)*

- 1 In section 88(1) of the Housing Act 1985 (cases where...
- 2 In section 104(2) of the Housing Act 1985 (provision of...
- 3 After section 115 of the Housing Act 1985 insert— Meaning...
- 4 In section 117 of the Housing Act 1985 (index of...
- 5 In Schedule 1 to the Housing Act 1985 (tenancies which...

SCHEDULE 15 — Arrest for anti-social behaviour: powers of High Court and county court to remand

*Introductory*

- 1 (1) The provisions of this Schedule apply where the court...

*Remand in custody or on bail*

- 2 (1) The court may— (a) remand him in custody, that...
- 3 (1) Where a person is remanded on bail, the court...
- 4 (1) The court shall not remand a person for a...

*Further remand*

- 5 (1) If the court is satisfied that a person who...

*Postponement of taking of recognizance*

- 6 Where under paragraph 2(2)(b) the court fixes the amount in...

SCHEDULE 16 — Allocation of housing accommodation: consequential amendments

*Housing Act 1985 (c.68)*

- 1 In section 106 of the Housing Act 1985 (information about...
- 2 (1) Schedule 1 to the Housing Act 1985 (tenancies which...

*Asylum and Immigration Act 1996 (c. 49)*

- 3 (1) Section 9 of the Asylum and Immigration Act 1996...

SCHEDULE 17 — Homelessness: consequential amendments

*Local Authority Social Services Act 1970 (c.42)*

- 1 In Schedule 1 to the Local Authority Social Services Act...

*Greater London Council (General Powers) Act 1984 (c.xxvii)*

- 2 In section 39 of the Greater London Council (General Powers)...

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*Housing Act 1985 (c.68)*

- 3 In Schedule 1 to the Housing Act 1985 (tenancies which...

*Housing (Scotland) Act 1987 (c.26)*

- 4 In section 42 of the Housing (Scotland) Act 1987 (application...

SCHEDULE 18 — Miscellaneous provisions

Part I — HOUSING MANAGEMENT

*Repeal of Part IV of the Housing Act 1988*

- 1 Part IV of the Housing Act 1988 (change of landlord:...

*Payments to encourage local housing authority tenants to move to other accommodation*

- 2 (1) A local housing authority may make payments to or...

*Consultation with respect to housing management*

- 3 (1) Part II of the Housing Act 1985 (provision of...  
Part II — HOUSING FINANCE

*Housing Revenue Account: directions as to certain matters*

- 4 (1) In Part VI of the Local Government and Housing...

*Housing Revenue Account subsidy: final decision on amount*

- 5 (1) In Part VI of the Local Government and Housing...

*Abolition of exchequer contributions for agricultural housing*

- 6 (1) No contribution shall be made by the Secretary of...  
Part III — ORDERS IN RELATION TO PROPERTY IN FAMILY AND  
MATRIMONIAL PROCEEDINGS, &C.

*Housing Act 1980 (c.51)*

- 7 In section 54(2) of the Housing Act 1980 (prohibition on...

*Housing Act 1985 (c.68)*

- 8 (1) Section 39 of the Housing Act 1985 (exempted disposals)...  
9 In section 88(2) of the Housing Act 1985 (cases where...  
10 In section 89 of the Housing Act 1985 (succession to...  
11 In section 90(3) of the Housing Act 1985 (devolution of...  
12 In section 91(3) of the Housing Act 1985 (cases where...  
13 In section 99B(2) of the Housing Act 1985 (persons qualifying...  
14 In section 101(3) of the Housing Act 1985 (rent not...  
15 (1) Section 160 of the Housing Act 1985 (exempted disposals...  
16 In section 171B(4)(b) of the Housing Act 1985 (extent of...  
17 In paragraph 1(2) of Schedule 6A to the Housing Act...

*Landlord and Tenant Act 1987 (c.31)*

- 18 In section 4(2) of the Landlord and Tenant Act 1987...



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*Housing Act 1988 (c.50)*

- 19 (1) Paragraph 4 of Schedule 11 to the Housing Act...  
Part IV — OTHER HOUSING PROVISIONS

*Abolition of consent requirements for exercise of certain housing powers*

- 20 Section 16 of the Housing Act 1985 (consent requirements for...

*Amendments of section 133 of the Housing Act 1988*

- 21 (1) Section 133 of the Housing Act 1988 (consent required...

*Abolition of requirements for Treasury consent*

- 22 (1) Any requirement in the following enactments for the consent...

*Disposal of dwelling-houses subject to secure tenancies: consultation requirements*

- 23 In section 106A of the Housing Act 1985 (consultation before...

*Powers of local housing authorities to acquire land for housing purposes*

- 24 (1) In section 17(2) of the Housing Act 1985 (acquisition...

*Housing action trusts*

- 25 (1) In section 63 of the Housing Act 1988 (objects...

*Preserved right to buy*

- 26 (1) In section 171B of the Housing Act 1985 (qualifying...

*Local authority assistance in connection with mortgages*

- 27 (1) Section 442 of the Housing Act 1985 (agreements by...

- 28 In section 443 of the Housing Act 1985 (local authority...

- 29 (1) For section 444 of the Housing Act 1985 (meaning...

- 30 In paragraph 21(d) of Schedule 13 to the Local Government...

SCHEDULE 19 — Repeals

Part I — SOCIAL RENTED SECTOR

Part II — HOUSES IN MULTIPLE OCCUPATION

Part III — TENANTS' RIGHTS

Part IV — ASSURED TENANCIES

Part V — LEASEHOLD REFORM

Part VI — HOUSING BENEFIT AND RELATED MATTERS

Part VII — ALLOCATION OF HOUSING ACCOMODATION

Part VIII — HOMELESSNESS

Part IX — CHANGE OF LANDLORD: SECURE TENANTS

Part X — CONSULTATION WITH RESPECT TO HOUSING MANAGEMENT

Part XI — ABOLITION OF EXCHEQUER CONTRIBUTIONS FOR AGRICULTURAL  
HOUSING

Part XII — ABOLITION OF CERTAIN CONSENT REQUIREMENTS

Part XIII — REMOVAL OF TREASURY CONSENT REQUIREMENTS

Part XIV — LOCAL AUTHORITY ASSISTANCE IN CONNECTION WITH  
MORTGAGES

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