



Housing Act 1996

1996 CHAPTER 52

PART I

SOCIAL RENTED SECTOR

CHAPTER IV

GENERAL POWERS OF THE CORPORATION

Housing management

36 Issue of guidance by the Corporation.

- (1) The Corporation may issue guidance with respect to the management of housing accommodation by registered social landlords.
- (2) Guidance under this section may, in particular, be issued with respect to—
 - (a) the housing demands for which provision should be made and the means of meeting those demands;
 - (b) the allocation of housing accommodation between individuals;
 - (c) the terms of tenancies and the principles upon which levels of rent should be determined;
 - (d) standards of maintenance and repair and the means of achieving those standards;
 - (e) the services to be provided to tenants;
 - (f) the procedures to be adopted to deal with complaints by tenants against a landlord;
 - (g) consultation and communication with tenants;
 - (h) the devolution to tenants of decisions concerning the management of housing accommodation.
- (3) Before issuing any guidance under this section the Corporation shall—

Status: Point in time view as at 01/09/1997.

Changes to legislation: Housing Act 1996, Cross Heading: Housing management is up to date with all changes known to be in force on or before 08 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)

- (a) consult such bodies appearing to it to be representative of registered social landlords as it considers appropriate, and
 - (b) submit a draft of the proposed guidance to the Secretary of State for his approval.
- (4) If the Secretary of State gives his approval to the draft submitted to him, the Corporation shall issue the guidance in such manner as the Corporation considers appropriate for bringing it to the notice of the landlords concerned.
 - (5) Guidance issued under this section may be revised or withdrawn; and subsections (3) and (4) apply in relation to the revision of guidance as in relation to its issue.
 - (6) Guidance under this section may make different provision in relation to different cases and, in particular, in relation to different areas, different descriptions of housing accommodation and different descriptions of registered social landlord.
 - (7) In considering whether action needs to be taken to secure the proper management of the affairs of a registered social landlord or whether there has been mismanagement, the Corporation may have regard (among other matters) to the extent to which any guidance under this section is being or has been followed.

Commencement Information

- II** S. 36 wholly in force 1.10.1996; s. 36 not in force at Royal Assent see s. 232(1)-(3); s. 36(1)-(6) in force at 1.8.1996 by S.I. 1996/2048, art. 2 and s. 36(7) in force at 1.10.1996 by S.I. 1996/2402, art. 3 (with transitional provisions and savings in the Sch.)

37 Powers of entry.

- (1) This section applies where it appears to the Corporation that a registered social landlord may be failing to maintain or repair any premises in accordance with guidance issued under section 36.
- (2) A person authorised by the Corporation may at any reasonable time, on giving not less than 28 days' notice of his intention to the landlord concerned, enter any such premises for the purpose of survey and examination.
- (3) Where such notice is given to the landlord, the landlord shall give the occupier or occupiers of the premises not less than seven days' notice of the proposed survey and examination.

 A landlord who fails to do so commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (4) Proceedings for an offence under subsection (3) may be brought only by or with the consent of the Corporation or the Director of Public Prosecutions.
- (5) An authorisation for the purposes of this section shall be in writing stating the particular purpose or purposes for which the entry is authorised and shall, if so required, be produced for inspection by the occupier or anyone acting on his behalf.
- (6) The Corporation shall give a copy of any survey carried out in exercise of the powers conferred by this section to the landlord concerned.

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- (7) The Corporation may require the landlord concerned to pay to it such amount as the Corporation may determine towards the costs of carrying out any survey under this section.

Modifications etc. (not altering text)

C1 S. 37 extended (16.9.1996) by S.I. 1996/2402, art. 3, Sch. para. 1

38 Penalty for obstruction of person exercising power of entry.

- (1) It is an offence for a registered social landlord or any of its officers or employees to obstruct a person authorised under section 37 (powers of entry) to enter premises in the performance of anything which he is authorised by that section to do.
- (2) A person who commits such an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) Proceedings for such an offence may be brought only by or with the consent of the Corporation or the Director of Public Prosecutions.

Modifications etc. (not altering text)

C2 S. 38 extended (16.9.1996) by S.I. 1996/2402, art. 3, Sch. para. 1

Status:

Point in time view as at 01/09/1997.

Changes to legislation:

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