



Housing and Regeneration Act 2008

2008 CHAPTER 17

PART 2

REGULATION OF SOCIAL HOUSING

CHAPTER 4

REGISTERED PROVIDERS

Insolvency etc.

152 Proposals

- (1) During a moratorium the regulator may make proposals about the future ownership and management of the registered provider's land, with a view to ensuring that the property will be properly managed by a registered provider.
- (2) In making proposals the regulator shall—
 - (a) have regard to the interests of the registered provider's creditors as a whole, and
 - (b) so far as is reasonably practicable avoid worsening the position of unsecured creditors.
- (3) Proposals may provide for the appointment of a manager in accordance with section 155 to implement all or part of the proposals.
- (4) Proposals may not include anything which would result in—
 - (a) a preferential debt being paid otherwise than in priority to a non-preferential debt, or
 - (b) a preferential creditor (PC1) being paid a smaller proportion of a preferential debt than another preferential creditor (PC2) (unless PC1 consents).
- (5) Proposals relating to a registered provider which is a charity (C1)—

Status: This is the original version (as it was originally enacted).

- (a) may not require it to act outside the terms of its trusts, and
- (b) may provide for the disposal of accommodation only to another charity whose objects the regulator thinks are similar to those of C1.