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DRAFT STATUTORY INSTRUMENTS

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**2003 No.**

**The Housing (Northern Ireland) Order 2003**

**PART III**

**GRANTS, &c. FOR RENEWAL OF PRIVATE SECTOR HOUSING**

**CHAPTER II**

**THE MAIN GRANTS**

*Disabled facilities grants*

**Disabled facilities grants: owner's and tenant's applications**

**50.**—(1) The Executive shall not entertain an application for a disabled facilities grant unless it is satisfied—

- (a) that the applicant has, or proposes to acquire, an owner's interest in every parcel of land on which the relevant works are to be carried out, or
- (b) that the applicant is a tenant (alone or jointly with others)—
  - (i) in the case of an application in respect of works to a dwelling, of the dwelling, or
  - (ii) in the case of a common parts application, of a flat in the building,and, in either case, does not have or propose to acquire such an owner's interest as is mentioned in sub-paragraph (a).

(2) References in this Chapter to an "owner's application" or a "tenant's application", in relation to a disabled facilities grant, shall be construed accordingly.

(3) In accordance with directions given by the Department, the Executive may treat the condition in paragraph (1)(a) as met by a person who has, or proposes to acquire, an owner's interest in only part of the land concerned.

(4) In this Chapter, in relation to an application for a disabled facilities grant—

- (a) "qualifying owner's interest" means an owner's interest meeting the condition in paragraph (1)(a) or treated by virtue of paragraph (3) as meeting that condition; and
- (b) "qualifying tenant" means a tenant who meets the conditions in paragraph (1)(b).

(5) In this Chapter "tenant", in relation to a disabled facilities grant, includes—

- (a) a person who has a protected tenancy or statutory tenancy,
- (b) an employee (whether full-time or part-time) who occupies the dwelling or flat concerned for the better performance of his duties, and
- (c) a person having a licence to occupy the dwelling or flat concerned which satisfies such conditions as may be specified by order of the Department,

and other expressions relating to tenancies, in the context of an application for a disabled facilities grant, shall be construed accordingly.