
DRAFT STATUTORY INSTRUMENTS

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: approval of application

55.—(1) The Executive—

- (a) shall approve an application for a disabled facilities grant for purposes within Article 54(1), and
- (b) may if it thinks fit approve an application for a disabled facilities grant not for a purpose within that provision but for the purpose specified in Article 54(2),

subject to the following provisions.

(2) Where the Executive entertains an owner's application for a disabled facilities grant made by a person who proposes to acquire a qualifying owner's interest, it shall not approve the application until it is satisfied that he has done so.

(3) The Executive shall not approve an application for a disabled facilities grant unless it is satisfied—

- (a) that the relevant works are necessary and appropriate to meet the needs of the disabled occupant, and
- (b) that it is reasonable and practicable to carry out the relevant works having regard to the age and condition of the dwelling or building.

In considering the matters mentioned in sub-paragraph (a) the Executive shall consult the relevant authority, unless the relevant works are of such a kind as may be agreed between the Executive and the authority.

(4) Where the Executive proposes to approve an application for a disabled facilities grant it shall consider—

- (a) in the case of an application in respect of works to a dwelling, whether the dwelling is fit for human habitation;
- (b) in the case of a common parts application, whether the building meets the requirements in Article 46(2) of the Order of 1981;

and the Executive shall take that into account in deciding whether it is reasonable and practicable to carry out the relevant works.

(5) The Executive shall not approve a common parts application for a disabled facilities grant unless it is satisfied that the applicant has a power or is under a duty to carry out the relevant works.