



Housing Act 1974

1974 CHAPTER 44

PART IV

HOUSING ACTION AREAS

- 47 Notification of notices to quit and disposals of housing accommodation etc.**
- (1) Within the period of 7 days beginning with the day on which a notice to quit is served—
 - (a) in respect of land consisting of or including housing accommodation in a housing action area, and
 - (b) on a tenant who occupies as a dwelling the whole or any part of that land, the landlord by or on whose behalf the notice is served shall notify the local authority in accordance with Schedule 4 to this Act, that the notice has been served.
 - (2) Not less than 4 weeks before the expiry by effluxion of time of any tenancy—
 - (a) which is a tenancy of land consisting of or including housing accommodation in a housing action area, and
 - (b) which expires without the service of any notice to quit, the person who is the landlord under that tenancy shall notify the local authority, in accordance with Schedule 4 to this Act, that the tenancy is about to expire.
 - (3) Not less than 4 weeks and not more than 6 months before the date on which a person carries out a disposal of land to which this section applies, he shall notify the local authority, in accordance with Schedule 4 to this Act, that the disposal is to take place ; and for the purposes of this section a person carries out a disposal of land if he conveys or enters into a contract to convey a legal estate or interest in the land, whether or not that estate or interest is in existence immediately before the date of the conveyance or contract.
 - (4) Nothing in the preceding provisions of this section shall impose an obligation on any person to notify a local authority of any matter if, apart from this subsection, the obligation would require him to notify the authority at some time before the expiry of the period of 4 weeks beginning with the date on which the housing action area concerned is declared.

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- (5) A local authority who receive a notification given in compliance with any provision of subsections (1) to (3) above shall,—
- (a) as soon as practicable after the notification is received, send to the person by whom it was furnished a written acknowledgment of its receipt, stating the day on which it was received ; and
 - (b) within the period of 4 weeks beginning with the day on which the notification was received, inform the person by whom it was furnished what action, if any, they propose to take as a result of the notification with respect to the land to which the notification relates.
- (6) This section applies to a disposal of land consisting of or including housing accommodation in a housing action area, other than a disposal—
- (a) by a person who, throughout the period of 6 months ending on the date of the disposal, has been continuously in exclusive occupation (with or without members of his household) of the land to which the disposal relates; or
 - (b) to which the local authority are a party ; or
 - (c) consisting of the grant of a protected tenancy, within the meaning of the Rent Act 1968, or of a contract to which Part VI of that Act applies ; or
 - (d) consisting of the grant or assignment of a lease (of land or of an interest in land) for a term which expires within the period of 5 years and 3 months beginning on the date of the grant of the lease, where neither the lease nor any other instrument or contract confers on the lessor or the lessee an option (however expressed) to renew or extend the term so that the new term or the extended term would continue beyond the end of that period of 5 years and 3 months; or
 - (e) consisting of the grant of an estate or interest by way of security for a loan ; or
 - (f) consisting of the conveyance of an estate or interest where the conveyance gives effect to a contract to convey that estate or interest and the proposal to enter into that contract was notified to the local authority in accordance with subsection (3) above.
- (7) Any person who—
- (a) without reasonable excuse fails to comply with an obligation imposed on him by subsection (1) or subsection (2) above, or
 - (b) without reasonable excuse carries out a disposal of land to which this section applies without having complied with the obligation imposed on him by subsection (3) above, or
 - (c) knowingly or recklessly furnishes a notification which is false in a material particular in purported compliance with any provision of this section, or
 - (d) knowingly or recklessly omits from any such notification any information which is required to be contained therein by Virtue of any provision of Schedule 4 to this Act,
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400.
- (8) Where an offence under subsection (7) above which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and be liable to be proceeded against and punished accordingly.

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- (9) Where the affairs of a body corporate are managed by its members, subsection (8) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.
- (10) The conviction of any person for an offence under subsection (7) above shall not affect the date on which any tenancy expires (whether by virtue of a notice to quit or otherwise) or the validity of any disposal of land.