



Housing Act 1988

1988 CHAPTER 50

PART IV

CHANGE OF LANDLORD: SECURE TENANTS

Initial procedures

99 Determination of purchase price.

- (1) Within eight weeks of—
- (a) if there is no dispute as to any of the matters stated in the notice under section 98(1) above, the service of that notice, or
 - (b) if there is such a dispute, the determination of the dispute,
- the landlord shall serve on the applicant a notice specifying—
- (i) the price which, disregarding sections 100(3) and 103(1) below, it considers should be payable for the property to be acquired or, as the case may be, the disposal cost which, disregarding section 100(3) below, is attributable to the property to be acquired by virtue of subsection (3) below; and
 - (ii) if the property to which the acquisition relates includes dwelling-houses which are houses as well as other property, an amount which the landlord considers to be the amount attributable to houses as defined in section 100(4)(b) below.
- (2) Subject to sections 100(3) and 103(1) below, the price payable for the property to be acquired shall be the price which on the relevant date the property to which the acquisition relates would realise if sold on the open market by a willing vendor on the following assumptions, namely—
- (a) that it was sold subject to any tenancies subsisting on that date but otherwise with vacant possession;
 - (b) that it was to be conveyed with the same rights and subject to the same burdens as it would be in pursuance of the right of acquisition;

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: Housing Act 1988, Section 99 is up to date with all changes known to be in force on or before 19 April 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)

- (c) that the only bidders in the market were persons who on that date either were approved under section 94 above or fulfilled the criteria for approval established under subsection (3) of that section;
 - (d) that the applicant would, within a reasonable period, carry out such works as are reasonably necessary to put the buildings included in the acquisition into the state of repair required by the landlord's repairing obligations; and
 - (e) that the applicant would not be required to grant any leases in pursuance of regulations made under section 100 below.
- (3) Subject to section 100(3) below, there is a disposal cost attributable to the property to be acquired if, having regard to the expense likely to be incurred in carrying out the works referred to in paragraph (d) of subsection (2) above, the property to which the acquisition relates would not realise any price in the circumstances specified in that subsection; and that disposal cost is the amount by which the expense likely to be so incurred exceeds what would be determined under that subsection as the price if those works had already been carried out.
- (4) The notice under subsection (1) above shall contain sufficient information to enable the applicant to see how the price or, as the case may be, disposal cost and any amount referred to in sub-paragraphs (i) and (ii) of subsection (1) above were arrived at and, if the property to which the acquisition relates consists of or includes any dwelling-houses which are houses, the notice shall also contain a list of the addresses of the houses together with the number of habitable rooms in each of them.
- (5) Within four weeks of service of the notice under subsection (1) above, the applicant shall notify the landlord in writing of any matters stated in that notice which he does not accept.
- (6) Any dispute as to any matters stated in a notice under subsection (1) above shall be determined by the district valuer, in accordance with such provisions (including provisions as to costs) as may be prescribed.
- [^{F1}(7) In a notice under subsection (1) above or by a separate notice given to the applicant not later than seven days after the date of a determination under subsection (6) above, the landlord may notify the applicant that if there is a disposal cost which is such that, in accordance with regulations under section 104(2A) below, it may be paid by instalments, the landlord intends to pay that cost by instalments.
- (8) Where the landlord notifies the applicant as mentioned in subsection (7) above, he shall furnish to the applicant, in such form and certified in such manner as may be prescribed, such information as may be prescribed in order to enable the applicant to consider the application of the regulations to the disposal cost and to assess the likely effect of the payment by instalments.]

Textual Amendments

F1 S. 99(7)(8) added by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), 174(2)

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