



# 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;

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*Status: This is the original version (as it was originally enacted).*

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- (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.