

SCHEDULES

SCHEDULE 9

AMENDMENTS OF PARTS VI, IX, XI, XVII AND XVIII OF THE HOUSING ACT 1985

PART II

AMENDMENTS OF PART IX

- 14 For sections 264 (power to accept undertaking as to reconstruction or use of unfit house) and 265 (demolition or closing order to be made where no undertaking accepted or undertaking broken) there shall be substituted the following sections—

“264 Power to make closing order

- (1) Where the local housing authority are satisfied that a dwelling-house or house in multiple occupation is unfit for human habitation and that, in accordance with section 604A, taking action under this subsection is the most satisfactory course of action, they shall make a closing order with respect to the dwelling-house or house in multiple occupation.
- (2) Where the local housing authority are satisfied that, in a building containing one or more flats, some or all of the flats are unfit for human habitation and that, in accordance with section 604A, taking action under this subsection is the most satisfactory course of action, they shall make a closing order with respect to the whole or part of the building.
- (3) In deciding for the purposes of subsection (2)—
 - (a) whether to make a closing order with respect to the whole or part of the building; or
 - (b) in respect of which part of the building to make a closing order;the authority shall have regard to such guidance as may from time to time be given by the Secretary of State under section 604A.
- (4) This section has effect subject to section 300(1) (power to purchase for temporary housing use houses liable to be demolished or closed).

265 Power to make demolition order

- (1) Where the local housing authority are satisfied that—
 - (a) a dwelling-house which is not a flat, or
 - (b) a house in multiple occupation which is not a flat in multiple occupation,is unfit for human habitation and that, in accordance with section 604A, taking action under this subsection is the most satisfactory course of action,

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they shall make a demolition order with respect to the dwelling-house or house concerned.

- (2) Where the local housing authority are satisfied that, in a building containing one or more flats, some or all of the flats are unfit for human habitation and that, in accordance with section 604A, taking action under this subsection is the most satisfactory course of action, they shall make a demolition order with respect to the building.
- (3) This section has effect subject to sections 300(1) (power to purchase for temporary housing use houses liable to be demolished or closed) and 304(1) (listed buildings and buildings protected by notice pending listing).”