
STATUTORY INSTRUMENTS

1984 No. 1280

HOUSING, ENGLAND AND WALES

**The Housing (Right to a Shared Ownership Lease)
(Repairs Etc. Adjustment) Order 1984**

Made - - - 10th August 1984

Laid before Parliament 15th August 1984

Coming into Operation 26th August 1984

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by paragraphs 5(2) and (5) and 10(2)(a) of Schedule 3 to the Housing and Building Control Act 1984(a), and of all other powers enabling them in that behalf, hereby make the following order:—

1. This order may be cited as the Housing (Right to a Shared Ownership Lease) (Repairs Etc. Adjustment) Order 1984 and shall come into operation on 26th August 1984.

2. A shared ownership lease granted in pursuance of Part I of the Housing and Building Control Act 1984 shall provide for an adjustment to be made in accordance with the following provisions of this order for any period when the tenant's total share is less than 100 per cent.

3. If the dwelling-house is a house or (whether or not it is a house) the landlord is a housing association, the rent payable under the lease as determined under paragraph 5(1) of Schedule 3 to the Housing and Building Control Act 1984 shall be adjusted by reducing it by 25 per cent.

4. If the dwelling-house is a flat and the landlord is not a housing association, any amount payable by the tenant under the lease which is payable, directly or

(a) 1984 c.29.

indirectly, for repairs, maintenance or insurance shall be adjusted by reducing it by the amount determined by the formula —

$$A = \frac{M(100-S)}{100}$$

where —

A is the amount of the reduction;

M is the amount which under the lease would otherwise be payable by the tenant, directly or indirectly, for repairs, maintenance or insurance; and

S is the tenant's total share expressed as a percentage.

Signed by authority of the
Secretary of State
8th August 1984.

Ian Gow,
Minister for Housing and Construction,
Department of the Environment.

Signed by authority of the
Secretary of State for Wales
10th August 1984.

Wyn Roberts,
Parliamentary Under Secretary of State,
Welsh Office.

EXPLANATORY NOTE

(This note is not part of the order.)

This order requires an adjustment to be made in certain circumstances to the rent payable, or the charge for repairs, maintenance or insurance made, under a shared ownership lease granted under Part I of the Housing and Building Control Act 1984. The adjustment is required in relation to periods when the tenant's stake in the dwelling is less than 100 per cent. (article 2).

For houses and all housing association property the adjustment is made to the rent (article 3). For flats owned by other right to buy landlords the adjustment is made to any charge for repairs, maintenance or insurance (article 4).

The adjustment reflects the differing responsibilities for repairs, maintenance and insurance of a tenant under a shared ownership lease and a secure tenant.

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