
STATUTORY INSTRUMENTS

1992 No. 1725

The Housing (Northern Ireland) Order 1992

PART III

GRANTS

CHAPTER I

GRANTS TOWARDS COST OF IMPROVEMENTS AND REPAIRS, ETC.

Supplementary provisions

Persons entitled to grants

70.—(1) In relation to a grant or an application for a grant, references in the preceding provisions of this Part, and in paragraph (2), to the applicant shall be construed in relation to any time after his death as a reference to his personal representatives.

(2) Where an application for a grant is approved but before the certified date the applicant ceases to be a person entitled to apply for a grant of that description—

(a) in the case of any grant, other than a common parts grant, no grant shall be paid or, as the case may be, no further instalments shall be paid, and

(b) in the case of a common parts grant, other than one made on a tenants' common parts application, the Executive may refuse to pay the grant or any further instalment,

and the Executive may demand that any instalment of the grant which has been paid be repaid forthwith, together with interest from the date on which it was paid until repayment at such reasonable rate as the Executive may determine.

(3) For the purposes of paragraph (2) an applicant ceases to be a person entitled to apply for a grant, other than a common parts grant,—

(a) if he ceases to have the owner's interest by virtue of which the condition in Article 42(1) (a) was (or was treated as) fulfilled, or

(b) if he ceases to be a tenant of the dwelling, or

(c) if he, or a member of his family, ceases to have the intention specified in a certificate under paragraph (2), (3) or (4) (as the case may be) of Article 44, or

(d) if, in the case of an applicant for an HMO grant, he ceases to have the intention specified in a certificate under Article 44(7).

(4) For the purposes of paragraph (2) an applicant whose application is a landlord's common parts application ceases to be a person entitled to apply for a common parts grant—

(a) if he ceases to have a duty or power to carry out the relevant works; or

(b) if he ceases to have such an interest in the building as is referred to in sub-paragraph (a) or (b) of Article 43(4).