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STATUTORY INSTRUMENTS

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**2003 No. 412**

**The Housing (Northern Ireland) Order 2003**

**PART III**

**GRANTS, &c. FOR RENEWAL OF PRIVATE SECTOR HOUSING**

**CHAPTER II**

**THE MAIN GRANTS**

*Restrictions on grant aid*

**Apportionment in case of tenants' application for common parts grant**

**63.**—(1) This Article applies where the Executive approves a tenants' application for a common parts grant.

(2) The Executive shall decide how much of the cost of the relevant works is attributable to the applicants ("the attributable cost").

(3) For the purposes of this Article the attributable cost is an amount equal to the following proportion of the cost of the relevant works—

- (a) if it can be ascertained, the proportion that the aggregate of the respective liabilities of each of the applicants to carry out or contribute to the carrying out of the relevant works bears to the aggregate of all such liabilities on the part of all persons (including the applicants) so liable; or
- (b) if the proportion mentioned in sub-paragraph (a) cannot be ascertained, the proportion that the number of applicants bears to the number of persons (including the applicants) liable to carry out or contribute to the carrying out of works to the building.

(4) The Executive shall then apportion the attributable cost to each of the applicants—

- (a) in a case where the attributable cost is calculated by reference to the proportion mentioned in paragraph (3)(a), according to the proportion that his liabilities to carry out or contribute to the carrying out of the relevant works bears to the aggregate of the applicants' liabilities mentioned in that paragraph; or
- (b) in a case where the attributable cost is calculated by reference to the proportion mentioned in paragraph (3)(b), equally.

(5) The amount of the grant payable shall be the aggregate of the grants that would be payable to each of the applicants under Article 61 or, in the case of a participating landlord, under Article 62 if each of the applicants was an individual applicant in respect of his portion of the attributable cost.

(6) Where the interest of an occupying tenant is held jointly by 2 or more persons, those persons shall be regarded as a single person for the purposes of this Article.