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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**

*Supplementary*

**Provisions relating to death of applicant**

**87.**—(1) References in this Chapter to the applicant, in relation to a grant or an application for a grant, shall be construed in relation to any time after his death as a reference to his personal representatives.

(2) Where the applicant dies after liability has been incurred for any preliminary or ancillary services or charges, the Executive may, if it thinks fit, pay grant in respect of some or all of those matters.

(3) Where the applicant dies after the relevant works have been begun and before the certified date, the Executive may, if it thinks fit, pay grant in respect of some or all of the works already carried out and other relevant works covered by the application.

(4) Nothing in this Article shall be construed as preventing the provisions as to grant conditions applying in relation to any payment of grant under paragraph (2) or (3).

**Power of Executive to carry out works which would attract grant**

**88.**—(1) The Executive may by agreement with a person having the requisite interest execute at his expense—

- (a) any works towards the cost of which a grant under this Chapter is payable or might be paid on an application duly made and approved, and
- (b) any further works which it is in the Executive's opinion necessary or desirable to execute together with the works mentioned in sub-paragraph (a).

(2) Except in the case of a common parts grant, the "requisite interest" means a qualifying owner's interest for the purposes of a renovation grant, or an owner's interest for the purposes of a disabled facilities grant or HMO grant, as the case may be.

(3) In the case of a common parts grant, the reference in paragraph (1) to a person having the requisite interest is a reference to the person who has—

- (a) an owner's interest in the building, or
- (b) such an interest in a flat in the building as is mentioned in Article 45(2)(a) to (c) (occupying tenants),

and has a power or duty to carry out the relevant works.