



# Housing Act 1961

## 1961 CHAPTER 65

### PART III

#### MISCELLANEOUS AND GENERAL

##### *Private improvements in housing*

#### **29 Permitted rent increase for improvements**

- (1) In subsection (1) of section five of the Rent Act, 1957 (under which the rent limit under that Act may be increased for improvements by eight per cent. per annum of the amount spent), for the words " eight per cent." there shall be substituted the words " twelve and one-half per cent. ".
- (2) Subsection (1) of this section shall only apply to an improvement completed after the commencement of this Act, and shall so apply subject to the following provisions of this section.
- (3) Subsection (1) of this section shall not apply to an improvement carried out in reliance on a consent granted before the commencement of this Act by a tenant under the controlled tenancy unless the consent was a consent in writing which contained an acknowledgement (however expressed) that the rent could be increased on account of the improvement to a stated amount which is at least the maximum of the rent limit increased under the said section five with the amendment made by subsection (1) of this section.
- (4) The foregoing subsections shall be construed as one with the said section five, but those subsections as applied, as part of the said section five, by section twenty of the same Act (which limits the rent of subsidised private houses by reference to the rent limit), shall apply as follows—
  - (a) in subsection (3) of this section for the reference to a tenant under the controlled tenancy there shall be substituted a reference to any tenant of the dwelling, and

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- (b) notwithstanding subsection (3) of this section, the said section five shall have effect with the amendment made by subsection (1) of this section in relation to the rent under any tenancy created by a lease or agreement coming into operation after the time when the improvement is begun:

Provided that for the purposes of paragraph (b) of this subsection where a person to whom a tenancy is granted was immediately before the granting the tenant under another tenancy and the premises comprised in one of the tenancies are the same as, or consist of or include part of, the premises comprised in the other, the two tenancies shall be treated as together constituting one tenancy created by the lease or agreement which created the first of the two tenancies.

### **30 Standard grant for provision of hot water supply and water closets**

- (1) Subsection (1) of section four of the House Purchase and Housing Act, 1959 (which lists the improvements, including the provision of a bath or shower, a wash-hand basin, hot water supply and a water closet, in respect of which local authorities are to make grants under that section), shall be amended as follows.
- (2) For paragraph (c) of that subsection (which reads " a hot water supply ") there shall be substituted the following paragraph—
- “(c) a hot water supply at a fixed bath or shower in a bathroom, and at a wash-hand basin, and at a sink”.
- (3) The water closet mentioned in paragraph (d) of that subsection must, if reasonably practicable, be in, and accessible from within, the dwelling or, if that is not reasonably practicable, in such a position in the curtilage of the dwelling or, where the dwelling is part of a larger building, in that building, as to be readily accessible from the dwelling.
- (4) In the said section four, in paragraph (d) of subsection (1), the words " in or contiguous to the dwelling ", and subsection (5), shall cease to have effect.

### **31 Provisions relating to improvement grants and standard grants**

- (1) Subsection (3) of section thirty-one of the Housing (Financial Provisions) Act, 1958, and subsection (3) of section five of the House Purchase and Housing Act, 1959 (under which an applicant for an improvement grant under Part II of the said Act of 1958 or a standard grant under the said Act of 1959 must own the land to which the application relates or have a certain leasehold interest in it), shall not apply in relation to any application made after the commencement of this Act on behalf of a charity where the land to which the application relates is land which, or an interest in which, is vested in the official custodian for charities or any other custodian trustee in trust for the charity.
- (2) In paragraph 3 of the Fourth Schedule to the said Act of 1958 (which requires the dwelling to be let or kept available for letting when it is not occupied by a person of a class defined in sub-paragraphs (a) to (c) of that paragraph) the following sub-paragraph shall be inserted after sub-paragraph (a):—
- “(aa) in the case of a dwelling which, or an interest in which, has since before the application for the grant been vested in the personal representatives of a deceased person, or in trustees, by a person who on the death, or under the trust, has become interested in the dwelling or interest or the proceeds of sale thereof, or by a member of the family of such a person, or”

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- (3) There shall be substituted for sub-paragraph (2) of paragraph 9 of the Fourth Schedule to the said Act of 1958 (which exempts from paragraph 3 of that Schedule a dwelling used as an almshouse or as a residence of a minister of religion) the following sub-paragraph—
- “(2) Paragraph 3 of this Schedule shall not apply to a dwelling held upon trust for any charitable purpose, so long as it is occupied or kept available for occupation for that purpose.”
- (4) The proper officer of the local authority shall record in the register of local land charges any change effected by this section in any conditions registered in that register.