

Housing Act 1980

CHAPTER 51

HOUSING ACT 1980

PART I

PUBLIC SECTOR TENANTS

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- 3 The dwelling-house has features which are substantially different from those...
- 4 The dwelling-house is one of a group of dwelling-houses which...
- 5 The landlord has, within six weeks of the service on...

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Rights of support, passage of water, etc.

2 (1) The conveyance or grant shall, by virtue of this...

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3 The conveyance or grant shall include— (a) such provisions (if...

Covenants and conditions

- 4 The conveyance or grant shall include such provisions (if any)...
- 5 Subject to Parts II and III below, the conveyance or...

Meaning of " incumbrances ", " tenant's incumbrances " and " relevant time "

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5 A tenancy granted in pursuance of section 3(4), 4(3) or...

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8 A tenancy is not a secure tenancy if—

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10 A tenancy is not a secure tenancy if the dwelling-house...

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- 2 Sections 23,43 and 56 to 60B do not apply.
- 3 In relation to an assured tenancy the expression " the...
- 4 (1) Section 30 applies as if— (a) for paragraph (d)...
- 5 Section 31A applies as if in subsection (1)(a) for the...
- 6 Section 34 applies as if in subsection (2)(b) for the...
- 7 Section 37 applies as if for subsections (2) and (3)...
- 8 Section 38 applies as if in subsection (2) the words...
- 9 Section 63(7)(a) applies as if reference to section 23(3) of...

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- 1 Schedule 11 to the 1977 Act (applications for registration of...
- 2 For paragraphs 2 and 3 there are inserted the following...
- 3 For sub-paragraph (1) of paragraph 4 there is substituted the...
- 4 In sub-paragraph (2) of paragraph 4, for the word "notice"...
- 5 After sub-paragraph (3) of paragraph 4 there is inserted the...
- 6 In paragraph 5, for the words " and shall", immediately...
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- 4 (1) Part II of Schedule 18 to the 1977 Act...

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- 6 Where a protected occupancy or statutory tenancy within the meaning...
- 7 For the purpose of determining whether, at the commencement of...
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- 2 If the tenancy— (a) was a statutory tenancy ; and...

- 3 Registration of a rent, or of a different rent, for...
- 4 If the tenant was a successor within the meaning of...
- 5 Section 33 of this Act does not apply in any...
- 6 (1) This paragraph applies in any case where—

SCHEDULE 10 — Amendment of Part VI of Rent Act 1977

- 1 (1) Section 86 of the 1977 Act is amended as...
- 2 (1) For section 89 of the 1977 Act (phasing of...
- 3 Sections 90 (special rent limit where previous rent limit exceeds...
- 4 In section 92 (conversion of housing association tenancies into regulated...
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- PART II Contributions Towards Costs of Improvement or Conversion
- SCHEDULE 12 Amendments of Housing Act 1974 (c.44) Part VII (local authority grants)

Consideration of application for grant

1 In section 57(3) (application not to be entertained unless certain...

Withdrawal of application for grant and submission of new one

2 In section 57(6), omit the words " Except in so...

Standard amenities

3 After section 58(2) insert— (3) An order under subsection (2)...

"Appropriate percentag"e for determining amount, or maximum amount, of grant

4 For section 59 substitute— Appropriate percentage. (1) In this Part of this Act "the appropriate percentage...

Certificates of future occupation

- 5 In section 60, substitute the following for subsections (3) and...
- 6 In section 60(5), add at the end— (disregarding any part...

Improvement grants

- 7 After section 62(4) insert— (5) Subsections (1) and (2) above...
- 8 Omit section 64(7).

Intermediate grants

- 9 For section 66 substitute— Conditions of approval. A local authority shall not approve an application for an...
- 10 (1) In section 67(2) omit paragraph (b) and the word...
- 11 (1) In section 68(3)(a) for " £800 or such other...

Repairs grant

- 12 (1) In section 71, for subsection (2) substitute—
- 13 After section 71 insert— Mandatory repairs grant. In so far as an application for a repairs grant...
- 14 (1) After section 72(3), insert—(3A) An order under this...

Special grants for houses in multiple occupation

- 15 In section 56(2) of the Act, for paragraph (c) substitute—...
- 16 (1) In section 69, for subsection (2) substitute—
- 17 After section 69 insert— Mandatory special grants. (1) In so far as an application for a special...
- 18 (1) For section 70 substitute— (1) Where a local authority approve an application for a...
- 19 After section 70 insert— Eligible expense for purposes of special...

Standard of improvement, repair, etc.

20 (1) In section 61(3)(6) for " good repair " substitute...

Grant conditions

- 21 In section 73(3)— (a) for paragraph (a) substitute—
- 22 At the end of section 73(4) insert— (disregarding any part...
- 23 In section 74(1) after "they shall" insert " (subject to...
- 24 (1) In section 74(3), after paragraph (c) insert or

Payment of grant by instalments

25 In section 82, for subsection (4) substitute—

Repair and special grants (consequential)

26 (1) In section 57(3) for " section 83 " substitute...

Parliamentary control

27 In section 128(4) after "46" insert " 58 " and...

Tenants' grants (consequential)

- 28 In section 57(3), after " below" insert " and section...
- 29 In section 60 insert after subsection (1)—
- 30 (1) At the end of section 73(3) insert— and where...
- 31 In section 74(1), after "subsection (3) below" insert " and...
- 32 In section 81(2), after "section 57(3) above" insert " or...

SCHEDULE 13 — General Improvement Areas and Housing Action Areas

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- 1 (1) In Part II of the 1969 Act section 28...
- 2 Subsections (2) to (4) of subsection 50 of the 1974...
- 3 In relation to any resolution passed by a local authority...
- 4 In section 35 of the 1969 Act (disposal and appropriation...
- 5 For section 37 of the 1969 Act (contributions to local...

6 In section 38 of the 1969 Act after the word...

Housing action areas

- 7 In relation to any resolution passed by a local authority...
- 8 Section 42 of the 1974 Act (duty to inform Secretary...
- 9 (1) Section 45 of the 1974 Act is amended as...
- 10 (1) For section 46 of the 1974 Act there is...

SCHEDULE 14 — Amendments of Housing Subsidies Act 1967 (c.29) Part II

- 1 In section 24 of the 1967 Act, after subsection (2)...
- 2 In section 24(3)(c) of the Act, for the words from...
- 3 In that section, omit subsections (4), (5) and (5A).
- 4 For sections 24A and 24B substitute— Duration of subsidy. (1) An option notice shall have effect for the period...
- 5 (1) In section 26(1), for " subsections (2) to (6)...
- 6 (1) In section 27(1)(c) after sub-paragraph (iii) insert— and

SCHEDULE 15 — Rent Rebates and Allowances

- 1 Part II of the 1972 Act is amended as follows....
- 2 For section 18 there is substituted the following section— Rent...
- 3 For section 19 there is substituted the following section—Rent...
- 4 In section 19A(1) for " (4) " there is substituted...
- 5 (1) In section 20(5)— (a) for paragraph (a) there is...
- 6 (1) In section 24(5) the words " or their allowance...
- 7 (1) In section 25(2), after paragraph (c) there are inserted...
- 8 (1) In section 26(1), the following are hereby repealed—
- 9 In Schedule 4, in paragraph 1(3)(a) the words from "...

SCHEDULE 16 — Registered Housing Associations

- PART I ACCOUNTING REQUIREMENTS FOR CHARITABLEHOUSING ASSOCIATIONS
- 1 (1) The charity shall in respect of its housing activities—...
- 2 (1) The charity shall for each period of account prepare....
- 3 (1) The charity shall in each period of account appoint...
- 4 (1) The charity's auditor appointed under this Schedule shall make...
- 5 (1) It shall be the duty of the charity's auditor...
- 6 A period of account for the purposes of this Schedule...

PART II — PAYMENTS TO CERTAIN COMMITTEE MEMBERS AND OTHERS

Provisions substituted for subsections (3) to (6) of section 26 of the 1974 Act

Provision substituted for section 27 of the 1974 Act

SCHEDULE 17 — Amendment and Extension of Sections 19 and 20 of Housing Act 1974 (c.44)

Appointment of persons to conduct inquiries

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Duty of agents to give information

2 In subsection (2) of section 19 after " officer "...

Suspension of committee members and others

3 In section 20— (a) after subsection (1)(a) there is inserted—...

Extension to registered charities which are not exempt charities

- 4 The powers exercisable by the Housing Corporation under sections 19...
- 5 The condition mentioned in paragraph 4 above is that the...
- 6 Sections 19 and 20 shall have effect in their application...
- 7 The power under section 19(1), section 20(1)(a), section 20(1) (aa)...
- 8 A person appointed under section 20(3) as a member of...

Proceedings for an offence

9 In section 20(7), after " the consent of " there...

SCHEDULE 18 — Amendments of Housing Act 1974 (c. 44) Part III

Shared ownership schemes

1 (1) In section 29 of the 1974 Act (housing association...

Cost of housing projects

2 In section 29, after subsection (6) there is inserted the...

Approved development programmes

3 After section 29 there is inserted the following section— Approved...

Payment of housing association grant

- 4 In subsection (1) of section 30— (a) after the words...
- 5 After subsection (2) of section 30 there is inserted the...
- 6 For subsection (3) of section 30 there are substituted the...
- 7 Subsection (5) of section 30 is hereby repealed.

Management grant

8 No grant shall be made under section 31 (management grants)...

Revenue deficit grant

9 In section 32 (deficit grants)— (a) in subsection (1), the...

Hostel deficit grant

10 In section 33—(a) in subsection (1) for the words...

SCHEDULE 19 — Provisions Replacing Sections 90 to 91A of Housing Finance Act 1972

Service charge and relevant costs

1 (1) For the purposes of this Schedule, a service charge...

Limitation of service charge

2 The extent to which relevant costs are taken into account...

- 3 Costs are to be taken into account only to the...
- 4 (1) Where costs incurred on the carrying out of works...
- 5 (1) The requirements are as follows. (2) At least two...
- 6 In any proceedings relating to a service charge the court,...

Information as to relevant costs

7 (1) If a tenant requests the landlord in writing to...

Information held by superior landlord

8 (1) If a request under paragraph 7(1) above relates in...

Service of requests under paragraph 7

9 A request under paragraph 7 above shall be deemed to...

Effect of assignment

10 The assignment of a tenancy shall not affect the validity...

Determination of reasonableness

- 11 Any agreement made by a tenant of a flat, other...
- 12 A county court may make a declaration that any such...

Offences

13 (1) If any person without reasonable excuse fails to perform...

Exceptions

- 14 (1) This Schedule does not apply to service charges payable...
- 15 This Schedule does not apply to service charges payable by...

Definition of " fia"t, " qualified accountan"t, " landlord ", " tenan"t and " recognised tenants' association "

- 16 A flat is a separate set of premises, whether or...
- 17 (1) A qualified accountant is a person qualified for the...
- 18 "Landlord " includes any person who has a right...
- 19 "Tenant" includes a person occupying a flat under a right...
- 20 A recognised tenants' association is an association of tenants of...
- 21 (1) A notice given under paragraph 20(a) above may be...

SCHEDULE 20 — Housing Co-operatives

- 1 In this Schedule " housing co-operative " means a society,...
- 2 (1) Where a local authority a new town corporation or...
- 3 The agreements to which this Schedule applies are agreements with...
- 4 The Secretary of State's approval to the making of any...
- 5 Without prejudice to any power to let land conferred on...
- 6 A housing association registered under Part II of the 1974...

SCHEDULE 21 — Amendments of Leasehold Reform Act 1967 (c.88) and Housing Act 1974 (c.44), Schedule 8

- 1 (1) In section 1(1)(b) of the 1967 Act (period during...
- 2 For section 1(4A) of the 1967 (reduction of rateable value...

- 3 In section 3(1) of the 1967 Act (meaning of "...
- 4 In section 16 of the 1967 Act (exclusion of rights...
- 5 In section 29 of the 1967 Act (reservation of future...
- 6 In paragraph 7(1)(b) of Schedule 1 to the 1967 Act,...
- 7 In paragraph 6(1)(b) of Schedule 3 to the 1967 Act...
- 8 In Schedule 8 to the 1974 Act (procedure for obtaining...

SCHEDULE 22 — Leasehold Valuation Tribunals PART I — SUPPLEMENTARY PROVISIONS

Constitution of tribunals

1 The president of a panel drawn up under Schedule 10...

Appeals

- 2 No appeal shall lie from a decision of a leasehold...
- 3 A leasehold valuation tribunal shall not be treated as a...
- 4 For the purposes of Part I of the Leasehold Reform...

Costs

- 5 The costs which a person may be required to bear...
- 6 Where the county court gives any such certificate as is...

Provision of information

- 7 (1) Where a matter is referred to a leasehold valuation... PART II — AMENDMENTS OF 1967 ACT
- 8 (1) In section 21(1) (jurisdiction of Lands Tribunal) for "...
- 9 In section 31(2)(a) (consent of Church Commissioners required to provisions...
- 10 In paragraph 5(3) of Schedule 1 (price for intermediate leasehold...
- 11 In paragraph 2(2) of Schedule 2 (compensation payable to tenant...
- 12 Paragraph 8(2) of Schedule 2 (costs of proceedings before Lands...

SCHEDULE 23 — Houses in Multiple Occupation : Revised Penalties for Certain Offences

- 1 Sections 20 of the Housing Act 1961 and 61(6) of...
- 2 In section 13(4) of the Housing Act 1961 (contravention of,...
- 3 In section 19 of the Act of 1961 (directions to...
- 4 In section 22(4) of the Act of 1961 (penalty for...
- 5 (1) In Part II of the Act of 1961, after...
- 6 (1) In section 65(1) of the Housing Act 1964 (penalty...
- 7 In section 75(6) of the Act of 1964 (penalty for...
- 8 (1) In section 61 of the Housing Act 1969 (offences...
- 9 In section 64(7) of the 1969 Act (offence to contravene...

SCHEDULE 24 — Houses in Multiple Occupation : Means of Escape from Fire

Exercise of powers of local authority

1 If it appears to a local authority that a house...

Powers available to local authority

- 2 (1) The local authority may serve a notice on any...
- 3 If it appears to the local authority that the means...
- 4 The local authority may secure that part of the house...
- 5 For the purpose of securing that a part of the...
- 6 If the local authority does not accept an undertaking under...

Enforcement

7 Any person who, knowing that an undertaking has been accepted...

Consultation with fire authority

8 A local authority shall, before serving a notice, accepting an...

Exclusion of Rent Act protection

9 Nothing in the 1977 Act shall prevent possession being obtained...

Interpretation

10 In this Schedule expressions defined in the 1957 Act have...

Application and amendment of enactments

- 11 Part II of the 1957 Act shall apply to a...
- 12 Any reference in the provisions relating to houses in multiple...
- 13 In section 29(7) of the Land Compensation Act 1973 for...

SCHEDULE 25 — Minor and Consequential Amendments, Transitional Provisions and Savings PART I — MINOR AND CONSEQUENTIAL AMENDMENTS

Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c.65)

- 1 In section 15 of the Reserve and Auxiliary Forces (Protection...
- 2 In section 16 of the Act of 1951 (protection of...
- 3 In sections 17 and 18 of the Act of 1951...

Housing Act 1957 (c. 56)

- 4 Section 5 of the 1957 Act (prohibition of back-to-back houses)...
- 5 In section 96 of the 1957 Act, in paragraph (d)...
- 6 In section 119(3) of the 1957 Act (financial assistance for...
- 7 In section 126 of the 1957 Act (power of county...
- 8 In Schedule 3 to the 1957 Act (procedure for authorising...

Housing (Financial Provisions) Act 1958 (c.42)

9 In section 43(1) of the Housing (Financial Provisions) Act 1958...

County Courts Act 1959 (c.22)

10 In section 109(4)(b) of the County Courts Act 1959 for...

Building Societies Act 1962 (c.37)

- 11 In Schedule 3 to the Building Societies Act 1962 (permitted...
- 12 After paragraph 13 of that Schedule insert— An agreement under section 111 of the Housing Act 1980...

Housing Act 1964 (c.56)

13 In Schedule 1 to the Housing Act 1964, for paragraph...

Matrimonial Homes Act 1967 (c.75)

- 14 In section 1(5) of the Matrimonial Homes Act 1967 after...
- 15 In section 7(1) of that Act, after paragraph (b) insert—...
- 16 In section 7(2) of that Act, after "the Rent Act...
- 17 In section 7(3) of that Act for "widow" substitute "...

Building Societies Act (Northern Ireland) 1967 (c.31 N.I.)

- 18 In Schedule 3 to the Building Societies Act (Northern Ireland)...
- 19 After paragraph 13 of that Schedule insert— An agreement under section 111 of the Housing Act 1980...

Prices and Incomes Act 1968 (c.42)

20 In section 12(1) of the Prices and Incomes Act 1968...

Housing Act 1969 (c. 33)

21 In section 85 of the 1969 Act (provisions relating to...

Chronically Sick and Disabled Persons Act 1970 (c.44)

22 In section 3(1) of the Chronically Sick and Disabled Persons...

Local Government Act 1972 (c.70)

23 In section 131(2) of the Local Government Act 1972 (enactments...

Housing Act 1974 (c.44)

- 24 In section 5 of the 1974 Act (disposal of land...
- 25 In section 26(2) of the 1974 Act (cases in which...
- 26 After section 103 of the 1974 Act insert— Full and...
- 27 In section 104 of the 1974 Act (Interpretation of Part...
- 28 (1) In section 114(1) of the 1974 Act (rehabilitation orders)...
- 29 After section 114 of the 1974 Act there is inserted...
- 30 In section 128 of the 1974 Act (provisions relating to...
- 31 In Schedule 10 to the 1974 Act (rehabilitation orders), in...

Rent (Agriculture) Act 1976 (c.80)

- 32 In section 7 of the Rent (Agriculture) Act 1976, at...
- 33 In section 13 of the Act of 1976 (application for...

Rent Act 1977 (c.42)

34 In section 16 of the 1977 Act (landlord's interest belonging...

- 35 Sections 18(4) and 115 of the 1977 Act (modification of...
- 36 In section 19(5) of the 1977 Act (furnished lettings etc....
- 37 In section 45(4) of the 1977 Act, for the words...
- 38 In section 49 of the 1977 Act, for the words...
- 39 In section 55 of the 1977 Act (general provisions for...
- 40 In sections 68(4), 69(1)(b)(ii) and (4), 73(1)(a), and 88(4)(b) of...
- 41 In section 70(3) of the 1977 Act (matters to be...
- 42 In section 78(5) of the 1977 Act, for the words...
- 43 In section 79 of the 1977 Act-
- 44 In section 79 of the 1977 Act there is inserted,...
- 45 In section 85 of the 1977 Act—
- 46 In section 88(2) of the 1977 Act (rent limits for...
- 47 (1) Section 116 of the 1977 Act (provision where tenant...
- 48 In section 129(1) of the 1977 Act (mortgages to which...
- 49 In section 132(1) of the 1977 Act (powers of court...
- 50 In section 136 of the 1977 Act (interpretation of Part...
- 51 Section 138(3) of the 1977 Act (effect on furnished sub-tenancy...
- 52 In section 145 of the 1977 Act (which limits the...
- 53 In section 149 of the 1977 Act (powers of local...
- 54 In section 153(1) of the 1977 Act (application to Isles...
- 55 Section 155(1) of the 1977 Act (which modifies provisions of...
- 56 In Schedule 10 to the 1977 Act (rent assessment committees)—...
- 57 In Schedule 15 to the 1977 Act (grounds for possession...
- 58 In Schedule 15 to the 1977 Act, in paragraph 4...
- 59 In Schedule 17 to the 1977 Act (modification of Act...
- 60 In Schedule 24 to the 1977 Act (savings and transitional...

Protection from Eviction Act 1977 (c.43)

- 61 The Protection from Eviction Act 1977 shall apply, where a... PART II — TRANSITIONAL PROVISIONS AND SAVINGS
- 62 For the purposes of section. 33 of this Act a...
- 63 Where, immediately before the commencement of section 60 of this...
- 64 Where the recoverable rent for any statutory period has been...
- 65 In a case where, by virtue of subsection (4) of...
- 66 The repeal by this Act of subsections (4) and (5)...
- 67 Where, immediately before the commencement of section 69(4) of this...
- 68 The repeals made by section 74 of this Act in...
- 69 (1) Any condition which, immediately before the commencement of section...
- 70 Any directions given by the Secretary of State under section...
- 71 Subsection (3A) of section 2 of the 1974 Act (inserted...
- 72 (1) This paragraph applies in relation to the exceptions in...
- 73 In relation to a tenancy (or licence) granted before 8th...
- Any approval given for the purposes of paragraph 9 of...
- 75 Section 5 of the 1977 Act (tenancies at low rents)...
- 76 The repeals made by this Act in the 1975 Act...
- 77 Section 90 of the 1977 Act continues to have effect,...
- 78 Paragraphs 3 and 4 of Schedule 17 to the 1977...

SCHEDULE 26 — Repeals