

Status: Point in time view as at 01/02/1991.

Changes to legislation: Housing Act 1985, Cross Heading: Housing management is up to date with all changes known to be in force on or before 28 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



Housing Act 1985

1985 CHAPTER 68

PART II

PROVISION OF HOUSING ACCOMMODATION

Housing management

20 Application of housing management provisions.

- (1) The following provisions of this Part [^{F1}down to section 27B] (general provisions on housing management matters) apply in relation to all houses held by a local housing authority for housing purposes.
- (2) References in those provisions to an authority's houses shall be construed accordingly.

Textual Amendments

F1 Words substituted by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#), s. 24(2), [Sch. 5 Pt II para. 21](#)

21 General powers of management.

- (1) The general management, regulation and control of a local housing authority's houses is vested in and shall be exercised by the authority and the houses shall at all times be open to inspection by the authority.
- (2) Subsection (1) has effect subject to section 27 [^{F2}(management agreements)].

Textual Amendments

F2 Words in s. 21(2) substituted by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#), s. 24(2), [Sch. 5 Pt. II para. 22](#)

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22 Allocation of housing.

A local housing authority shall secure that in the selection of their tenants a reasonable preference is given to—

- (a) persons occupying insanitary or overcrowded houses,
- (b) persons having large families,
- (c) persons living under unsatisfactory housing conditions, and
- (d) persons towards whom the authority are subject to a duty under section 65 or 68 (persons found to be homeless).

23 Byelaws.

- (1) A local housing authority may make byelaws for the management, use and regulation of their houses.
- (2) A local housing authority may make byelaws with respect to the use of land held by them by virtue of section 12 (recreation grounds and other land provided in connection with housing), excluding land covered by buildings or included in the curtilage of a building or forming part of a highway.
- (3) A local housing authority shall as respects their lodging-houses by byelaws make sufficient provision for the following purposes—
 - (a) for securing that the lodging-houses are under the management and control of persons appointed or employed by them for the purpose,
 - (b) for securing the due separation at night of men and boys above eight years old from women and girls,
 - (c) for preventing damage, disturbance, interruption and indecent and offensive language and behaviour and nuisances, and
 - (d) for determining the duties of the persons appointed by them;

and a printed copy or a sufficient abstract of the byelaws relating to lodging-houses shall be put up and at all times kept in every room in the lodging-houses.

24 Rents.

- (1) A local housing authority may make such reasonable charges as they may determine for the tenancy or occupation of their houses.
- (2) The authority shall from time to time review rents and make such changes, either of rents generally or of particular rents, as circumstances may require.
- [^{F3}(3) In exercising their functions under this section, a local housing authority shall have regard in particular to the principle that the rents of houses of any class or description should bear broadly the same proportion to private sector rents as the rents of houses of any other class or description.
- (4) In subsection (3) “private sector rents”, in relation to houses of any class or description, means the rents which would be recoverable if they were let on assured tenancies within the meaning of the Housing Act 1988 by a person other than the authority.]

Textual Amendments

F3 S. 24(3)(4) added by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 162

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25 Increase of rent where tenancy not secure.

- (1) This section applies where a house is let by a local housing authority on a weekly or other periodic tenancy which is not a secure tenancy.
- (2) The rent payable under the tenancy may, without the tenancy being terminated, be increased with effect from the beginning of a rental period by a written notice of increase given by the authority to the tenant.
- (3) The notice is not effective unless—
 - (a) it is given at least four weeks before the beginning of the rental period, or any earlier day on which the payment of rent in respect of that period falls to be made,
 - (b) it tells the tenant of his right to terminate the tenancy and of the steps to be taken by him if he wishes to do so, and
 - (c) it gives him the dates by which, if in accordance with subsection (4) the increase is not to be effective, a notice to quit must be received by the authority and the tenancy be made to terminate.
- (4) Where the notice is given for the beginning of a rental period and the tenancy continues into that period, the notice shall not have effect if—
 - (a) the tenancy is terminated by notice to quit given by the tenant in accordance with the provisions (express or implied) of the tenancy,
 - (b) the notice to quit is given before the end of the period of two weeks following the date on which the notice of increase is given, or such longer period as may be allowed by the notice of increase, and
 - (c) the date on which the tenancy is made to terminate is not later than the earliest day on which the tenancy could be terminated by a notice to quit given by the tenant on the last day of that period.
- (5) In this section “rental period” means a period in respect of which a payment of rent falls to be made.

26 Financial assistance towards tenants’ removal expenses.

- (1) Where a tenant of one of the houses of a local authority moves to another house (whether or not that house is also one of theirs), the authority may—
 - (a) pay any expenses of the removal, and
 - (b) where the tenant is purchasing the house, pay any expenses incurred by him in connection with the purchase, other than the purchase price.
- (2) If the house belongs to the same authority subsection (1)(b) only applies if the house has never been let and was built expressly with a view to sale or for letting.
- (3) The Secretary of State may give directions to authorities in general or to any particular authority—
 - (a) as to the expenses which may be treated (whether generally or in any particular case) as incurred in connection with the purchase of a house, and
 - (b) limiting the amount which they may pay in respect of such expenses.
- (4) An authority may make their payment of expenses subject to conditions.

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