

*Status: Point in time view as at 20/10/2014.*

*Changes to legislation: Housing Act 1985, Paragraph 2 is up to date with all changes known to be in force on or before 31 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)*

## SCHEDULES

### SCHEDULE 17

#### VESTING OF MORTGAGED HOUSE IN AUTHORITY ENTITLED TO EXERCISE POWER OF SALE

##### Modifications etc. (not altering text)

**C1** Sch. 17 modified by [S.I. 1986/797](#), [regs. 20, 22](#)

##### *Effect of vesting*

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- (1) On the vesting of the house the authority's mortgage term or charge by way of legal mortgage, and any subsequent mortgage term or charge, shall merge or be extinguished as respects the house.
  - (2) Where the house is registered under the [<sup>F1</sup>Land Registration Act 2002], the Chief Land Registrar shall, on application being made to him by the authority, register the authority as the proprietor of the house free from all estates, interests and rights to which its mortgage had priority, and he shall not be concerned to inquire whether any of the requirements of this Schedule were complied with.
  - (3) Where the authority conveys the house, or part of it, to a person—
    - (a) he shall not be concerned to inquire whether any of the provisions of this Schedule were complied with, and
    - (b) his title shall not be impeachable on the ground that the house was not properly vested in the authority or that those provisions were not complied with.
  - (4) A house which is vested under this Schedule in a local housing authority shall be treated as acquired under Part II (provision of housing).

##### Textual Amendments

**F1** Words in Sch. 17 para. 2(2) substituted (13.10.2003) by [2002 c. 9](#), ss. 133, 136(2), [Sch. 11 para. 18\(12\)](#) (with s. 129): [S.I. 2003/1725](#), [art. 2\(1\)](#)

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