



# Housing Grants, Construction and Regeneration Act 1996

## 1996 CHAPTER 53

### PART I

#### GRANTS, &C. FOR RENEWAL OF PRIVATE SECTOR HOUSING

#### CHAPTER I

##### THE MAIN GRANTS

##### *Payment of grants*

#### **40 Applicant ceasing to be entitled before payment of grant.**

- (1) This section applies where an application for a grant is approved but before the certified date the applicant ceases to be a person entitled to a grant<sup>F1</sup> . . . .

In the case of a joint application this section does not apply unless all the applicants cease to be so entitled.

- (2) Where this section applies—

- [<sup>F2</sup>(a) no grant shall be paid or, as the case may be, no further instalments shall be paid, and  
(b) the authority may demand that any instalment of the grant which has been paid be repaid forthwith, together with interest from the date on which it was paid until repayment, at such reasonable rate as the authority may determine.

- (3) <sup>F3</sup> . . . . .

- (4) For the purposes of this section an applicant ceases to be a person entitled to a <sup>F4</sup> . . . grant—

- (a) in the case of an owner's application—

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**Changes to legislation:** There are currently no known outstanding effects for the Housing Grants, Construction and Regeneration Act 1996, Section 40. (See end of Document for details)

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- (i) if he ceases to have a qualifying owner's interest, or
- (ii) if he ceases to have the intention specified in the owner's certificate which accompanied the application;
- (b) in the case of a tenant's application—
  - (i) if he ceases to be a qualifying tenant of the dwelling, or
  - (ii) if the application was accompanied by an owner's certificate and the landlord ceases to have the intention specified in the certificate.

But if the case falls within section 41 (change of circumstances affecting disabled occupant), the authority shall act under that section.

(5) <sup>F5</sup> .....

(6) <sup>F5</sup> .....

(7) This section has effect subject to section 56 (provisions relating to death of applicant).

#### Textual Amendments

- F1** Words in s. 40(1) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 16(a)**, **Sch. 6** (with art. 11(2))
- F2** Words in s. 40(2) substituted (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), **Sch. 3 para. 16(b)** (with art. 11(2))
- F3** S. 40(3) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 16(c)**, **Sch. 6** (with art. 11(2))
- F4** Words in s. 40(4) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 16(d)**, **Sch. 6** (with art. 11(2))
- F5** S. 40(5)(6) repealed (19.7.2003) by The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860), arts. 1(3), 11(1), 15, **Sch. 3 para. 16(e)**, **Sch. 6** (with art. 11(2))

**Changes to legislation:**

There are currently no known outstanding effects for the Housing Grants, Construction and Regeneration Act 1996, Section 40.