



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

Grant conditions and repayment

45 Condition for repayment on disposal: renovation grants

- (1) It is a condition of a renovation grant that if an owner of the premises to which the application relates makes a relevant disposal (other than an exempt disposal)—
- (a) of the whole or part of the premises to which the application relates,
 - (b) after any instalment of grant has been paid, and
 - (c) before the certified date,
- he shall repay to the local housing authority on demand the amount of grant that has been paid.
- (2) It is a condition of a renovation grant that if an owner of the dwelling to which the application relates or, in the case of a conversion application, any dwelling provided by the relevant works, makes a relevant disposal (other than an exempt disposal)—
- (a) of the whole or part of the dwelling,
 - (b) on or after the certified date, and
 - (c) before the end of the grant condition period,
- he shall repay to the local housing authority on demand the amount of grant that has been paid.

Status: This is the original version (as it was originally enacted).

In the case of a conversion application the grant shall be treated for this purpose as apportioned equally between the dwellings provided.

- (3) A condition under this section is a local land charge and is binding on any person who is for the time being an owner of the premises concerned.
- (4) Where the authority have the right to demand repayment of an amount as mentioned in subsection (1) or (2), they may—
 - (a) if the case falls within subsection (5), or
 - (b) in any other case, with the consent of the Secretary of State, determine not to demand payment or to demand a lesser amount.
- (5) The cases referred to in subsection (4)(a) are where the authority are satisfied that the owner of the dwelling—
 - (a) is elderly or infirm and is making the disposal with the intention—
 - (i) of going to live in a hospital, hospice, sheltered housing, residential care home or similar institution as his only or main residence, or
 - (ii) of moving to somewhere where care will be provided by any person;
or
 - (b) is making the disposal with the intention of going to live with and care for an elderly or infirm member of his family or his partner's family.
- (6) Any condition under this section shall cease to be in force with respect to any premises if there is a relevant disposal of the premises that is an exempt disposal, other than—
 - (a) a disposal within section 54(1)(a) (disposal to associates of person making disposal), or
 - (b) a disposal within section 54(1)(b) (vesting under will or on intestacy).