



Housing Grants, Construction and Regeneration Act 1996

1996 CHAPTER 53

PART I

GRANTS, &C. FOR RENEWAL OF PRIVATE SECTOR HOUSING

CHAPTER III

HOME REPAIR ASSISTANCE

77 Entitlement to home repair assistance

- (1) Subject to the following provisions of this section, a local housing authority shall not entertain an application for home repair assistance unless they are satisfied—
 - (a) that the applicant is aged 18 or over on the date of the application,
 - (b) that he lives in the dwelling as his only or main residence,
 - (c) that he has an owner's interest in the dwelling, or is a tenant of the dwelling, alone or jointly with others,
 - (d) that he has a duty or power to carry out the works in question, and
 - (e) that he or his partner is in receipt of income support, family credit, housing benefit, council tax benefit or disability working allowance.
- (2) In the case of an application in respect of works to adapt a dwelling to enable an elderly, disabled or infirm person to be cared for, the condition in subsection (1)(b) shall be treated as met if the elderly, disabled or infirm person (whether or not the applicant) lives or proposes to live in the dwelling as his only or main residence.
- (3) For the purposes of the condition in subsection (1)(c) "tenant" includes—
 - (a) a secure tenant or statutory tenant,

Status: This is the original version (as it was originally enacted).

- (b) a protected occupier under the Rent (Agriculture) Act 1976 or a person in occupation under an assured agricultural occupancy within the meaning of Part I of the Housing Act 1988, and
- (c) an employee (whether full-time or part-time) who occupies the dwelling or flat concerned for the better performance of his duties;

but does not include a tenant of an authority or body mentioned in section 3(2) (authorities and bodies not eligible to apply for grants under Chapter I).

- (4) An application may be made by a person who does not satisfy the condition in subsection (1)(c) but who occupies the dwelling under a right of exclusive occupation granted for his life or for a period of more than five years.

But except in the case of—

- (a) works to adapt a dwelling to enable an elderly, disabled or infirm person, who lives or proposes to live in the dwelling as his only or main residence, to be cared for,
- (b) works relating to means of escape from fire or other fire precautions, or
- (c) any works to a dwelling in a renewal area,

the local housing authority shall not entertain an application made by virtue of this subsection unless they are satisfied that the applicant has occupied the dwelling as his only or main residence for a period of at least three years immediately preceding the date of the application.

- (5) The condition in subsection (1)(e) does not apply—
 - (a) to an applicant who is elderly, disabled or infirm, or
 - (b) to an application in respect of works to adapt a dwelling to enable an elderly, disabled or infirm person, who lives or proposes to live in the dwelling, to be cared for.