



Housing Act 2004

2004 CHAPTER 34

PART 5

HOME INFORMATION PACKS

Exceptions from the duties

160 Residential properties not available with vacant possession

- (1) The duties under sections 155 to 159 do not apply in relation to a residential property at any time when it is not available for sale with vacant possession.
- (2) But for the purposes of this Part a residential property shall be presumed to be available with vacant possession, at any time when any of those duties would apply in relation to the property if it is so available, unless the contrary appears from the manner in which the property is being marketed at that time.

161 Power to provide for further exceptions

The Secretary of State may by regulations provide for other exceptions from any duty under sections 155 to 159 in such cases and circumstances, and to such extent, as may be specified in the regulations.

162 Suspension of duties under sections 155 to 159

- (1) The Secretary of State may make an order suspending (or later reviving) the operation of any duty imposed by sections 155 to 159.
- (2) An order under this section may provide for the suspension of a duty to take effect only for a period specified in the order.
- (3) A duty which is (or is to any extent) revived after being suspended under this section is liable to be suspended again.