



Housing Act 2004

2004 CHAPTER 34

PART 4

ADDITIONAL CONTROL PROVISIONS IN RELATION TO RESIDENTIAL ACCOMMODATION

CHAPTER 1

INTERIM AND FINAL MANAGEMENT ORDERS

Interim and final management orders: other general provisions

130 Termination of management orders: leases, agreements and proceedings

- (1) This section applies where—
 - (a) an interim or final management order ceases to have effect for any reason, and
 - (b) the order is not immediately followed by a further order under this Chapter.
- (2) As from the termination date—
 - (a) a lease or licence in which the local housing authority was substituted for another party by virtue of section 124(4) has effect with the substitution of the original party, or his successor in title, for the authority; and
 - (b) an agreement which (in accordance with section 108 or 117) has effect as a lease or licence granted by the authority under section 107 or 116 has effect with the substitution of the relevant landlord for the authority.
- (3) If the relevant landlord is a lessee, nothing in a superior lease imposes liability on him or any superior lessee in respect of anything done before the termination date in pursuance of the terms of an agreement to which subsection (2)(b) applies.
- (4) If the condition in subsection (5) is met, any other agreement entered into by the authority in the performance of their duties under section 106(1) to (3) or 115(2) in respect of the house has effect, as from the termination date, with the substitution of the relevant landlord for the authority.

Changes to legislation: Housing Act 2004, Section 130 is up to date with all changes known to be in force on or before 28 May 2023. 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) View outstanding changes

- (5) The condition is that the authority serve a notice on the other party or parties to the agreement stating that subsection (4) applies to the agreement.
- (6) If the condition in subsection (7) is met—
- (a) any rights or liabilities that were rights or liabilities of the authority immediately before the termination date by virtue of any provision of this Chapter or under any agreement to which subsection (4) applies are rights or liabilities of the relevant landlord instead, and
 - (b) any proceedings instituted or continued by or against the authority by virtue of any such provision or agreement may be continued by or against the relevant landlord instead,
- as from the termination date.
- (7) The condition is that the authority serve a notice on all interested parties stating that subsection (6) applies to the rights or liabilities or (as the case may be) the proceedings.
- (8) If by virtue of this section a relevant landlord becomes subject to any liability to pay damages in respect of anything done (or omitted to be done) before the termination date by or on behalf of the authority, the authority are liable to reimburse to the relevant landlord an amount equal to the amount of the damages paid by him.
- (9) Where two or more persons are relevant landlords in relation to different parts of the house, any reference in this section to “the relevant landlord” is to be taken to refer to such one or more of them as is determined by agreement between them or (in default of agreement) by [F1the appropriate tribunal] on an application made by any of them.
- (10) This section applies to instruments as it applies to agreements.
- (11) In this section—
- “agreement” includes arrangement;
 - “relevant landlord” means a person who was the immediate landlord of the house immediately before the termination date or his successor in title for the time being;
 - “the termination date” means the date on which the order ceases to have effect.

Textual Amendments

- F1** Words in s. 130(9) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 166](#) (with Sch. 3)

Commencement Information

- II** S. 130 wholly in force at 16.6.2006; s. 130 not in force at Royal Assent see s. 270(4)(5); s. 130 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with Sch.); s. 130 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with Sch.)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)