

---

STATUTORY INSTRUMENTS

---

**2002 No. 1860**

**The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002**

**Power of local housing authorities to provide assistance**

3.—(1) For the purpose of improving living conditions in their area, a local housing authority may provide, directly or indirectly, assistance to any person for the purpose of enabling him—

- (a) to acquire living accommodation (whether within or outside their area);
- (b) to adapt or improve living accommodation (whether by alteration, conversion or enlargement, by the installation of any thing or injection of any substance, or otherwise);
- (c) to repair living accommodation;
- (d) to demolish buildings comprising or including living accommodation;
- (e) where buildings comprising or including living accommodation have been demolished, to construct buildings that comprise or include replacement living accommodation.

(2) The power conferred by paragraph (1)(a) may be exercised to assist a person to acquire living accommodation only where the authority—

- (a) have acquired or propose to acquire (whether compulsorily or otherwise) his existing living accommodation; or
- (b) are satisfied that the acquisition of other living accommodation would provide for that person a benefit similar to that which would be provided by the carrying out of work of any description in relation to his existing living accommodation.

(3) Assistance may be provided in any form.

(4) Assistance may be unconditional or subject to conditions, including conditions as to the repayment of the assistance or of its value (in whole or in part), or the making of a contribution towards the assisted work; but before imposing any such condition, or taking steps to enforce it, a local housing authority shall have regard to the ability of the person concerned to make that repayment or contribution.

(5) Before a local housing authority provide assistance to any person, they shall—

- (a) give to that person a statement in writing of the conditions (if any) to which the assistance is to be subject; and
- (b) satisfy themselves that that person has received appropriate advice or information about the extent and nature of any obligation (whether financial or otherwise) to which he will become subject in consequence of the provision of assistance.

(6) A local housing authority may take any form of security in respect of the whole or part of any assistance.

(7) Where any such security is taken in the form of a charge on any property, the local housing authority may at any time reduce the priority of the charge or secure its removal.

(8) This article is subject to articles 4 and 5.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(9) Nothing in this article affects any power of a local housing authority under Part 14 of the 1985 Act (loans for acquisition or improvement of housing).