



Housing Act 1985

1985 CHAPTER 68

PART IV

SECURE TENANCIES AND RIGHTS OF SECURE TENANTS

Provision of information and consultation

105 Consultation on matters of housing management.

- (1) A landlord authority shall maintain such arrangements as it considers appropriate to enable those of its secure tenants [^{F1}or secure contract-holders] who are likely to be substantially affected by a matter of housing management to which this section applies—
- (a) to be informed of the authority's proposals in respect of the matter, and
 - (b) to make their views known to the authority within a specified period;
- and the authority shall, before making any decision on the matter, consider any representations made to it in accordance with those arrangements.
- (2) For the purposes of this section, a matter is one of housing management if, in the opinion of the landlord authority, it relates to—
- (a) the management, maintenance, improvement or demolition of dwelling-houses let by the authority under secure tenancies [^{F2}or secure contracts], or
 - (b) the provision of services or amenities in connection with such dwelling-houses;
- but not so far as it relates to the rent payable under a secure tenancy [^{F3}or secure contract] or to charges for services or facilities provided by the authority.
- (3) This section applies to matters of housing management which, in the opinion of the landlord authority, represent—
- (a) a new programme of maintenance, improvement or demolition, or
 - (b) a change in the practice or policy of the authority,

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and are likely substantially to affect either its secure tenants as a whole or a group of them who form a distinct social group or occupy dwelling-houses which constitute a distinct class (whether by reference to the kind of dwelling-house, or the housing estate or other larger area in which they are situated).

- (4) In the case of a landlord authority which is a local housing authority, the reference in subsection (2) to the provision of services or amenities is a reference only to the provision of services or amenities by the authority acting in its capacity as landlord of the dwelling-houses concerned.
- (5) A landlord authority shall publish details of the arrangements which it makes under this section, and a copy of the documents published under this subsection shall—
- (a) be made available at the authority’s principal office for inspection at all reasonable hours, without charge, by members of the public, and
 - (b) be given, on payment of a reasonable fee, to any member of the public who asks for one.
- (6) A landlord authority which is [^{F4}a private registered provider of social housing or] a [^{F5}registered social landlord] shall, instead of complying with paragraph (a) of subsection (5), send a copy of any document published under that subsection—
- (a) to the [^{F6}Relevant Authority], and
 - (b) to the council of any district [^{F7}, Welsh county or county borough] or London borough in which there are dwelling-houses let by the [^{F8}landlord authority] under secure tenancies [^{F9}or secure contracts];

and a council to whom a copy is sent under this subsection shall make it available at its principal office for inspection at all reasonable hours, without charge, by members of the public.

- [^{F10}(7) For the purposes of this section—
- (a) secure tenants include demoted tenants within the meaning of section 143A of the Housing Act 1996;
 - (b) secure tenancies include demoted tenancies within the meaning of that section.]
 - [^{F11}(c) secure contract-holders include prohibited conduct standard contract-holders;
 - (d) secure contracts include prohibited conduct standard contracts.]

Textual Amendments

- F1** Words in s. 105(1) inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **11(14)(a)** (with savings and transitional provisions in S.I. 2022/1172, regs. 2, 11, 12, 19)
- F2** Words in s. 105(2)(a) inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **11(14)(b)(i)** (with savings and transitional provisions in S.I. 2022/1172, regs. 2, 11, 12, 19)
- F3** Words in s. 105(2) inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **11(14)(b)(ii)** (with savings and transitional provisions in S.I. 2022/1172, regs. 2, 11, 12, 19)
- F4** Words in s. 105(6) inserted (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), **Sch. 2 para. 22** (with art. 6, Sch. 3)
- F5** Words in s. 105(6) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), **Sch. 2 para. 14(10)(a)**
- F6** Words in s. 105(6)(a) substituted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 5** (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, **art. 5**

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- F7** Words in s. 105(6)(b) inserted (1.4.1996) by 1994 c. 19, s. 22(2), Sch. 8 para. 5(7) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**
- F8** Word in s. 105(6)(b) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), **Sch. 2 para. 14(10)(b)**
- F9** Words in s. 105(6)(b) inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **11(14)(c)** (with savings and transitional provisions in S.I. 2022/1172, regs. 2, 11, 12, 19)
- F10** S. 105(7) inserted (30.6.2004 for E and 30.9.2004 for specified purposes for W. and 30.4.2005 otherwise for W.) by Anti-social Behaviour Act 2003 (c. 38), ss. 14, 93(2), **Sch. 1 para. 2(2)**; S.I. 2004/1502, **art. 2(a)(iii)** (subject to Sch.); S.I. 2004/2557, **art. 2(a)(ii)** (subject to Sch.); S.I. 2005/1225, **art. 2(b)**
- F11** S. 105(7)(c)(d) inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **11(14)(d)** (with savings and transitional provisions in S.I. 2022/1172, regs. 2, 11, 12, 19)

Modifications etc. (not altering text)

- C1** S. 105 excluded by Housing Act 1988 (c. 50, SIF 61), **s. 84(8)**

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Changes and effects yet to be applied to :

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

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. 81A-81D and cross-heading inserted by [2016 c. 22 Sch. 7 para. 4](#) (This provision is amended by [2021 c. 7, ss. 79\(3\), 90\(6\)](#); [S.I. 2021/1038, reg. 3\(c\)](#))
- s. 81B(1)(b) words inserted by [2018 c. 11 s. 1\(3\)](#)
- s. 81B(2A)-(2C) inserted by [2018 c. 11 s. 1\(2\)](#)
- s. 81B(2C) words substituted by [2021 c. 17 s. 79\(3\)\(a\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 81B by [2016 c. 22, Sch. 7 para. 4](#) is still prospective)
- s. 81B(2C) words substituted by [2021 c. 17 s. 79\(3\)\(a\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 81B by [2016 c. 22, Sch. 7 para. 4](#) is still prospective)
- s. 81B(2D) inserted by [2021 c. 17 s. 79\(3\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 81B by [2016 c. 22, Sch. 7 para. 4](#) is still prospective)
- s. 82(A1)(A2) inserted by [2016 c. 22 s. 119\(2\)\(a\)](#)
- s. 82A(4A)(4B) inserted by [2016 c. 22 Sch. 7 para. 7\(2\)](#)
- s. 86(1A)(1B) inserted by [2016 c. 22 Sch. 7 para. 10\(3\)](#)
- s. 86(1C) inserted by [2016 c. 22 Sch. 8 para. 2](#)
- s. 86A-86F and cross-headings inserted by [2016 c. 22 Sch. 7 para. 11](#)
- s. 86G s. 86A renumbered as s. 86G by [2016 c. 22 Sch. 8 para. 3\(1\)\(a\)](#)
- s. 86G(8) inserted by [2016 c. 22 Sch. 8 para. 3\(2\)](#)
- s. 88(1)(ba) inserted by [2016 c. 22 Sch. 8 para. 4](#)
- s. 89(2A)-(2D) inserted by [2016 c. 22 Sch. 8 para. 5\(3\)](#)
- s. 97(1A) inserted by [2016 c. 22 Sch. 7 para. 12\(3\)](#)
- s. 99A(1A) inserted by [2016 c. 22 Sch. 7 para. 13\(3\)](#)
- s. 115B115C inserted by [2016 c. 22 Sch. 7 para. 15](#)
- s. 115B115C inserted by [2016 c. 22 Sch. 7 para. 15](#)
- s. 305(1A) inserted by [2023 asc 3 Sch. 13 para. 68\(b\)](#)
- s. 306(1A) inserted by [2023 asc 3 Sch. 13 para. 69\(b\)](#)
- s. 353A inserted by [1996 c. 52 s. 73\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 73 repealed (6.4.2006 for E., 16.6.2006 for W.) by [2004 c. 34, Sch. 16](#); [S.I. 2006/1060, art. 2\(1\)\(e\), Sch.](#); [S.I. 2006/1535, art. 2\(c\), Sch.](#))
- s. 582(6)(aa)-(ac) substituted for s. 582(6)(a) by [2023 c. 55 Sch. 18 para. 4\(2\)\(b\)](#)
- Sch. 1 para. 1ZA and cross-heading inserted by [2016 c. 22 Sch. 7 para. 17\(2\)](#)
- Sch. 5A para. 3(3)(aa) inserted by [2023 c. 55 Sch. 18 para. 4\(3\)\(b\)\(ii\)](#)
- Sch. 5A para. 3(6A) inserted by [2023 c. 55 Sch. 18 para. 4\(3\)\(d\)](#)