



Housing Act 1985

1985 CHAPTER 68

PART II

PROVISION OF HOUSING ACCOMMODATION

[^{F1} Management agreements

[^{F1}]^{F2}27 Management agreements.

- (1) A local housing authority may agree that another person shall exercise in relation to—
 - (a) such of the authority's houses as are specified in the agreement, and
 - (b) any other land so specified which is held for a related purpose, such of the authority's management functions as are so specified.
- (2) In this Act—
 - (a) “management agreement” means an agreement under subsection (1) or a sub-agreement, and
 - (b) “manager”, in relation to a management agreement, means a person by whom management functions are exercisable under the agreement.
- (3) A management agreement shall set out the terms on which the authority's functions are exercisable by a manager.
- (4) An agreement under subsection (1) shall contain such provisions as may be prescribed by regulations made by the [^{F3}appropriate Minister].
- (5) A management agreement may—
 - (a) include provision authorising a manager, with the consent of the authority, to agree that another person shall exercise any management function exercisable by the manager under the agreement;
 - (b) where a body or association is a manager, provide that the management functions of the body or association under the agreement may be performed by a committee, sub-committee, officer or employee of the body or association.

Changes to legislation: Housing Act 1985, Section 27 is up to date with all changes known to be in force on or before 20 April 2024. 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

- (6) Subject to subsection (7), the approval of the [F⁴appropriate authority] shall be required to—
- (a) the making of any management agreement;
 - (b) the variation of a provision of a management agreement, if the provision is specified, or is of a description specified, by the [F⁴ appropriate authority] in giving approval to the making of a management agreement.
- (7) The [F⁵appropriate authority] may, in giving approval to the making of an agreement under subsection (1)—
- (a) specify a moratorium period and the circumstances in which it is to apply;
 - (b) specify circumstances in which [F⁶the appropriate authority’s approval] is not required to the making of a sub-agreement under the agreement.
- (8) If a moratorium period applies in relation to a management agreement—
- (a) during the moratorium period the approval of the [F⁷appropriate authority] is not required to the making of a sub-agreement under the agreement;
 - (b) any sub-agreement made under the agreement during the moratorium period without the approval of the [F⁷appropriate authority] is not valid unless it is approved by the [F⁷appropriate authority] immediately after the end of the moratorium period.
- (9) A moratorium period specified under subsection (7) must not exceed 6 months.
- (10) Where a sub-agreement has been made during a moratorium period without [F⁸the approval of the appropriate authority, the appropriate authority may extend the moratorium period if it is satisfied that it will not give its approval] to that sub-agreement immediately after the end of that period; and this subsection may apply more than once.
- (11) The approval of the [F⁹appropriate authority] to the making of an agreement under subsection (1) or to the variation of such an agreement may be given generally or to a particular local housing authority or description of local housing authority.
- (12) The approval of the [F¹⁰appropriate authority] under this section may be given—
- (a) in relation to a particular case or description of case;
 - (b) unconditionally or subject to conditions.
- (13) Subject to subsection (15)—
- (a) anything done, or not done, by a manager in connection with the exercise (or purported exercise) of a relevant function shall be treated as done, or not done, by the authority;
 - (b) anything done, or not done, in relation to a manager in connection with the exercise (or purported exercise) of a relevant function shall be treated as done, or not done, in relation to the authority.
- (14) In subsection (13) “relevant function” means a management function of the authority exercisable by the manager under a management agreement.
- (15) Subsection (13) shall not apply—
- (a) to the extent that a management agreement provides otherwise as between the parties to it; or
 - (b) for the purposes of any criminal proceedings brought in respect of anything done or not done by the manager.

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(16) References in subsection (1) to the management functions of a local housing authority in relation to houses or land—

- (a) do not include such functions as may be prescribed by regulations made by the [^{F11}appropriate Minister], but
- (b) subject to that, include functions conferred by any statutory provision and the powers and duties of the authority as holder of an estate or interest in the houses or land in question.

(17) Regulations under this section—

- (a) may make different provision with respect to different cases or descriptions of case, including different provision for different areas,
- (b) may contain such incidental, supplementary or transitional provisions as appear to the Secretary of State to be necessary or expedient, and
- [^{F12}(c) shall be made by statutory instrument which shall be subject to annulment in pursuance of—
 - (i) in the case of regulations made by the Secretary of State, a resolution of either House of Parliament;
 - (ii) in the case of regulations made by the Welsh Ministers, a resolution of the National Assembly for Wales.]

[^{F13}(18) In this section—

“sub-agreement” means an agreement made by a manager and another person pursuant to a provision included in an agreement by virtue of subsection (5)(a);

“the appropriate authority” means—

- (a) in relation to a local housing authority in England which is a registered provider of social housing, the Regulator of Social Housing;
- (b) in relation to any other local housing authority in England, the Secretary of State;
- (c) in relation to a local housing authority in Wales, the Welsh Ministers;

“the appropriate Minister” means—

- (a) in relation to a local housing authority in England, the Secretary of State;
- (b) in relation to a local housing authority in Wales, the Welsh Ministers.]]]

Textual Amendments

- F1** Ss. 27, 27A, 27B and heading substituted for s. 27 and heading by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#), **s. 10**
- F2** S. 27 substituted (28.3.2003) by [S.I. 2003/940](#), **art. 2**
- F3** Words in s. 27(4) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 2 para. 9(2)** (with Sch. 2 para. 10)
- F4** Words in s. 27(6) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 2 para. 9(3)** (with Sch. 2 para. 10)
- F5** Words in s. 27(7) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 2 para. 9(4)(a)** (with Sch. 2 para. 10)
- F6** Words in s. 27(7) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 2 para. 9(4)(b)** (with Sch. 2 para. 10)
- F7** Words in s. 27(8) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 2 para. 9(5)** (with Sch. 2 para. 10)

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- F8** Words in s. 27(10) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 2 para. 9(6)** (with Sch. 2 para. 10)
- F9** Words in s. 27(11) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 2 para. 9(7)** (with Sch. 2 para. 10)
- F10** Words in s. 27(12) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 2 para. 9(8)** (with Sch. 2 para. 10)
- F11** Words in s. 27(16) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 2 para. 9(9)** (with Sch. 2 para. 10)
- F12** S. 27(17)(c) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 2 para. 9(10)** (with Sch. 2 para. 10)
- F13** S. 27(18) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 2 para. 9(11)** (with Sch. 2 para. 10)

Modifications etc. (not altering text)

- C1** S. 27(13) applied by 2008 c. 17, s. 250A(5)(b) (as inserted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 1 para. 67)**
- C2** S. 27(15) applied by 2008 c. 17, s. 250A(5)(b) (as inserted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 1 para. 67)**

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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\(3\)\(d\)](#)