



Housing Act 1985

1985 CHAPTER 68

PART II

PROVISION OF HOUSING ACCOMMODATION

[^{F1} Management agreements

^{F1} ^{F2}27AB **Management agreements with tenant management organisations.**

- (1) The Secretary of State may make regulations for imposing requirements on a local housing authority in any case where a tenant management organisation serves written notice on the authority proposing that the authority should enter into a management agreement with that organisation.
- (2) The regulations may make provision requiring the authority—
 - (a) to provide or finance the provision of such office accommodation and facilities, and such training, as the organisation reasonably requires for the purpose of pursuing the proposal;
 - (b) to arrange for such feasibility studies with respect to the proposal as may be determined by or under the regulations to be conducted by such persons as may be so determined;
 - ^{F3}(ba) [to provide to the organisation such information or descriptions of information, in connection with the proposal, as may be prescribed in the regulations;
 - (bb) to take, in circumstances prescribed in the regulations, such other steps as may be so prescribed to co-operate with the organisation in connection with the proposal;]
 - (c) to arrange for such ballots or polls with respect to the proposal as may be determined by or under the regulations to be conducted of such persons as may be so determined; and
 - (d) in such circumstances as may be prescribed by the regulations (which shall include the organisation becoming registered if it has not already done so), to enter into a management agreement with the organisation.

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- (3) The regulations may make provision with respect to any management agreement which is to be entered into in pursuance of the regulations—
- (a) for determining the houses and land to which the agreement should relate, and the amounts which should be paid under the agreement to the organisation;
 - (b) requiring the agreement to be in such form as may be approved by the Secretary of State and to contain such provisions as may be prescribed by the regulations;
 - (c) requiring the agreement to take effect immediately after the expiry or other determination of any previous agreement; and
 - (d) where any previous agreement contains provisions for its determination by the authority, requiring the authority to determine it as soon as may be after the agreement is entered into.
- (4) The regulations may also make such procedural, incidental, supplementary and transitional provisions as may appear to the Secretary of State necessary or expedient, and may in particular make provision—
- (a) for particular questions arising under the regulations to be determined by the authority [^{F4}or the person making the regulations];
 - (b) for other questions so arising to be determined by an arbitrator agreed to by the parties or, in default of agreement, appointed by the Secretary of State;
^{F5}(ba) [setting time-limits for the carrying out of requirements under the regulations;]
 - (c) requiring any person exercising functions under the regulations to act in accordance with any guidance [^{F6}or directions] given by the Secretary of State; and
 - (d) for enabling the authority, if invited to do so by the organisation concerned, to nominate one or more persons to be directors or other officers of any tenant management organisation with whom the authority have entered into, or propose to enter into, a management agreement.
- (5) Nothing in subsections (2) to (4) above shall be taken as prejudicing the generality of subsection (1).
- (6) Regulations under this section—
- (a) may make different provision with respect to different cases or descriptions of case, including different provision for different areas, and
 - (b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) Except as otherwise provided by regulations under this section—
- (a) a local housing authority shall not enter into a management agreement with a tenant management organisation otherwise than in pursuance of the regulations; and
 - (b) the provisions of the regulations shall apply in relation to the entering into of such an agreement with such an organisation in place of—
 - (i) the provisions of [^{F7}regulations under section 27BA (consultation with respect to management)]
 - (ii) in the case of secure tenants [^{F8}or tenants who are secure contract-holders], the provisions of section 105 (consultation on matters of housing management), ^{F9} . . .
 - (iii) ^{F10} . . . [^{F11} and

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(iv) in the case of introductory tenants, the provisions of section 137 of the Housing Act 1996 (consultation on matters of housing management).]

(8) In this section—

“ arbitrator ” means a member of a panel approved for the purposes of the regulations by the Secretary of State;

^{F12}

[^{F13}“contract-holder” has the same meaning as in the Renting Homes (Wales) Act 2016 (anaw 1) (see section 7 of that Act);]

“ previous agreement ”, in relation to an agreement entered into in pursuance of the regulations, means a management agreement [^{F14}, or a section 247 or 249 arrangement,] previously entered into in relation to the same houses and land;

“ registered ” means registered under [^{F15}the Co-operative and Community Benefit Societies Act 2014] or [^{F16}the Companies Act 2006];

[^{F17}“section 247 or 249 arrangement” has the meaning given by section 250A(6) of the Housing and Regeneration Act 2008;]

[^{F13}“secure contract” has the same meaning as in the Renting Homes (Wales) Act 2016 (see section 8 of that Act);]

[^{F8}“ tenant management organisation ” means a body which satisfies such conditions as may be determined by or under the regulations.]]]

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. 27AB inserted (10.11.1993 so far as confers power on Secretary of State to make regulations and 1.4.1994 otherwise) by [1993 c. 28, s. 132\(1\)](#); S.I. 1993/2762, **art. 3**; S.I. 1994/935, **art. 3** (with transitional provisions in **art. 3**)
- F3** S. 27AB(2)(ba)(bb) inserted (1.12.2008 for E. and otherwise prosp.) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 295(2)**, 325; S.I. 2008/3068, **art. 4(1)(a)** (with arts. 6-13)
- F4** Words in s. 27AB(4)(a) inserted (1.12.2008 for E. and otherwise prosp.) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 295(3)(a)**, 325; S.I. 2008/3068, arts. 1(2), **4(1)(a)** (with arts. 6-13)
- F5** S. 27AB(4)(ba) inserted (1.12.2008 for E. and otherwise prosp.) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 295(3)(b)**, 325; S.I. 2008/3068, arts. 1(2), **4(1)(a)** (with arts. 6-13)
- F6** Words s. 27AB(4)(c) inserted (1.12.2008 for E. and otherwise prosp.) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 295(3)(c)**, 325; S.I. 2008/3068, arts. 1(2), **4(1)(a)** (with arts. 6-13)
- F7** Words in s. 27AB(7)(b)(i) inserted (1.10.1996) by [1996 c. 52, s. 222, Sch. 18 Pt. 1 para. 3\(5\)](#); S.I. 1996/2402, **art. 3** (subject to transitional provisions and savings in Sch.)
- F8** Words in s. 27AB(7)(b)(ii) inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), **11(3)(a)** (with savings and transitional provisions in S.I. 2022/1172, regs. 2, 11, 12, 19)
- F9** Word in s. 27AB(7)(b)(ii) omitted (12.2.1997) by virtue of S.I. 1997/74, **art. 2, Sch. para. 3(c)**
- F10** Words in s. 27AB(7)(b)(iii) repealed (18.11.2003 for E. and 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), ss. 127(2), 128(5)(6), **Sch. 8 Pt. 1**; S.I. 2003/2938, **art. 3(i)(i)** (subject to art. 8, Sch.); S.I. 2003/3034, **art. 2, Sch. 1 Pt. 1**
- F11** S. 27AB(7)(b)(iv) and word preceding it inserted (12.2.1997) by S.I. 1997/74, **art. 2, Sch. para. 3(c)**
- F12** S. 27AB(8): definition of “associated” repealed (18.11.2003 for E. and 27.11.2003 for W.) by [Local Government Act 2003 \(c. 26\)](#), ss. 127(2), 128(6), **Sch. 8 Pt. 1**; S.I. 2003/2938, **art. 3** (subject to art. 8, Sch.); S.I. 2003/3034, **art. 2(1)**, Sch. 1 Pt. 1

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- F13** Words in s. 27AB(8) inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), **11(3)(b)** (with savings and transitional provisions in S.I. 2022/1172, regs. 2, 11, 12, 19)
- F14** Words in definition of “previous agreement” in s. 27AB(8) 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. 2 para. 11(a)**
- F15** S. 27AB(8): words in definition of “registered” substituted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\)](#), s. 154, **Sch. 4 para. 35** (with Sch. 5)
- F16** S. 27AB(8): words in definition of “registered” substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order \(S.I. 2009/1941\)](#), art. 2(1), {Sch. 1 para. 62(3)} (with art. 10)
- F17** Definition “section 247 or 249 arrangement” in s. 27AB(8) 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. 2 para. 11(b)**

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