



Housing Act 1985

1985 CHAPTER 68

PART IX

SLUM CLEARANCE

Use of condemned houses for temporary housing accommodation

[^{F1}300 Purchase of houses liable to be demolished or to be subject to a prohibition order.

(1) Where—

- (a) the local housing authority would be required under section 5 of the Housing Act 2004 to make a demolition order under section 265(1) or (2) of this Act in respect of a dwelling, a house in multiple occupation or a building containing one or more flats, and
- (b) it appears to them that the dwelling, house in multiple occupation or, as the case may be, building is or can be rendered capable of providing accommodation of a standard which is adequate for the time being,

they may purchase it instead.

(2) Where—

- (a) the local housing authority would be required under section 5 of the Housing Act 2004 to make a relevant prohibition order in respect of a dwelling, a house in multiple occupation or a building containing one or more flats, and
- (b) it appears to them that the dwelling, house in multiple occupation or, as the case may be, building is or can be rendered capable of providing accommodation of a standard which is adequate for the time being,

they may purchase it instead.

- (3) In subsection (2) “relevant prohibition order” means a prohibition order under section 20 of the Housing Act 2004 which imposes in relation to the whole of the dwelling, house in multiple occupation or building a prohibition on its use for all purposes other than any purpose approved by the authority.

Changes to legislation: Housing Act 1985, Section 300 is up to date with all changes known to be in force on or before 24 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

- (4) Where an authority have determined to purchase any premises under subsection (1)—
- (a) they shall serve a notice of their determination on the persons on whom they would have been required by section 268(1) to serve a copy of a demolition order, and
 - (b) sections 268(4) and 269(1), (2), (3) and (6) (operative date and right of appeal) apply to such a notice as they apply to a demolition order.
- (5) Where an authority have determined to purchase any premises under subsection (2)—
- (a) they shall serve a notice of their determination on the persons on whom they would have been required by Part 1 of Schedule 2 to the Housing Act 2004 (service of prohibition orders) to serve a copy of the relevant prohibition order; and
 - (b) section 24 of that Act and Parts 1 and 3 of that Schedule (operative date, right of appeal etc.) apply to such a notice as they apply to a prohibition order which is not suspended or to appeals against such an order (as the case may be).
- (6) At any time after the notice has become operative the authority may purchase the dwelling, house in multiple occupation or building by agreement or be authorised by the Secretary of State to purchase it compulsorily.
- (7) This section does not apply where section 304(1) applies (listed building or building protected pending listing).]

Textual Amendments

- F1** S. 300 substituted (6.4.2006 for E. and 16.6.2006 for W.) by [Housing Act 2004 \(c. 34\)](#), ss. 265(1), 270(4)(5), [Sch. 15 para. 20](#); S.I. 2006/1060, [art. 2\(1\)\(d\)](#) (with Sch.); S.I. 2006/1535, [art. 2\(b\)](#) (with Sch.)

Changes to legislation:

Housing Act 1985, Section 300 is up to date with all changes known to be in force on or before 24 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.

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