

Changes to legislation: Housing Act 1988, Cross Heading: Repayment of discount on early disposal is up to date with all changes known to be in force on or before 19 March 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

SCHEDULES

SCHEDULE 11

PROVISIONS APPLICABLE TO CERTAIN DISPOSALS OF HOUSES

Repayment of discount on early disposal

- 1 (1) This paragraph applies where, on the disposal of a house under section 79 of this Act, a discount is given to the purchaser by the housing action trust in accordance with a consent given by the Secretary of State under subsection (1) of that section and that consent does not exclude the application of this paragraph.
- (2) On the disposal, the conveyance, grant or assignment shall contain a covenant binding on the purchaser and his successors in title [^{F1}to the following effect.]
- [^{F2}(3) The covenant shall be to pay to the housing action trust such sum (if any) as the trust may demand in accordance with sub-paragraph (4) on the occasion of the first relevant disposal (other than an exempted disposal) which takes place within the period of five years beginning with the conveyance, grant or assignment.]
- [^{F3}(4) The trust may demand such sum as it considers appropriate, up to and including the maximum amount specified in this paragraph.]
- [^{F4}(5) The maximum amount which may be demanded by the trust is a percentage of the price or premium paid for the first relevant disposal which is equal to the percentage discount given to the purchaser in respect of the disposal of the house under section 79.]
- [^{F5}(6) But for each complete year which has elapsed after the conveyance, grant or assignment and before the first relevant disposal the maximum amount which may be demanded by the trust is reduced by one-fifth.]
- [^{F6}(7) Sub-paragraphs (4) to (6) are subject to paragraph 1A.]

Textual Amendments

- F1** Words in Sch. 11 para. 1(2) substituted (18.1.2005) by Housing Act, 2004 (c. 34), ss. 203(2), 270 (with s. 203(4))
- F2** Sch. 11 para. 1(3) inserted (18.1.2005) by Housing Act 2004 (c. 34), ss. 203(3), 270 (with s. 203(4))
- F3** Sch. 11 para. 1(4) inserted (18.1.2005) by Housing Act 2004 (c. 34), ss. 203(3), 270 (with s. 203(4))
- F4** Sch. 11 para. 1(5) inserted (18.1.2005) by Housing Act 2004 (c. 34), ss. 203(3), 270 (with s. 203(4))
- F5** Sch. 11 para. 1(6) inserted (18.1.2005) by Housing Act 2004 (c. 34), ss. 203(3), 270 (with s. 203(4))
- F6** Sch. 11 para. 1(7) inserted (18.1.2005) by Housing Act 2004 (c. 34), ss. 203(3), 270 (with s. 203(4))

Modifications etc. (not altering text)

- C1** Sch. 11 para. 1(2) modified (18.1.2005) by Housing Act 2004 (c. 34), ss. 203(6), 270 (with s. 203(4)(5)(7))

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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](#)