



Housing Grants, Construction and Regeneration Act 1996

1996 CHAPTER 53

PART I

GRANTS, &C. FOR RENEWAL OF PRIVATE SECTOR HOUSING

CHAPTER I

THE MAIN GRANTS

HMO grants

25 HMO grants: the interest of the applicant in the property

- (1) A local housing authority shall not entertain an application for an HMO grant unless they are satisfied that the applicant has or proposes to acquire an owner's interest in every parcel of land on which the relevant works are to be carried out.
- (2) In accordance with directions given by the Secretary of State, a local housing authority may treat the condition in subsection (1) as fulfilled by a person who has, or proposes to acquire, an owner's interest in only part of the land concerned.
- (3) References in this Chapter to "a qualifying owner's interest", in relation to an application for an HMO grant, are to an owner's interest meeting the condition in subsection (1) or treated by virtue of subsection (2) as meeting that condition.

26 HMO grants: certificate required to accompany application

- (1) A local housing authority shall not entertain an application for an HMO grant unless it is accompanied by a certificate of future occupation.
- (2) A "certificate of future occupation" certifies that the applicant—

Status: This is the original version (as it was originally enacted).

- (a) has or proposes to acquire a qualifying owner's interest in the house, and
- (b) intends that throughout the grant condition period the house or a part of it (specified in the certificate) will be residentially occupied, or available for residential occupation, under tenancies or licences by persons who are not connected with the owner for the time being of the house.

In paragraph (b) "residential occupation" does not include occupation for a holiday, and "tenancies" does not include a long tenancy.

27 HMO grants: purposes for which grant may be given

- (1) The purposes for which an application for an HMO grant (other than a conversion application) may be approved are—
 - (a) to comply with a notice under section 189 of the Housing Act 1985 (repair notice in respect of unfit premises) or otherwise to render the house fit for human habitation;
 - (b) to comply with a notice under section 190 of that Act (repair notice in respect of premises not unfit but in need of substantial repair) or otherwise to put the building in reasonable repair;
 - (c) to comply with a notice under section 352 of that Act (notice requiring works to render premises fit for the number of occupants) or otherwise to enable the house to meet one or more of the requirements in subsection (1A) of that section;
 - (d) to provide adequate thermal insulation;
 - (e) to provide adequate facilities for space heating;
 - (f) to provide satisfactory internal arrangements;
 - (g) to provide means of escape in case of fire or other fire precautions, not being precautions required under or by virtue of any enactment (whenever passed);
 - (h) to ensure that the house complies with such requirements with respect to construction or physical condition as may be specified by the Secretary of State;
 - (i) to ensure that there is compliance with such requirements with respect to the provision or condition of services and amenities to or within the house as are so specified;
 - (j) any other purpose for the time being specified for the purposes of this section by order of the Secretary of State.
- (2) The purpose for which a conversion application may be approved is to provide a house in multiple occupation by the conversion of a house or other building.
- (3) If in the opinion of the authority the relevant works are more or less extensive than is necessary to achieve any of the purposes set out in subsection (1) or (2), they may, with the consent of the applicant, treat the application as varied so that the relevant works are limited to or, as the case may be, include such works as seem to the authority to be necessary for that purpose.
- (4) In exercise of the powers conferred by paragraphs (h) and (i) of subsection (1) the Secretary of State may specify requirements generally or for particular cases, and may specify different requirements for different areas.

28 HMO grants: approval of application

- (1) The local housing authority may approve an application for an HMO grant if they think fit, subject to the following provisions.
- (2) The authority shall not approve an application for an HMO grant unless they are satisfied that the works are necessary for one or more of the purposes set out in section 27(1) or (2).
- (3) Where an authority entertain an application for an HMO grant made by a person who proposes to acquire a qualifying owner's interest, they shall not approve the application until they are satisfied that he has done so.
- (4) An authority proposing to approve an application for an HMO grant shall consider whether the house to which the application relates is fit for human habitation and meets the requirements in section 352(1A) of the Housing Act 1985.
- (5) If it appears to the authority that the house is not fit for human habitation or does not meet those requirements, they shall not approve the application unless they are satisfied—
 - (a) that on completion of the relevant works, together with any other works proposed to be carried out, the house will be fit for human habitation and meet those requirements,
 - (b) that there are satisfactory financial and other arrangements for carrying out those works, and
 - (c) that the carrying out of the works is the most satisfactory course of action.
- (6) In considering whether to approve an application for an HMO grant the local housing authority shall have regard to the expected life of the house (taking account, where appropriate, of the effect of carrying out the works).