



Housing Act 2004

2004 CHAPTER 34

PART 6

OTHER PROVISIONS ABOUT HOUSING

CHAPTER 5

MISCELLANEOUS

Other provisions relating to social housing

220 Additional power to give grants for social housing

After section 27 of the Housing Act 1996 (c. 52) insert—

“Grants to bodies other than registered social landlords

27A Grants to bodies other than registered social landlords

- (1) The Relevant Authority may make grants under this section to persons other than registered social landlords.
- (2) Grants under this section are grants for any of the following purposes—
 - (a) acquiring, or repairing and improving, or creating by the conversion of houses or other property, houses to be disposed of—
 - (i) under equity percentage arrangements, or
 - (ii) on shared ownership terms;
 - (b) constructing houses to be disposed of—
 - (i) under equity percentage arrangements, or
 - (ii) on shared ownership terms;

Changes to legislation: *Housing Act 2004, Cross Heading: Other provisions relating to social housing is up to date with all changes known to be in force on or before 04 July 2023. 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*

- (c) providing loans to be secured by mortgages to assist persons to acquire houses for their own occupation;
 - (d) providing, constructing or improving houses to be kept available for letting;
 - (e) providing, constructing or improving houses for letting that are to be managed by such registered social landlords, and under arrangements containing such terms, as are approved by the Relevant Authority;
 - (f) such other purposes as may be specified in an order under subsection (3).
- (3) The Secretary of State may by order make such provision in connection with the making of grants under this section as he considers appropriate.
- (4) An order under subsection (3) may, in particular, make provision—
- (a) defining “equity percentage arrangements” for the purposes of this section;
 - (b) specifying or describing the bodies from whom loans may be obtained by persons wishing to acquire houses for their own occupation;
 - (c) dealing with the priority of mortgages entered into by such persons;
 - (d) specifying purposes additional to those mentioned in subsection (2)(a) to (e).
- (5) As regards grants made by the Housing Corporation, an order under subsection (3) may also require the imposition of conditions in connection with such grants, and for this purpose may—
- (a) prescribe conditions that are to be so imposed;
 - (b) prescribe matters about which conditions are to be so imposed and any particular effects that such conditions are to achieve.
- (6) The Relevant Authority shall specify in relation to grants under this section—
- (a) the procedure to be followed in relation to applications for grant,
 - (b) the circumstances in which grant is or is not to be payable,
 - (c) the method for calculating, and any limitations on, the amount of grant, and
 - (d) the manner in which, and the time or times at which, grant is to be paid.
- (7) If, by virtue of subsection (5), an order under subsection (3) requires conditions to be imposed by the Housing Corporation in connection with a grant to a person under this section, the Corporation in making the grant—
- (a) must provide that the grant is conditional on compliance by the person with such conditions as are required by the order; and
 - (b) if it exercises its power to impose conditions under subsection (8), must not impose any that are inconsistent with the requirements of the order.
- (8) In making a grant to a person under this section the Relevant Authority may provide that the grant is conditional on compliance by the person with such conditions as the Authority may specify.
- (9) The conditions that may be so specified include conditions requiring the payment to the Relevant Authority in specified circumstances of a sum determined by the Authority (with or without interest).

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(10) An order under subsection (3) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(11) In this section—

“disposed of on shared ownership terms” has the meaning given by section 2(6);

“letting” includes the grant of a licence to occupy.

27B Transfer of property funded by grants under section 27A

(1) Where—

- (a) any grant is paid or payable to any person under section 27A, and
- (b) at any time property to which the grant relates becomes vested in, or is leased for a term of years to, or reverts to, another person who is not a registered social landlord,

this Part shall have effect, in relation to times falling after that time, as if the grant, or such proportion of it as is determined or specified under subsection (4), had been paid or (as the case may be) were payable to that other person under section 27A.

(2) Where—

- (a) any amount is paid or payable to any person by way of grant under section 27A, and
- (b) at any time property to which the grant relates becomes vested in, or is leased for a term of years to, or reverts to, a registered social landlord,

this Part shall have effect, in relation to times falling after that time, as if the grant, or such proportion of it as is determined or specified under subsection (4), had been paid or (as the case may be) were payable to that other person under section 18.

(3) In such a case, the relevant section 18 conditions accordingly apply to that grant or proportion of it, in relation to times falling after that time, in place of those specified under section 27A(8).

“The relevant section 18 conditions” means such conditions specified under section 18(3) as would have applied at the time of the making of the grant if it had been made under section 18 to a registered social landlord.

(4) The proportion mentioned in subsection (1) or (2) is that which, in the circumstances of the particular case—

- (a) the Relevant Authority, acting in accordance with such principles as it may from time to time determine, may specify as being appropriate, or
- (b) the Relevant Authority may determine to be appropriate.”

Commencement Information

II S. 220 partly in force; s. 220 in force for certain purposes at Royal Assent see s. 270(2)(b); s. 220 in force for E. in so far as not already in force at 17.2.2005 by [S.I. 2005/326](#), [art. 2\(a\)](#)

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F1 221 Extension of right to acquire

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Textual Amendments

- F1** S. 221 repealed (26.1.2019) by [Abolition of the Right to Buy and Associated Rights \(Wales\) Act 2018](#) (anaw 1), s. 11(3)(4), [Sch. 1 para. 5\(5\)](#); S.I. 2018/100, art. 2(b) (with art. 3)

222 Rights of pre-emption in connection with assured tenancies

- (1) Section 5 of the Housing Act 1988 (c. 50) (security of tenure for assured tenants) is amended as follows.
- (2) After subsection (5) (certain obligations etc. of tenant to be unenforceable) insert—
- “(5A) Nothing in subsection (5) affects any right of pre-emption—
- (a) which is exercisable by the landlord under a tenancy in circumstances where the tenant indicates his intention to dispose of the whole of his interest under the tenancy, and
- (b) in pursuance of which the landlord would be required to pay, in respect of the acquisition of that interest, an amount representing its market value.
- “Dispose” means dispose by assignment or surrender, and “acquisition” has a corresponding meaning.”
- (3) The amendment made by subsection (2) does not apply in relation to any right of pre-emption granted before the day on which this section comes into force.

223 Allocation of housing accommodation by local authorities

In section 167(2)(d) of the Housing Act 1996 (c. 52) (people to whom preference is to be given in allocating housing accommodation) after “medical or welfare grounds” insert “ (including grounds relating to a disability) ”.

Commencement Information

- I2** S. 223 partly in force; s. 223 not in force at Royal Assent see s. 270(4)(5); s. 223 in force for E. at 27.4.2005 by [S.I. 2005/1120](#), [art. 2](#)

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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. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)