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## SCHEDULES

### SCHEDULE 13

Section 305

#### DEMOLITION NOTICES

##### *Final demolition notices*

- 1 Schedule 5 to the Housing Act 1985 (c. 68) (exceptions to the right to buy: final demolition notices) is amended as follows.
- 2 (1) Paragraph 13 (final demolition notices) is amended as follows.
  - (2) In sub-paragraph (5) (period of validity of final demolition notices)—
    - (a) omit the “and” following paragraph (a),
    - (b) in paragraph (b) for “(7)” substitute “ (7A) ”, and
    - (c) after paragraph (b) insert “, and  
the provisions of paragraph 15A”.
  - (3) In sub-paragraph (9) (certain references to landlord to include superior landlord) after “15” insert “ (other than paragraph 15(7A) ”.
- 3 (1) Paragraph 15 (extension or revocation etc. of final demolition notices) is amended as follows.
  - (2) After sub-paragraph (7) (revocation notices) insert—

“(7A) Sub-paragraphs (4) to (7) do not apply if the landlord is selling or otherwise transferring his interest as landlord to another person or is offering it for sale or for other transfer.”
  - (3) In sub-paragraph (8) (restrictions on service of further notices)—
    - (a) after “final demolition notice”, where it first appears, insert “ (“the earlier notice”) ”,
    - (b) after “final demolition notice”, where it appears for a second time, insert “ (and no initial demolition notice) ”,
    - (c) after “in respect of it” insert “, by the landlord who served the earlier notice or any landlord who served a continuation notice in respect of the earlier notice, ”,
    - (d) after “when the” insert “ earlier ”, and
    - (e) in paragraph (a) for “it” substitute “ the further final demolition notice (or, as the case may be, the initial demolition notice) ”.
  - (4) After sub-paragraph (9) insert—

“(10) In sub-paragraph (8) “initial demolition notice” has the meaning given by paragraph 1 of Schedule 5A (initial demolition notices).”
- 4 After paragraph 15 insert—

“15A(1) This paragraph applies if—

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- (a) a final demolition notice is in force in respect of a dwelling-house, and
  - (b) the landlord transfers his interest as landlord to another person.
- (2) The final demolition notice (“the original notice”) continues in force but this is subject to—
  - (a) paragraphs 13(5) and 15, and
  - (b) the following provisions of this paragraph.
- (3) Sub-paragraph (4) applies if the transferee—
  - (a) intends to demolish the dwelling-house, but
  - (b) has not—
    - (i) served a continuation notice, and
    - (ii) complied with the conditions in sub-paragraphs (8) and (10),
 within the period of 2 months beginning with the date of transfer.
- (4) The transferee must proceed under paragraph 15(4) as if the transferee has decided not to demolish the dwelling-house (and paragraph 15(5) to (7) applies on the same basis).
- (5) A continuation notice is a notice—
  - (a) stating that the transferee—
    - (i) has acquired the interest concerned, and
    - (ii) intends to demolish the dwelling-house or (as the case may be) the building containing it (“the relevant premises”),
  - (b) setting out the reasons why the transferee intends to demolish the relevant premises,
  - (c) stating that one of conditions A to C in paragraph 14 is satisfied in relation to the original notice (specifying the condition concerned),
  - (d) stating that the original notice is to continue in force, and
  - (e) explaining the continued effect of the original notice.
- (6) A continuation notice may not vary the proposed demolition date in the original notice nor the date when the original notice will cease to be in force.
- (7) Sub-paragraph (8) applies if—
  - (a) the dwelling-house is contained in a building which contains one or more other dwelling-houses, and
  - (b) the transferee intends to demolish the whole of the building.
- (8) The transferee must serve a continuation notice on the occupier of each of the dwelling-houses contained in the building (whether addressed to him by name or just as “the occupier”).
- (9) An accidental omission to serve a continuation notice on one or more occupiers does not prevent the condition in sub-paragraph (8) from being satisfied.
- (10) Paragraph 13(7) and (8) apply in relation to the transferee's intention to demolish so as to impose a condition on the transferee for a notice to appear within the period of 2 months beginning with the date of transfer.

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(11) Sub-paragraphs (7) to (10) above apply instead of paragraph 13(6) to (8) in relation to a final demolition notice so far as continued in force under this paragraph.”

5 In paragraph 16(1) (notices under paragraphs 13 and 15) for “or 15” substitute “, 15 or 15A”.

#### *Initial demolition notices*

6 Schedule 5A to the Housing Act 1985 (c. 68) (initial demolition notices) is amended as follows.

7 In paragraph 1(4)(b) (initial demolition notices: maximum specified period to carry out demolition) for “five” substitute “seven”.

8 In paragraph 2(1) (period of validity of initial demolition notices) for “paragraph 3” substitute “paragraphs 3 and 3A”.

9 In paragraph 3(1) (revocation of initial demolition notices: application of paragraph 15(4) to (7) of Schedule 5 to that Act) for “(7)” substitute “(7A)”.

10 After paragraph 3 insert—

#### *“Transfer of initial demolition notices*

3A (1) This paragraph applies if—

- (a) an initial demolition notice is in force in respect of a dwelling-house, and
- (b) the landlord transfers his interest as landlord to another person.

(2) The initial demolition notice (“the original notice”) continues in force but this is subject to—

- (a) paragraphs 2 and 3, and
- (b) the following provisions of this paragraph.

(3) Sub-paragraph (4) applies if the transferee—

- (a) intends to demolish the dwelling-house, but
- (b) has not—
  - (i) served a continuation notice, and
  - (ii) complied with the conditions in sub-paragraphs (8) and (10),

within the period of 2 months beginning with the date of transfer.

(4) The transferee must proceed under paragraph 15(4) of Schedule 5 as applied by paragraph 3(1) above as if the transferee has decided not to demolish the dwelling-house (and paragraph 15(5) to (7) of that Schedule as so applied applies on the same basis).

(5) A continuation notice is a notice—

- (a) stating that the transferee—
  - (i) has acquired the interest concerned, and
  - (ii) intends to demolish the dwelling-house or (as the case may be) the building containing it (“the relevant premises”),

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- (b) setting out the reasons why the transferee intends to demolish the relevant premises,
    - (c) stating that the original notice is to continue in force, and
    - (d) explaining the continued effect of the original notice.
  - (6) A continuation notice may not vary the period specified in the original notice in accordance with paragraph 1(1)(c).
  - (7) Sub-paragraph (8) applies if—
    - (a) the dwelling-house is contained in a building which contains one or more other dwelling-houses, and
    - (b) the transferee intends to demolish the whole of the building.
  - (8) The transferee must serve a continuation notice on the occupier of each of the dwelling-houses contained in the building (whether addressed to him by name or just as “the occupier”).
  - (9) An accidental omission to serve a continuation notice on one or more occupiers does not prevent the condition in sub-paragraph (8) from being satisfied.
  - (10) Paragraph 13(7) of Schedule 5 applies in relation to the transferee's intention to demolish so as to impose a condition on the transferee for a notice to appear within the period of 2 months beginning with the date of transfer; and paragraph 2(3) above applies for this purpose.
  - (11) Sub-paragraphs (7) to (10) above apply instead of paragraph 2(2) and (3) in relation to an initial demolition notice so far as continued in force under this paragraph.”
- 11 (1) Paragraph 4 (restrictions on service of further notices) is amended as follows.
- (2) In sub-paragraph (2) (further initial demolition notices)—
- (a) after “dwelling-house” insert “, by the landlord who served the relevant notice or any landlord who served a continuation notice in respect of the relevant notice, ”, and
  - (b) in paragraph (a) for “it” substitute “ the further notice ”.
- (3) In sub-paragraph (3) (final demolition notices)—
- (a) after “dwelling-house” insert “, by the landlord who served the relevant notice or any landlord who served a continuation notice in respect of the relevant notice, ”, and
  - (b) in paragraph (a) for “it” substitute “ the final demolition notice ”.
- 12 In paragraph 5 (notices under Schedule 5A) for “or 15” substitute “, 15 or 15A ”.
- 13 In paragraph 6(1) (interpretation) after “Schedule” insert “ (other than paragraph 3A) ”.

#### *Transitional provision*

- 14 This Schedule does not apply to notices served before the coming into force of the Schedule.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(6A) inserted by [2023 c. 55 s. 138](#)
- s. 107(2A) inserted by [2023 c. 36 s. 3\(2\)\(c\)](#)
- s. 107(4A)(4B) inserted by [2023 c. 36 s. 3\(2\)\(f\)](#)
- s. 107(6A) inserted by [2023 c. 36 s. 3\(2\)\(i\)](#)
- s. 115(6A) inserted by [2023 c. 36 s. 8\(d\)](#)
- s. 117(1A) inserted by [2023 c. 36 s. 4\(3\)](#)
- s. 117(4A) inserted by [2023 c. 36 s. 4\(5\)](#)
- s. 126A-126D inserted by [2023 c. 36 s. 10\(2\)](#)
- s. 146(2B) inserted by [2023 c. 36 s. 12\(3\)\(e\)](#)
- s. 153(1)(ba) inserted by [2023 c. 36 s. 12\(6\)\(a\)](#)
- s. 153(1A) inserted by [2023 c. 36 s. 12\(6\)\(b\)](#)
- s. 154(2)(ab) inserted by [2023 c. 36 Sch. 1 para. 18](#)
- s. 161A inserted by [2023 c. 36 s. 18\(2\)](#)
- s. 163A applied (with modifications by [S.I. 2023/1311 reg. 9](#))
- s. 163A inserted by [2023 c. 36 s. 17\(3\)](#)
- s. 163B inserted by [2023 c. 36 s. 18\(3\)](#)
- s. 169CA inserted by [2023 c. 36 s. 19\(4\)](#)
- s. 169CB-169CD and cross-heading inserted by [2023 c. 36 s. 20\(2\)](#)
- s. 169ZA inserted by [2023 c. 36 Sch. 5 para. 14](#)
- s. 199(9) inserted by [2023 c. 36 s. 28\(2\)\(c\)](#)
- s. 199A-199B inserted by [2023 c. 36 s. 28\(3\)](#)
- s. 200(4A) inserted by [2023 c. 36 s. 28\(4\)\(d\)](#)
- s. 201A inserted by [2023 c. 36 s. 29\(2\)](#)
- s. 203A inserted by [2023 c. 36 s. 30\(4\)](#)
- s. 215(1A) inserted by [2023 c. 36 s. 29\(3\)](#)
- s. 218(2)(e) inserted by [2023 c. 36 Sch. 5 para. 26\(b\)](#)
- s. 218A-218D and cross-heading inserted by [2023 c. 36 s. 31\(2\)](#)
- s. 220(11B) inserted by [2023 c. 36 s. 10\(3\)](#)
- s. 220(11D)(11E) inserted by [2023 c. 36 s. 31\(3\)](#)
- s. 225A-225H and cross-heading inserted by [2023 c. 36 s. 32](#)
- s. 227(7B) inserted by [2023 c. 36 s. 10\(4\)](#)
- s. 227(7D)(7E) inserted by [2023 c. 36 s. 31\(4\)](#)
- s. 237(5)(6) inserted by [2023 c. 36 s. 31\(5\)](#)
- s. 247(1)(c) and word inserted by [2023 c. 36 s. 31\(6\)](#)
- s. 247(1)(ab)(ac) inserted by [2023 c. 36 s. 10\(5\)](#)
- s. 249(1)(c) and word inserted by [2023 c. 36 Sch. 3 para. 7\(b\)](#)
- s. 251(1)(c) and word inserted by [2023 c. 36 s. 31\(7\)](#)
- s. 251(1)(ab)(ac) inserted by [2023 c. 36 s. 10\(6\)](#)
- s. 252(2A) inserted by [2023 c. 36 Sch. 3 para. 9\(b\)](#)
- s. 252A(2)(c)(d) inserted by [2023 c. 36 s. 10\(7\)\(b\)](#)
- s. 252A(2)(e) inserted by [2023 c. 36 Sch. 3 para. 10\(b\)](#)
- s. 252A(2)(f) and word inserted by [2023 c. 36 s. 31\(8\)](#)
- s. 253(1)(c) and word inserted by [2023 c. 36 Sch. 3 para. 11\(b\)](#)
- s. 255(1)(c) and word inserted by [2023 c. 36 Sch. 3 para. 12\(b\)](#)
- s. 259(3A) inserted by [2023 c. 36 Sch. 3 para. 15\(d\)](#)
- s. 266(9) inserted by [2023 c. 36 Sch. 3 para. 17\(b\)](#)
- s. 269(1)(ba)(bb) inserted by [2023 c. 36 Sch. 3 para. 18\(c\)](#)

– s. 269(1A) inserted by [2023 c. 36 Sch. 3 para. 18\(d\)](#)