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STATUTORY INSTRUMENTS

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**1986 No. 797**

**The Defective Dwellings (Mortgagees) Regulations 1986**

**PART II**

**MORTGAGEES GENERALLY**

*Application*

2.—(1) This Part of these regulations applies where—

- (a) a mortgagor of a defective dwelling is eligible for assistance under Part XVI of the Act in respect of the dwelling, and
- (b) a power of sale (whether conferred by section 101 of the Law of Property Act 1925 or otherwise) is exercisable by the mortgagee, and
- (c) the mortgagee becomes mortgagee in possession of the defective dwelling,

but does not apply where a local housing authority has the right under Part III of these regulations to vest the dwelling in themselves.

(2) Where a mortgagee is a mortgagee in possession on the date on which these regulations come into operation he shall for the purpose of the regulations be treated as if he became the mortgagee in possession on that date.