



# Estate Agents Act 1979

## 1979 CHAPTER 38

### *[<sup>F1</sup>Redress schemes*

#### **[<sup>F1</sup>23C Meaning of residential property**

- (1) For the purposes of sections 23A and 23B “residential property”—
  - (a) has the meaning given by subsection (2); but
  - (b) does not include land of a description specified in an order made by the Secretary of State for the purposes of this section.
- (2) “Residential property” means any land that consists of or includes a building or part of a building—
  - (a) the whole or part of which is used as a dwelling or as more than one dwelling; or
  - (b) that is (or is to be) offered for sale on the basis that the whole or part of it is suitable for such use or is intended to be so suitable by the time the seller disposes of his interest in it.
- (3) In subsection (2), the reference to a building or part of a building (so far as relating to paragraph (b) of that subsection) includes a reference to a building or part that is being or is to be constructed.
- (4) A description of land specified by order under subsection (1)(b) may be framed by reference to the purpose or purposes for which the land (or part of it) is or is intended to be used.
- (5) The power to make an order under subsection (1)(b) shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

#### **Textual Amendments**

- F1** Ss. 23A-23C and cross-heading inserted (12.10.2007) by [Consumers, Estate Agents and Redress Act 2007 \(c. 17\)](#), s. 66(2), [Sch. 6 para. 2](#); S.I. 2007/2934, art. 3, Sch.

**Changes to legislation:**

Estate Agents Act 1979, Section 23C is up to date with all changes known to be in force on or before 19 May 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.

[View outstanding changes](#)

**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. 21A inserted by [2007 c. 17 s. 54\(1\)](#)