



# Housing Act 1988

## CHAPTER 50

### HOUSING ACT 1988

#### PART I

##### RENTED ACCOMMODATION

#### CHAPTER I

##### ASSURED TENANCIES

###### *Meaning of assured tenancy etc.*

- 1 Assured tenancies.
- 1A Application of Chapters 1, 2 and 3 of this Part to dwelling in Wales
- 2 Letting of a dwelling-house together with other land.
- 3 Tenant sharing accommodation with persons other than landlord.
- 4 Certain sublettings not to exclude any part of sub-lessor's premises from assured tenancy.

###### *Security of tenure*

- 5 Security of tenure.
- 6 Fixing of terms of statutory periodic tenancy.
- 6A Demotion because of anti-social behaviour
- 7 Orders for possession.
- 8 Notice of proceedings for possession.
- 8A Additional notice requirements: ground of domestic violence.
- 9 Extended discretion of court in possession claims.
- 9A Proceedings for possession on non-absolute grounds: anti-social behaviour
- 10 Special provisions applicable to shared accommodation.

*Changes to legislation: Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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*

---

- 10A Power to order transfer of tenancy in certain cases
- 11 Payment of removal expenses in certain cases.
- 12 Compensation for misrepresentation or concealment.

#### *Rent and other terms*

- 13 Increases of rent under assured periodic tenancies.
- 14 Determination of rent by tribunal.
- 14A Interim increase before 1st April 1994 of rent under assured periodic tenancies in certain cases where landlord liable for council tax
- 14B Interim determination of rent by the appropriate tribunal
- 15 Limited prohibition on assignment etc. without consent.
- 15A Loss of assured tenancy status
- 16 Access for repairs.

#### *Miscellaneous*

- 17 Succession to assured tenancy.
- 18 Provisions as to reversions on assured tenancies.
- 19 Restriction on levy of distress for rent.

### CHAPTER II

#### ASSURED SHORTHOLD TENANCIES

- 19A Assured shorthold tenancies: post-Housing Act 1996 tenancies.
- 20 Assured shorthold tenancies: pre-Housing Act 1996 tenancies.
- 20A Post-Housing Act 1996 tenancies: duty of landlord to provide statement as to terms of tenancy.
- 20B Demoted assured shorthold tenancies
- 20C Assured shorthold tenancies following demoted tenancies
- 20D Assured shorthold tenancies following family intervention tenancies
- 21 Recovery of possession on expiry or termination of assured shorthold tenancy.
- 21A Compliance with prescribed legal requirements
- 21B Requirement for landlord to provide prescribed information
- 21C Repayment of rent where tenancy ends before end of a period
- 22 Reference of excessive rents to appropriate tribunal.
- 23 Termination of tribunal's functions.

### CHAPTER III

#### ASSURED AGRICULTURAL OCCUPANCIES

- 24 Assured agricultural occupancies.
- 25 Security of tenure.
- 26 Rehousing of agricultural workers etc.

### CHAPTER IV

#### PROTECTION FROM EVICTION

- 27 Damages for unlawful eviction.
- 28 The measure of damages.

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

- 29 Offences of harassment.
- 30 Variation of scope of 1977 ss. 3 and 4.
- 31 Excluded tenancies and licences.
- 32 Notice to quit etc.
- 33 Interpretation of Chapter IV and the 1977 Act.

## CHAPTER V

### PHASING OUT OF RENT ACTS AND OTHER TRANSITIONAL PROVISIONS

- 34 New protected tenancies and agricultural occupancies restricted to special cases.
- 35 Removal of special regimes for tenancies of housing associations etc.
- 36 New restricted contracts limited to transitional cases.
- 37 No further assured tenancies under Housing Act 1980.
- 38 Transfer of existing tenancies from public to private sector.
- 39 Statutory tenants: succession.

## CHAPTER VI

### GENERAL PROVISIONS

- 40 Jurisdiction of county courts.
- 41 Rent assessment committees: procedure and information powers.
- 41A Amounts attributable to services.
- 41B Provision of information as to exemption from council tax
- 42 Information as to determinations of rents in Wales.
- 42A Information as to determination of rents in England
- 43 Powers of local authorities for purposes of giving information.
- 44 Application to Crown Property.
- 45 Interpretation of Part I.

## PART II

### HOUSING ASSOCIATIONS

#### *Housing for Wales*

- 46 Housing Associations
- 47 Housing Associations

#### *Registration and issue of guidance*

- 48 Housing Associations
- 49 Housing Associations

#### *Grants...*

- 50 Housing association grants.
- 51 Revenue deficit grants.
- 52 Recovery etc. of grants.
- 53 Determinations under Part II.

#### *Grants: functions of Secretary of State*

- 54 Tax relief grants.

*Changes to legislation: Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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*

---

55 Surplus rental income.

*Miscellaneous and supplemental*

56 Miscellaneous and supplemental

57 Delegation of certain functions.

58 Application of Housing Acts to certain transactions.

59 Interpretation of Part II and amendments of Housing Associations Act 1985.

**PART III**

HOUSING ACTION TRUST AREAS

*Areas and trusts*

60 Housing action trust areas.

61 Consultation and publicity.

62 Housing action trusts.

63 Objects and general powers of housing action trusts.

64 The housing action trust's proposals for its area.

*Functions*

65 Housing action trust as housing authority etc.

66 Planning control.

67 Housing action trust as planning authority.

68 Public health.

69 Highways.

70 Housing Action Trust Areas

71 Power to give financial assistance.

72 Directions as to exercise of functions.

73 Transfer of functions.

*Transfer of housing accommodation etc.*

74 Transfer of land and other property to housing action trusts.

75 Supplementary provisions as to transfer orders.

*Vesting and acquisition of land*

76 Vesting by order in housing action trust.

77 Acquisition by housing action trust.

78 Supplementary provisions as to vesting, acquisition and compensation.

*Disposals of land*

79 Disposal of land by housing action trusts.

80 Disposals made without consent.

81 Consent required for certain subsequent disposals.

82 Provision of legal assistance to tenants after disposal.

*Secure tenancies and right to buy*

83 Application of Parts IV and V of Housing Act 1985.

84 Provisions applicable to disposals of dwelling-houses subject to secure tenancies.

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

84A Transfer by order of certain dwelling-houses let on secure tenancies.

*Rents*

- 85 Rents generally.
- 86 Increase of rent where tenancy not secure.

*Agency and dissolution*

- 87 Agency agreements.
- 88 Dissolution of housing action trust.

*Miscellaneous and general*

- 89 Supply of goods and services.
- 90 Information
- 91 (1) This section has effect in relation to any notice...
- 92 Interpretation of Part III.

**PART IV**

*Preliminary*

- 93 Right conferred by Part IV.
- 94 Persons by whom right may be exercised.
- 95 Property excluded from right.

*Initial procedures*

- 96 Application to exercise right.
- 97 Information etc. for applicant.
- 98 Determination of property to be included.
- 99 Determination of purchase price.

*Special cases*

- 100 Tenants continuing as tenants of landlord.
- 101 Tenancies granted after relevant date.

*Final procedures*

- 102 Consultations by applicant.
- 103 Notice by applicant of intention to proceed.
- 104 Duty to complete and consequences of completion.

*Subsequent disposals*

- 105 Consent required for subsequent disposals.

*Supplemental*

- 106 Service of information, advice and assistance.
- 107 Power of Corporation to provide legal assistance to tenants in relation to acquisitions.
- 108 Registration of title and related matters.
- 109 Public open space etc.
- 110 Extension etc. of relevant periods.

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

- 111 Power to prescribe forms etc.
- 112 Orders and regulations.
- 113 Jurisdiction of county court.
- 114 Interpretation of Part IV.

## PART V

### MISCELLANEOUS AND GENERAL

#### *Leases*

- 115 Premiums on long leases.
- 116 Repairing obligations in short leases.
- 117 Certain tenancies excluded from bankrupt's estate
- 118 Certain tenancies excluded from debtor's estate: Scotland.
- 119 Amendment of Landlord and Tenant Act 1987.

#### *Rent Officers*

- 120 Appointment etc. of rent officers.
- 121 Rent officers additional functions relating to housing benefit etc.

#### *Right to buy etc. and grants to obtain accommodation*

- 122 Variation of cost floor for right to buy discount.
- 123 Amendment of Schedule 5 to Housing Act 1985.
- 124 Right to buy: tenant's sanction for landlord's delays.
- 125 Restriction on letting etc. of certain houses in National Parks etc.
- 126 Restriction on disposal of dwelling-houses in National Parks etc. acquired under the right to buy.
- 127 Preserved right to buy.
- 128 Preservation of right to buy on disposal to private sector landlord: Scotland.
- 129 Schemes for payments to assist local housing authority tenants to obtain other accommodation.

#### *Repair notices and improvement grants*

- 130 Repair notices.
- 131 Letting conditions applicable to improvement grants etc.

#### *Disposals of housing stock*

- 132 Consents to disposals of housing stock and application of receipts.
- 133 Consent required for certain subsequent disposals.
- 134 Consent required for certain subsequent disposals: Scotland.
- 135 Consultation before disposal: Scotland.
- 136 .....

#### *Codes of practice*

- 137 Codes of practice in field of rented housing.

#### *Supplementary*

- 138 Financial provisions.
- 139 Application to Isles of Scilly.

**Changes to legislation:** *Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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*

---

- 140 Amendments and repeals.
- 141 Short title, commencement and extent.

---

## SCHEDULES

### SCHEDULE 1 — Tenancies Which Cannot be Assured Tenancies Part I — THE TENANCIES

#### *Tenancies entered into before commencement*

- 1 A tenancy which is entered into before, or pursuant to...

#### *Tenancies of dwelling-houses with high rateable values*

- 2 (1) A tenancy— (a) which is entered into on or...

#### *Tenancies at a low rent*

- 3 A tenancy under which for the time being no rent...
- 3A A tenancy— (a) which is entered into on or after...
- 3B A tenancy— (a) which was entered into before 1st April...
- 3C Paragraph 2(2) above applies for the purposes of paragraphs 3,...

#### *Business tenancies*

- 4 A tenancy to which Part II of the Landlord and...

#### *Licensed premises*

- 5 A tenancy under which the dwelling-house consists of or comprises...

#### *Tenancies of agricultural land*

- 6 (1) A tenancy under which agricultural land, exceeding two acres,...

#### *Tenancies of agricultural holdings etc.*

- 7 (1) A tenancy under which the dwelling-house—

#### *Lettings to students*

- 8 (1) A tenancy which is granted to a person who...

#### *Holiday lettings*

- 9 A tenancy the purpose of which is to confer on...

#### *Resident landlords*

- 10 (1) A tenancy in respect of which the following conditions...

#### *Crown tenancies*

- 11 (1) A tenancy under which the interest of the landlord...

#### *Local authority tenancies etc.*

- 12 (1) A tenancy under which the interest of the landlord...

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

*Family intervention tenancies*

12ZA (1) A family intervention tenancy. (2) But a family intervention...

*Accommodation for asylum-seekers*

12A (1) A tenancy granted by a private landlord under arrangements...

...

12B (1) A tenancy granted by a private landlord under arrangements...

*Transitional cases*

13 (1) A protected tenancy, within the meaning of the Rent...

Part II — RATEABLE VALUES

14 (1) The rateable value of a dwelling-house at any time...

15 Where, after the time at which the rateable value of...

16 Paragraphs 14 and 15 above apply in relation to any...

Part III — PROVISIONS FOR DETERMINING APPLICATION OF PARAGRAPH 10  
(RESIDENT LANDLORDS)

17 (1) In determining whether the condition in paragraph 10(1)(c) above...

18 (1) During any period when— (a) the interest of the...

19 In any case where— (a) immediately before a tenancy comes...

20 (1) The tenancy referred to in paragraph 10 above falls...

21 Throughout any period which, by virtue of paragraph 17 or...

22 For the purposes of paragraph 10 above, a building is...

SCHEDULE 2 — Grounds for Possession of Dwelling-houses let on Assured  
Tenancies

Part I — GROUNDS ON WHICH COURT MUST ORDER POSSESSION

*Ground 1*

Not later than the beginning of the tenancy the landlord...

*Ground 2*

The dwelling-house is subject to a mortgage granted before the...

*Ground 3*

The tenancy is a fixed term tenancy for a term...

*Ground 4*

The tenancy is a fixed term tenancy for a term...

*Ground 5*

The dwelling-house is held for the purpose of being available...

*Ground 6*

The landlord who is seeking possession or, if that landlord...

For the purposes of this ground, if, immediately before the...

For the purposes of this ground “registered social landlord” has...

...



*Ground 7*

The tenancy is a periodic tenancy (including a statutory periodic...  
For the purposes of this ground, the acceptance by the...  
This ground does not apply to a fixed term tenancy...

*Ground 7A*

Any of the following conditions is met. Condition 1 is...

*Ground 7B*

Both of the following conditions are met in relation to...  
Condition 1 is that the Secretary of State has given...  
Condition 2 is that the person or persons named in...  
For the purposes of this ground a person (“P”) is...  
P does not have a right to rent in relation...  
But P is to be treated as having a right...  
In this ground “relevant national ” means—

*Ground 8*

Both at the date of the service of the notice...

Part II — GROUNDS ON WHICH COURT MAY ORDER POSSESSION

*Ground 9*

Suitable alternative accommodation is available for the tenant or will...

*Ground 10*

Some rent lawfully due from the tenant—

*Ground 11*

Whether or not any rent is in arrears on the...

*Ground 12*

Any obligation of the tenancy (other than one related to...

*Ground 13*

The condition of the dwelling-house or any of the common...  
For the purposes of this ground, “common parts” means any...

*Ground 14*

The tenant or a person residing in or visiting the...

*Ground 14ZA*

*Ground 14A*

The dwelling-house was occupied (whether alone or with others) by...

*Ground 15*

The condition of any furniture provided for use under the...

*Changes to legislation: Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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*

---

### *Ground 16*

The dwelling-house was let to the tenant in consequence of...  
For the purposes of this ground, at a time when...

### *Ground 17*

The tenant is the person, or one of the persons,...

#### Part III — SUITABLE ALTERNATIVE ACCOMMODATION

- 1 For the purposes of Ground 9 above, a certificate of...
- 2 Where no such certificate as is mentioned in paragraph 1...
- 3 (1) For the purposes of paragraph 2 above, the relevant...
- 4 Accommodation shall not be deemed to be suitable to the...
- 5 Any document purporting to be a certificate of a local...
- 6 In this Part of this Schedule “local housing authority” and...

#### Part IV — NOTICES RELATING TO RECOVERY OF POSSESSION

- 7 Any reference in Grounds 1 to 5 in Part I...
- 8 (1) If, not later than the beginning of a tenancy...
- 9 Where paragraph 8(1) above has effect in relation to a...
- 10 Where paragraph 8(1) above has effect in relation to a...
- 11 Any reference in Grounds 1 to 5 in Part I...

## SCHEDULE 2A — Assured Tenancies: Non-Shortholds

### *Tenancies excluded by notice*

- 1 (1) An assured tenancy in respect of which a notice...
- 2 (1) An assured tenancy in respect of which a notice...

### *Tenancies containing exclusionary provision*

- 3 An assured tenancy which contains a provision to the effect...

### *Tenancies under section 39*

- 4 An assured tenancy arising by virtue of section 39 above,...

### *Former secure tenancies*

- 5 An assured tenancy which became an assured tenancy on ceasing...

### *Former demoted tenancies*

- 5A An assured tenancy which ceases to be an assured shorthold...

### *Tenancies under Schedule 10 to the Local Government and Housing Act 1989*

- 6 An assured tenancy arising by virtue of Schedule 10 to...

### *Tenancies replacing non-shortholds*

- 7 (1) An assured tenancy which— (a) is granted to a...
- 8 An assured tenancy which comes into being by virtue of...

### *Assured agricultural occupancies*

- 9 (1) An assured tenancy— (a) in the case of which...

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

### SCHEDULE 3 — Agricultural Worker Conditions

#### *Interpretation*

- (1) In this Schedule— “the 1976 Act” means the Rent...

#### *The conditions*

- The agricultural worker condition is fulfilled with respect to a...
- (1) The agricultural worker condition is also fulfilled with respect...
- The agricultural worker condition is also fulfilled with respect to...
- (1) This paragraph applies where— (a) by virtue of any...

### SCHEDULE 4 — Statutory Tenants: Succession

#### Part I — AMENDMENTS OF SCHEDULE 1 TO RENT ACT 1977

- In paragraph 1 the words “or, as the case may...
- At the end of paragraph 2 there shall be inserted...
- In paragraph 3— (a) after the words “residing with him”...
- In paragraph 4 the words “or 3” shall be omitted...
- In paragraph 5— (a) for the words from “or, as...
- For paragraph 6 there shall be substituted the following paragraph—...
- Paragraph 7 shall be omitted.
- In paragraph 10(1)(a) for the words “paragraphs 6 or 7”...
- At the end of paragraph 11 there shall be inserted...

#### Part II — AMENDMENTS OF SECTION 4 OF RENT (AGRICULTURE) ACT 1976

- In subsection (2) the words “or, as the case may...
  - In subsection (4)— (a) in paragraph (b) after the words...
  - In subsection (5) for the words “subsections (1), (3) and...
- #### Part III — MODIFICATIONS OF SECTION 7 AND SCHEDULE 2
- (1) Subject to sub-paragraph (2) below, in relation to the...
  - If by virtue of section 39(8) of this Act, the...
  - (1) In relation to the assured tenancy to which the...

### SCHEDULE 5 —

#### *Status*

- (1) Housing for Wales is a body corporate and is...

#### *Membership*

- (1) The members of the Corporation shall be—
- (1) The appointed members shall hold and vacate office in...

#### *Chairman and Deputy Chairman*

- (1) The Secretary of State shall appoint one of the...

#### *Remuneration and allowances*

- (1) The Corporation may pay the Chairman, Deputy Chairman and...

#### *Pensions*

- (1) The Secretary of State may, with the consent of...

*Changes to legislation: Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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*

---

*Staff*

- 7 (1) There shall be a chief executive of the Corporation....
- 8 (1) The Corporation may appoint, on such terms and conditions...
- 9 (1) Not later than such date as the Secretary of...
- 10 (1) Where a person becomes an employee of the Corporation...
- 11 (1) Any dispute as to whether an offer of employment...

*Proceedings*

- 12 (1) The quorum of the Corporation and the arrangements relating...
- 13 (1) Where a member of the Corporation is in any...
- 14 (1) The fixing of the Corporation’s seal may be authenticated...

SCHEDULE 6 — Amendments of Housing Associations Act 1985  
 Part I — AMENDMENTS OF PART I WITH RESPECT TO THE HOUSING  
 CORPORATION, HOUSING FOR WALES AND SCOTTISH HOMES

- 1 .....
- 2 .....
- 3 .....
- 4 .....
- 5 .....
- 6 .....
- 7 (1) In section 9 (control by Corporation of disposition of...
- 8 (1) In section 10 (dispositions excepted from section 9), in...
- 9 .....
- 10 .....
- 11 .....
- 12 .....
- 13 .....
- 14 .....
- 15 .....
- 16 .....
- 17 .....
- 18 .....
- 19 .....
- 20 .....
- 21 .....
- 22 .....
- 23 In section 33 (recognition of central association), in subsection (1)...
- 24 After section 33 there shall be inserted the following section—...
- 25 In section 39 (minor definitions) before the definition of “...  
 26 In section 40 (index of defined expressions in Part I)—...  
 Part II — AMENDMENTS OF PART II WITH RESPECT TO THE HOUSING  
 CORPORATION AND HOUSING FOR WALES
- 27 (1) In section 63 (building society advances) for the words...
- 28 (1) In section 69 (power to vary or terminate certain...
- 29 In section 69A (land subject to housing management agreement) for...
- 30 (1) In Part I of Schedule 5 (residual subsidies)—  
 Part III — AMENDMENTS OF PART III WITH RESPECT TO THE HOUSING  
 CORPORATION AND HOUSING FOR WALES
- 31 (1) In section 74 (constitution of Housing Corporation etc.), in...
- 32 In section 75 (general functions), in subsection (1)(c) for the...
- 33 At the end of section 77 (advisory service) there shall...

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

- 34 (1) In section 83 (power to guarantee loans), in subsection...
- 35 (1) In section 93 (limit on borrowing), in subsection (2)...
- 36 In section 106(1) (minor definitions: general) for the definition of...
- 37 In Schedule 6, paragraph 3(3)(b) shall be omitted.

#### SCHEDULE 7 — Housing Action Trusts: Constitution

##### *Members*

- 1 A housing action trust (in this Schedule referred to as...
- 2 (1) In appointing members of a trust the Secretary of...
- 3 Subject to the following provisions of this Schedule, each member...
- 4 If the chairman or deputy chairman ceases to be a...
- 5 Any member of the trust may, by notice in writing...
- 6 If the Secretary of State is satisfied that a member...
- 7 A member of the trust who ceases to be a...

##### *Remuneration*

- 8 The trust may pay to each member such remuneration and...
- 9 The trust may pay or make provision for paying, to...
- 10 Where a person ceases to be a member of a...

##### *Staff*

- 11 (1) There shall be a chief officer of the trust...
- 12 (1) Employees of the trust shall be appointed at such...

##### *Meetings and proceedings*

- 13 The quorum of the trust and the arrangements relating to...
- 14 The validity of any proceedings of the trust shall not...

##### *Instruments, etc.*

- 15 The fixing of the seal of the trust shall be...
- 16 Any document purporting to be a document duly executed under...
- 17 A document purporting to be signed on behalf of a...

##### *House of Commons disqualification*

- 18 In Part III of Schedule 1 to the House of...

#### SCHEDULE 8 — Housing Action Trusts: Finance Etc.

##### Part I — PRELIMINARY

- 1 (1) References in this Schedule to a trust are to...

##### Part II — FINANCE

##### *Financial duties*

- 2 (1) After consultation with a trust, the Secretary of State...

##### *Government grants*

- 3 (1) The Secretary of State may (out of moneys provided...

*Changes to legislation: Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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*

---

*Borrowing*

- 4 (1) A trust may borrow temporarily, by way of overdraft...

*Guarantees*

- 5 (1) The Treasury may guarantee, in such manner and on...

*Assumed debt*

- 6 (1) On any acquisition to which this paragraph applies, a...

*Surplus funds*

- 7 (1) Where it appears to the Secretary of State, after...

*Financial limits*

- 8 (1) The aggregate amount of the sums mentioned in sub-paragraph...

*Grants and loans: accounts*

- 9 (1) The Secretary of State shall prepare in respect of...  
Part III — GENERAL ACCOUNTS ETC.

*Accounts*

- 10 (1) A trust shall keep proper accounts and other records...

*Audit*

- 11 (1) The trust's accounts and statements of accounts shall be...

*Transmission to Secretary of State*

- 12 As soon as the accounts and statement of accounts of...

*Reports*

- 13 (1) As soon as possible after the end of each...

*Information*

- 14 Without prejudice to paragraph 13 above, a trust shall provide...

SCHEDULE 9 — Orders Vesting Land in Housing Action Trusts

Part I — PROVISIONS SUPPLEMENTING SECTION 76(1)—(3)

- 1 In this Part of this Schedule “the principal section” means...  
2 (1) In the principal section and paragraph 3 below, “statutory...  
3 (1) In subsection (3) of the principal section the reference...  
4 In the principal section and, except where the context otherwise...  
5 An order under any provision of this Part of this...

Part II — MODIFICATIONS OF ENACTMENTS

*Land Compensation Act 1961*

- 6 The Land Compensation Act 1961 shall have effect in relation...  
7 References to the date of service of a notice to...  
8 Section 17(2) shall be treated as if for the words...

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

- 9 In section 22— (a) subsection (2) shall be treated as...
- 10 Any reference to a notice to treat in section 39(2)...
- 11 In Schedule 2, paragraph 1(2) shall be treated as if...

*Compulsory Purchase (Vesting Declarations) Act 1981*

- 12 (1) In Schedule 2 to the Compulsory Purchase (Vesting Declarations)...

SCHEDULE 10 — Housing Action Trusts: Land

Part I — MODIFICATIONS OF ACQUISITION OF LAND ACT 1981

- 1 The Acquisition of Land Act 1981 (in this Part referred...
- 2 (1) Where a compulsory purchase order authorising the acquisition of...
- 3 The reference in section 17(3) of the 1981 Act to...

Part II — LAND: SUPPLEMENTARY

*Extinguishment of rights over land*

- 4 (1) Subject to this paragraph, on an order under section...

*Power to override easements*

- 5 (1) The erection, construction or carrying out, or maintenance of...

*Consecrated land and burial grounds*

- 6 (1) Any consecrated land, whether including a building or not,...

*Open spaces*

- 7 (1) Any land being, or forming part of, a common,...

*Displacement of persons*

- 8 If the Secretary of State certifies that possession of a...

*Extinguishment of public rights of way*

- 9 (1) Where any land has been vested in or acquired...
- 10 (1) In this paragraph any reference to making a final...

*Telegraphic lines*

- 11 (1) Where an order under paragraph 9 above extinguishing a...

*Statutory undertakers*

- 12 (1) Where any land has been acquired by a housing...
- 13 (1) Before making an order under paragraph 12(4) above the...
- 14 (1) Subject to this paragraph, where any land has been...
- 15 (1) The powers conferred by this paragraph shall be exercisable...
- 16 (1) As soon as may be after making such a...
- 17 (1) Where, on a representation made by statutory undertakers, the...
- 18 (1) For the purposes of paragraphs 15 and 17 above,...

*Interpretation*

- 19 Land: Supplementary  
Part III — ACQUISITION OF RIGHTS

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

- 20 (1) The Compulsory Purchase Act 1965 (in this Part of...  
 21 (1) For section 7 of the 1965 Act (which relates...  
 22 Section 8(1) of the Compulsory Purchase Act 1965 has effect...  
 23 (1) The following provisions of the 1965 Act (which state...

#### SCHEDULE 11 — Provisions Applicable to Certain Disposals of Houses

##### *Repayment of discount on early disposal*

- 1 (1) This paragraph applies where, on the disposal of a...

##### *Increase in value of house attributable to home improvements*

- 1A (1) In calculating the maximum amount which may be demanded...

##### *Obligation to repay a charge on the house*

- 2 (1) The liability that may arise under the covenant required...

##### *Right of first refusal for housing action trust*

- 2A (1) This paragraph applies where, on the disposal of a...

##### *Consideration payable for disposal under paragraph 2A*

- 2B (1) The consideration for a disposal made in respect of...

##### *Relevant disposals*

- 3 (1) A disposal, whether of the whole or part of...

##### *Exempted disposals*

- 4 (1) A disposal is an exempted disposal for the purposes...

##### *Compulsory disposal*

- 5 In this Schedule a “compulsory disposal” means a disposal of...

##### *Exempted disposals ending obligation under covenants*

- 6 Where there is a relevant disposal which is an exempted...

##### *Treatment of options*

- 7 For the purpose of this Schedule, the grant of an...

##### *Treatment of deferred resale agreements*

- 8 (1) If a purchaser or his successor in title enters...

#### SCHEDULE 12 —

##### *Interpretation*

- 1 In this Schedule— “transferred property” means property which is the...



**Changes to legislation:** *Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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*

---

*Acquisitions under section 104(1)(a)*

- 2 (1) Where a landlord makes a grant of transferred property,...

*Procedures on termination of leases granted under section 104(1)(b)*

- 3 (1) If a lease granted under section 104(1)(b) of this...

SCHEDULE 13 — Amendments of Landlord and Tenant Act 1987

- 1 In Part I of the Landlord and Tenant Act 1987...
- 2 (1) In section 3 of that Act (qualifying tenants), in...
- 3 (1) In section 4 of that Act (relevant disposals) after...
- 4 (1) In Part III of that Act (compulsory acquisition by...
- 5 In Part IV of that Act (variation of leases), for...
- 6 In section 40 (application for variation of insurance provisions of...
- 7 In Part VII of that Act (general), in section 58...

SCHEDULE 14 — Appointment etc. of Rent Officers

Part I — AMENDMENTS OF SECTION 63 OF RENT ACT 1977

- 1 In subsection (1), paragraph (b) and the word “and” immediately...
- 2 In subsection (2)— (a) in paragraph (a) the words “and...
- 3 After subsection (2) there shall be inserted the following subsection—...
- 4 In subsection (3) the words “and deputy rent officers” shall...
- 5 In subsection (7)— (a) in paragraph (b) the words “and...

Part II — SECTIONS TO BE INSERTED IN RENT ACT 1977 AFTER SECTION

64

Amalgamation schemes (1) If the Secretary of State is of the opinion

—...

SCHEDULE 15 — Repair Notices: Amendments of Housing Act 1985, Part VI

- 1 (1) In section 189 (repair notice in respect of unfit...
- 2 (1) In section 190 (repair notice in respect of house...
- 3 (1) In section 191 (appeals against repair notices), after subsection...
- 4 (1) In section 192 (power to purchase houses found on...
- 5 (1) In section 193 (power of local housing authority to...
- 6 (1) In section 194 (notice of authority’s intention to execute works),...
- 7 In section 198 (penalty for obstruction), in subsection (2) for...
- 8 After section 198 there shall be inserted the following section—...
- 9 Sections 199 to 201 (recovery by lessee of proportion of...
- 10 In section 203 (saving for rights arising from breach of...
- 11 In section 205 (application of provisions to parts of buildings...
- 12 (1) In section 207 (definitions)— (a) for the definition beginning...
- 13 (1) In Schedule 10 (recovery of expenses incurred by local...

SCHEDULE 16 — Schedule to be Inserted in the Housing (Scotland) Act 1987

SCHEDULE 17 — Minor and Consequential Amendments

Part I — GENERAL AMENDMENTS

*The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951*

- 1 In section 4 of the Reserve and Auxiliary Forces (Protection...
- 2 For section 16 of that Act (protection of tenure of...
- 3 For the said section 16, as it applies to Scotland,...

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

- 4 (1) Section 17 of that Act (provisions in case of...
- 5 (1) The said section 17, as it applies to Scotland,...
- 6 (1) In section 18 of that Act (protection of tenure,...
- 7 For section 19 of that Act (limitation on application of...
- 8 For the said section 19, as it applies to Scotland,...
- 9 (1) Section 20 of that Act (modification of Rent Acts...
- 10 (1) The said section 20, as it applies to Scotland,...
- 11 In section 22 of that Act (facilities for action on...
- 12 In the said section 22, as it applies to Scotland,...
- 13 (1) Section 23 of that Act (interpretation of Part II),...
- 14 (1) The said section 23, as it applies to Scotland,...

*The Leasehold Reform Act 1967*

- 15 In section 28 of the Leasehold Reform Act 1967 (retention...
- 16 In section 29 of that Act (reservation of future right...
- 17 (1) In Schedule 4A to that Act (which is set...
- 18 .....

*The Local Government Act 1974*

- 19 In section 25 of the Local Government Act 1974 (local...

*The Consumer Credit Act 1974*

- 20 In section 16 of the Consumer Credit Act 1974 (exempt...

*The Rent (Agriculture) Act 1976*

- 21 In section 28 of the Rent (Agriculture) Act 1976 (rehousing:...

*The Rent Act 1977*

- 22 In the Rent Act 1977, sections 68 and 69, Part...
- 23 In section 77 of that Act (which provides for the...
- 24 Section 89 of the Rent Act 1977 (which provides for...
- 25 In section 137 of the Rent Act 1977 (effect on...

*The Protection from Eviction Act 1977*

- 26 In section 7 of the Protection from Eviction Act 1977...

*The Justices of the Peace Act 1979*

- 27 .....

*The Local Government, Planning and Land Act 1980*

- 28 In Schedule 16 to the Local Government, Planning and Land...
- 29 In Schedule 28 to the Local Government, Planning and Land...

*The Highways Act 1980*

- 30 In Schedule 6 to the Highways Act 1980, in Part...

*The New Towns Act 1981*

- 31 In section 22 of the New Towns Act 1981 (possession...

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

*The Acquisition of Land Act 1981*

32 (1) In section 12(2) of the Acquisition of Land Act...

*The Matrimonial Homes Act 1983*

33 .....  
34 .....

*The County Courts Act 1984*

35 (1) In section 66 of the County Courts Act 1984...

*The Matrimonial and Family Proceedings Act 1984*

36 In section 22 of the Matrimonial and Family Proceedings Act...

*The Local Government Act 1985*

37 In section 101 of the Local Government Act 1985 (power...

*The Housing Act 1985*

38 .....  
39 .....  
40 In section 115 of that Act (meaning of “long tenancy”),...  
41 In section 155 of that Act (repayment of discount on...  
42 In section 171F of that Act (subsequent dealings after disposal...  
43 In section 236 of that Act at the end of...  
44 In section 238 of that Act (index of defined expressions...  
45 In section 247 of that Act (notification of certain disposals...  
46 In section 263 of that Act (index of defined expressions...  
47 In Part IX of that Act (slum clearance) in the...  
48 In section 309 of that Act (recovery of possession of...  
49 In section 323 of that Act (index of defined expressions...  
50 In section 368 of that Act (means of escape from...  
51 In section 381 of that Act (general effect of control...  
52 (1) In section 382 of that Act (effect of control...  
53 In section 400 of that Act (index of defined expressions...  
54 In section 429A of that Act (housing management: financial assistance...  
55 In section 434 of that Act (index of defined expressions...  
56 .....  
57 .....  
58 In section 459 of that Act (index of defined expressions...  
59 In section 533 of that Act (assistance for owners of...  
60 In section 553 of that Act (effect of repurchase of...  
61 (1) In section 554 of that Act (grant of tenancy...  
62 In section 577 of that Act (index of defined expressions...  
63 In section 612 of that Act (exclusion of Rent Act...  
64 In section 622 of that Act (definitions: general) before the...  
65 In Schedule 2 to that Act, in Part IV (grounds...  
66 In Schedule 5 to that Act, in paragraph 3, after...

*The Landlord and Tenant Act 1985*

67 (1) In section 5 of the Landlord and Tenant Act...

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

68 In section 26 of that Act (tenants of certain public...

*The Agricultural Holdings Act 1986*

69 (1) In Schedule 3 to the Agricultural Holdings Act 1986...

70 In Schedule 5 to that Act (notice to quit where...

*The Drug Trafficking Offences Act 1986*

71 .....

72 .....

*The Insolvency Act 1986*

73 In section 308 of the Insolvency Act 1986 (vesting in...

74 In section 335 of that Act (adjustment between earlier and...

75 In section 351 of that Act (definitions), in paragraph (a),...

*The Social Security Act 1986*

76 In section 31 of the Social Security Act 1986 (information...

*The Housing (Scotland) Act 1987*

77 In section 12 of the Housing (Scotland) Act 1987 (which...

78 In section 13 of that Act (power of Secretary of...

79 In section 61(4)(b) of the Housing (Scotland) Act 1987 after...

*The Access to Personal Files Act 1987*

80 .....

*The Criminal Justice (Scotland) Act 1987*

81 In section 33 of the Criminal Justice (Scotland) Act 1987...

82 In section 34 of that Act (bankruptcy in England and...

*The Criminal Justice Act 1988*

83 In section 84 of the Criminal Justice Act 1988 (bankruptcy...

84 In section 85 of that Act (sequestration in Scotland of...

*The Housing (Scotland) Act 1988*

85 In section 19 of the Housing (Scotland) Act 1988 (notice...

86 In section 36 of that Act (damages for unlawful eviction)—...

87 In section 38 of that Act (further offence of harassment)—...

88 In section 36 of that Act (damages for unlawful eviction)—...

89 In section 63 of that Act (consent for subsequent disposals)...

90 In Schedule 4 to that Act (tenancies which cannot be...

Part II — AMENDMENTS CONSEQUENTIAL ON THE ESTABLISHMENT OF  
HOUSING FOR WALES

*The Land Commission Act 1967*

91 .....

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

*The Parliamentary Commissioner Act 1967*

- 92 In Schedule 2 to the Parliamentary Commissioner Act 1967  
(departments...

*The Income and Corporation Taxes Act 1970*

- 93 In section 342 of the Income and Corporation Taxes Act...

*The Land Compensation Act 1973*

- 94 In section 32(7B)(b) of the Land Compensation Act 1973  
(supplementary...

*The House of Commons Disqualification Act 1975*

- 95 In Schedule 1 to the House of Commons Disqualification Act...

*The Statutory Corporations (Financial Provisions) Act 1975*

- 96 In Schedule 2 to the Statutory Corporations (Financial Provisions) Act...

*The Development of Rural Wales Act 1976*

- 97 .....

*The Rent (Agriculture) Act 1976*

- 98 In section 5(3) of the Rent (Agriculture) Act 1976 (no...

*The Rent Act 1977*

- 99 In section 15(2)(a) of the Rent Act 1977 (landlord's interest...  
100 In each of the following provisions of that Act, that...

*The Criminal Law Act 1977*

- 101 In section 7(5) of the Criminal Law Act 1977 (authorities...

*The National Health Service Act 1977*

- 102 In section 28A(2)(e) of the National Health Service Act 1977...  
103 In section 28B(1)(b)(v) of that Act (power of Secretary of...

*The Local Government, Planning and Land Act 1980*

- 104 In Schedule 16 to the Local Government, Planning and Land...

*The Finance Act 1981*

- 105 In section 107(3) of the Finance Act 1981 (exemption from...

*The Housing Act 1985*

- 106 In the Housing Act 1985 for the words "Housing Corporation"...  
107 .....
- 108 In section 57 of that Act (index of defined expressions:...
- 109 In section 117 of that Act (index of defined expressions:...
- 110 In section 188 of that Act (index of defined expressions:...

**Changes to legislation:** Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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

---

- 111 In section 238 of that Act (index of defined expressions:...
- 112 In section 459 of that Act (index of defined expressions:...
- 113 In section 577 of that Act (index of defined expressions:...

*The Landlord and Tenant Act 1987*

- 114 In section 58(1) of the Landlord and Tenant Act 1987...

*The Income and Corporation Taxes Act 1988*

- 115 In section 376(4) of the Income and Corporation Taxes Act...
- 116 In section 560(2)(e) of that Act (persons who are sub-contractors...

SCHEDULE 18 — Enactments Repealed

- 1 The repeal of sections 19 to 21 of the Rent...
- 2 The repeal of section 52 of the Housing Act 1980...
- 3 The repeal of sections 56 to 58 of the Housing...
- 4 The repeals in section 80 of the Housing Act 1985—...

**Changes to legislation:**

Housing Act 1988 is up to date with all changes known to be in force on or before 10 May 2024. 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 :**

- s. 5(1)(b) word omitted by [2016 c. 22 s. 63\(a\)](#)
- s. 5(1)(c) and word inserted by [2016 c. 22 s. 63\(b\)](#)
- s. 6A(4)(a) words substituted by [2006 c. 48 Sch. 14 para. 15\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 14 para. 15 repealed without ever being in force by 2014 c. 12, Sch. 11 para. 50)
- s. 6A(10A) inserted by [2006 c. 48 Sch. 14 para. 15\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 14 para. 15 repealed without ever being in force by 2014 c. 12, Sch. 11 para. 50)
- s. 5455 repealed by [2001 asp 10 Sch. 10 para. 15\(5\)](#)
- s. 81(8)(ab) words omitted by [2018 anaw 1 Sch. 1 para. 2\(2\)](#)
- Sch. 1 para. 12A(1) words omitted by [2016 c. 19 Sch. 11 para. 2\(b\)\(vi\)](#)
- Sch. 2 Pt. 1 Ground 2A inserted by [2014 anaw 7 s. 138](#)
- Sch. 2 Pt. 1 Ground 7B words omitted by [S.I. 2019/745 reg. 9](#) (This amendment not applied to legislation.gov.uk. Reg. 9 omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

**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](#)