1990 No. 207

HOUSING, ENGLAND AND WALES

The Housing (Right to Buy) (Prescribed Forms) (Amendment) Regulations 1990

Made - - - -	*7th February 1990*
Coming into force	*1st March 1990*

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by section 176(1) and (5) of the Housing Act 1985(**a**) and of all other powers enabling them in that behalf, hereby make the following Order–

1. This Order may be cited as the Housing (Right to Buy) (Prescribed Forms) (Amendment) Regulations 1990 and shall come into force on the 1st March 1990.

2. The form set out in Schedule 2 to the Housing (Right to Buy) (Prescribed Forms) Regulations 1986(**b**) is amended as follows–

(a) in Part A–

(i) after "admitted" in the second place where that word occurs insert "(but if Part C below is completed you will not have the right to buy the property if the landlord's application referred to there is successful)"; and

(ii) in the note to tenant before "required" insert "(unless Part C below is completed)";

(b) in the note to tenant at the end of Part B, omit "by the Housing and Planning Act 1986"; and

(c) after Part B insert–

"Part C: Elderly persons dwellings—notice of landlord's application to Secretary of State

The landlord made an application to the Secretary of State on ..... [*date*] to have your property excluded from the right to buy on the ground that it–

(a) was first let before 1st January 1990;

(b) is particularly suitable, having regard to its location, size, design, heating system and other features, for occupation by persons of pensionable age; and

(c) was let to you (or someone to whom you are a successor tenant) for occupation by a person of pensionable age.

You will receive a letter from the Secretary of State asking you to comment on the landlord's application. If, after considering any comments from you or the landlord, the Secretary of State refuses the landlord's application, you may go ahead with your purchase (unless the landlord has correctly denied your right to buy for some other reason stated in Part B above). If the Secretary of State agrees to the landlord's application, you will not have the right to buy the property.".

(**a**) 1985 c. 68.
(**b**) 1986/2194, to which there are amendments not relevant to these Regulations.

3. Nothing in these Regulations shall affect the validity of a notice served under section 124(1) of the Housing Act 1985 before 1st June 1990 if the notice was in the form originally prescribed by the Regulations mentioned in regulation 2 and no application for a determination under paragraph 11 of Schedule 5 to that Act(a) is made.

Chris Patten
Secretary of State for the Environment

7th February 1990

Signed by authority of the Secretary of State for Wales
7th February 1990

Ian Grist
Parliamentary Under-Secretary of State, Welsh Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the prescribed form of notice to be used by a landlord to accept or reject a secure tenant's claim to exercise the right to buy under Part V of the Housing Act 1985. They are consequential on section 164 of the Local Government and Housing Act 1989 which substitutes in Schedule 5 to the 1985 Act (exceptions to the right to buy) a new paragraph 11 (certain dwelling-houses for persons of pensionable age).

(a) Paragraph 11 was substituted by section 164 of the Local Government and Housing Act 1989 (c. 42).

50p net

ISBN 0 11 003207 1

Printed in the United Kingdom by HMSO at Edinburgh Press
850 WO 245 C46 2/90 452/4 19593 PS 8350958 (276102)