

The Housing Act 2004: A Legislative Perspective

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22 May 2006



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Green Paper: *Quality and Choice: A Decent Home for All*

Four key points:

- Too many people were living in poor-quality housing or found that their landlord did not provide a proper service
- Many people lived on estates which have been left to deteriorate
- Many families and individuals were living in housing that was not energy efficient and in which it was difficult to keep warm
- Public sector tenants have been denied choice

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22 May 2006

Three key aims came out of the Green Paper:

- To improve the conditions and opportunities of the minority who face severe problems, such as poor conditions in both public and private housing
- To tackle the more general problems faced by most people at some point in their lives, such as the difficulties that can be encountered in selling and buying a home.
- To do this without undermining the successful features of the current system, which delivers decent housing to the majority of people

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The key parts of the Act are:

- The Housing Health and Safety Rating System
- Licensing of Houses in Multiple Occupation
- Empty Dwelling Management Orders
- Tenancy Deposit Schemes
- Home Information Packs

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Home Health And Safety Rating System

- Physiological requirements – Damp and mould growth; Excess cold
- Psychological requirements – Entry by intruders; Noise; Lighting
- Protection against infection – Domestic hygiene, pests and refuse
- Protection against accidents – Falls; Electrical hazards; Fire

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Houses in multiple occupation can be defined as:

- An entire house or flat which is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet.
- A house which has been converted entirely into bedsits or other non-self-contained accommodation and which is let to 3 or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities.
- A converted house which contains one or more flats which are not wholly self contained and which is occupied by 3 or more tenants who form two or more households.

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Two types of Empty Dwelling Management Order

- Interim order
- Final order

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Tenancy Deposit Schemes will have two main purposes:

- to safeguard tenancy deposits paid in connection with assured shorthold tenancies
- to facilitate the resolution of disputes arising in connection with such deposits

There will be two types of scheme:

- Custodial scheme
- Insurance-based scheme

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Each Home Information Pack will contain:

- Terms of sale
- Evidence of title
- Replies to standard preliminary enquiries made on behalf of buyers
- Copies of any planning, listed building and building regulations consents and approvals
- For new properties, copies of warranties and guarantees
- Any guarantees for work carried out on the property
- Replies to local searches
- A home condition report based on an inspection of the property, including an energy efficiency assessment.