

# RIGHT TO ACQUIRE POLICY

<b>Board/EG Approval:</b>	November 2019	<b>Responsible Board:</b>	Ocean Housing Ltd
<b>Next Review:</b>	November 2021	<b>Responsible Executive:</b>	Managing Director of Ocean Housing Ltd

## 1.0 INTRODUCTION

- 1.1 Following transfer of the housing stock to Ocean Housing Ltd (OHL), tenants who were secure tenants of Restormel Borough Council retain the right to buy their homes, known as the “Preserved Right to Buy”.
- 1.2 After transfer, all new tenants of OHL will be offered tenancies of OHL properties as “assured tenants” and will not have the same right. Instead, they may be able to purchase their home under legislation known as “The Right to Acquire”
- 1.3 OHL will dispose of new dwellings provided by OHL with public finance, together with the transferred stock in accordance with the provisions of Sections 16 and 17 of the Housing Act 1996 (Right to Acquire).

## 2.0 RIGHT TO ACQUIRE

- 2.1 A tenant of a registered social landlord has the right to acquire the dwelling of which he or she is the tenant if:-
  - a) He or she is a tenant under an assured tenancy held for 3 years or more
  - b) The dwelling was provided with public money
  - c) He or she satisfies further qualifying conditions applicable under Part V of the Housing Act 1985 (the Right to Buy).

## 3.0 EXCEPTIONS TO THE RIGHT TO ACQUIRE

- 3.1 Some new tenants of OHL will be excluded from the Right to Acquire by order of the Secretary of State.
- 3.2 Under the order, the Housing [Right to Acquire or Enfranchise] [Designated Rural Areas in the South West] Order 1997, tenants in certain rural areas are not allowed to purchase their dwellings under the Right to Acquire legislation Appendix A1
- 3.3 Properties let as a consequence of a Tenant’s employment will be excluded from the right to acquire
- 3.4 Properties where a final demolition notice is in force will also be excluded from the right to acquire
- 3.5 Any change to this exception policy may be determined only by Order of the Secretary of State.

**THE HOUSING (RIGHT TO ACQUIRE OR ENFRANCHISE) (DESIGNATED RURAL AREAS IN THE SOUTH WEST) ORDER 1997 – PART IV CORNWALL AND THE ISLES OF SCILLY**

Advent, Altarnun, Antony,

Blisland, Boconnoc, Botusfleming, Boyton, Breage, Broadoak, Budock,

Calstock, Camelford, Cardinham, Carharrack, Carn Brea, Chacewater, Colan, Constantine, Crantock, Crowan, Cubert, Cuby, Cury,

Davidstow, Dobwalls and Trewidland, Duloe,

Egloshayle, Egloskerry,

Feock, Forrabury and Minster, Fowey,

Germoe, Gerrans, Grade Ruan, Grampound with Creed, Gunwalloe, Gweek, Gwennap, Gwinear, Gwithian,

Helland,

Jacobstow,

Kea, Kilkhampton,

Ladock, Landewednack, Landrake with St Erney, Landulph, Laneast, Lanhydrock, Lanivet, Lanlivery, Lanner, Lanreath, Lansallos, Lanteglos, Launcells, Lawhitton Rural, Lesnewth, Lewannick, Lezant, Linkinhome, Lostwithiel, Ludgvan, Luxulyan,

Mabe, Madron, Maker with Rame, Manaccan, Marazion, Marhamchurch, Mawgan in Meneage, Mawgan in Pydar, Mawnan, Menheniot, Mevagissey, Michaelstow, Millbrook, Morvah, Morval, Morwenstow, Mullion, Mylor,

North Hill, North Petherwin, North Tamerton,

Otterham,

Padstow, Paul, Pelynt, Penryn, Perranarworthal, Perranuthnoe, Perranzabuloe, Philleigh, Pillaton, Porthleven, Portreath, Poundstock, Probus,

Quethiock,

Roche, Ruanlanihorne,

Sancreed, Sennen, Sheviock, Sithney, South Hill, South Petherwin, St Agnes, St Allen, St Anthony in Meneage, St Breock, St Breward, St Buryan, St Cleer, St Clement, St Clether, St Columb Major, St Day, St Dennis, St Dominick, St Endellion, St Enoder, St Erme, St Erth, St Ervan, St Eval, St Ewe, St Gennys, St Germans, St Gluvias, St Goran, St Hilary, St Issey, St Ive, St John, St Juliot, St Just, St Just in Roseland, St Keverne, St Kew, St Keyne, St Levan, St Mabyn, St Martin, St Martin in Meneage, St Mellion, St Merryn, St Mewan, St Michael Caerhays, St Michael Penkevil, St Michaels Mount, St Minver Highlands, St Minver Lowlands, St Neot, St Newlyn East, St Pinnock, St Sampson, St Stephen in Brannel, St Stephens by Launceston Rural, St Teath, St Thomas the Apostle Rural, St Tudy, St Veep, St Wenn, St Winnow, Stithians, Stokeclimland,

Tintagel, Towednack, Tregoney, Tremaine, Treneglos, Tresmeer, Trevalga, Treverbyn, Trewen, Tywardreath,

Veryan,

Warbstow, Warleggan, Week St Mary, Wendron, Werrington, Whitstone, Withiel,

Zennor,

The Isles of Scilly.