

RIGHT TO ACQUIRE POLICY

Board/EG Approval:	November 2021	Responsible Board:	Ocean Housing Ltd
Next Review:	November 2024	Responsible Executive:	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 Since the transfer, all new tenants of OHL have been offered tenancies of OHL properties as “assured tenants” and do 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 with grant funding, 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 provider has the right to acquire the dwelling of which he or she is the tenant if:
- a) They have held a tenancy with a public sector landlord for 3 years. These landlords include:
 - housing associations
 - councils
 - the armed services
 - NHS trusts and foundation trusts
 - b) Their property was either:
 - built or bought by a housing association after 31 March 1997 (and funded through a social housing grant provided by the Housing Corporation or local council)
 - transferred from a local council to a housing association after 31 March 1997
 - c) Their landlord is [registered with the Regulator of Social Housing](#).

3.0 EXCEPTIONS TO THE RIGHT TO ACQUIRE

- 3.1 Some 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
- 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.