

SCHEDULE

Articles 6 and 7

MODIFICATION OF APPLICATION OF PROVISIONS

Excuses available for landlords

1. For the purposes of article 6, section 24 (excuses available to landlords) of the Act is modified as if for paragraph (4) there were substituted—

“(4) But where compliance with the prescribed requirements discloses that a relevant occupier is a person with a limited right to rent, the landlord is excused under subsection (2) (a) only if—

- (a) in respect of an original occupier who had a right of occupation under a previous residential tenancy agreement, the requirements are complied with in relation to that occupier within such period as may be prescribed in relation to the entering into of that previous residential tenancy agreement, and
- (b) in respect of a new occupier, the requirements are complied with in relation to that occupier within such period as may be prescribed in relation to the entering into of the varied tenancy, tenant assigned tenancy or new joint tenancy agreement.”.

Excuses available for agents

2. For the purposes of article 6, section 26 (excuses available to agents) of the Act is modified as if for paragraph (4) there were substituted—

“(4) But where compliance with the prescribed requirements discloses that a relevant occupier is a person with a limited right to rent, the agent is excused under subsection (2) only if—

- (a) in respect of an original occupier who had a right of occupation under a previous residential tenancy agreement, the requirements are complied with in relation to that occupier within such period as may be prescribed in relation to the entering into of that previous residential tenancy agreement, and
- (b) in respect of a new occupier, the requirements are complied with in relation to that occupier within such period as may be prescribed in relation to the entering into of the varied tenancy, tenant assigned tenancy or new joint tenancy agreement.”.

3. For the purposes of article 7, section 24 (excuses available to landlords) of the Act is modified as if for paragraph (6)(a) there were substituted—

“the landlord, or any previous landlord, has notified the Secretary of State of the contravention as soon as reasonably practicable;”.

4. For the purposes of article 7, section 26 (excuses available to agents) of the Act is modified as if for paragraph (6)(a) there were substituted—

“the agent, or any previous landlord or agent, has notified the Secretary of State and if relevant, the landlord responsible for the contravention at the time of making the notification, as soon as reasonably practicable;”.