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SCHEDULES

SCHEDULE 3

HOUSING ASSOCIATION TENANCIES

PART I

INTERIM PROTECTION OF HOUSING ASSOCIATION TENANTS

- 1 (1) The provisions of this Part of this Schedule apply where,—
- (a) before the passing of this Act, any premises have been let on a tenancy (in this Part of this Schedule referred to as " the former tenancy "); and
 - (b) by reason only of section 5(5) of the Rent Act 1968 or of section 5(4) of the Rent (Scotland) Act 1971 (exclusion of housing association tenancies from protection) the former tenancy was not a protected tenancy on the relevant day; and
 - (c) the former tenancy has come to an end before the passing of this Act or comes to an end after the passing of this Act but before the operative date ; and
 - (d) at any time after the passing of this Act or the termination of the former tenancy, whichever is the later, any of the persons specified in sub-paragraph (3) below remains in occupation of the premises or part of them and in residence therein.
- (2) In this Part of this Schedule " the relevant day ", in relation to a tenancy, means,—
- (a) in the case of a tenancy which expired before the passing of this Act, the day on which it expired ; and
 - (b) in any other case, the day immediately preceding that on which this Act was passed.
- (3) The persons referred to in sub-paragraph (1)(d) above are—
- (a) the tenant under the former tenancy ;
 - (b) any person to whom the premises or any part thereof has been lawfully sublet as a dwelling ; and
 - (c) where any such person as is mentioned in paragraph (a) or paragraph (b) above has died, any person who, if the deceased had been the original tenant, within the meaning of Schedule 1 to the Rent Act 1968, or to the Rent (Scotland) Act 1971, of the premises or part would have been the first successor, within the meaning of that Schedule, or would have become the statutory tenant on the death of that first successor.