



Housing Act 1974

1974 CHAPTER 44

PART IX

MISCELLANEOUS

125 Specific performance of landlord's repairing covenants, etc.

- (1) In any proceedings in which a tenant of a dwelling alleges a breach on the part of his landlord of a repairing covenant relating to any part of the premises in which the dwelling is comprised, the court may, in its discretion, order specific performance of that covenant, whether or not the breach relates to a part of the premises let to the tenant and notwithstanding any equitable rule restricting the scope of that remedy, whether on the basis of a lack of mutuality or otherwise.
- (2) In this section—
 - " landlord ", in relation to a tenant, includes any person against whom the tenant has a right to enforce a repairing covenant;
 - " repairing covenant " means a covenant to repair, maintain, renew, construct or replace any property ;
 - " statutory tenant " has the same meaning as in the Rent Act 1968; and
 - " tenant " includes a sub-tenant and a statutory tenant but does not include a tenant under a tenancy to which Part II of the Landlord and Tenant Act 1954 (business tenancies) applies, and any reference to the premises let to a tenant means, in relation to a statutory tenant, the premises of which he is the statutory tenant.
- (3) This section shall come into operation on the passing of this Act.