
Changes to legislation: There are currently no known outstanding effects for the Rent Act 1974, Paragraph 1. (See end of Document for details)

SCHEDULES

SCHEDULE 3

TRANSITIONAL PROVISIONS

- 1 (1) In any case where—
- (a) before the commencement date a dwelling was subject to a tenancy which is a furnished letting, and
 - (b) the dwelling forms part only of a building, and that building is not a purpose-built block of flats within the meaning of section 5A of the ^{M1}Rent Act 1968, and
 - (c) on that date the interest of the lessor, within the meaning of the relevant Part of the Rent Act, under the furnished letting—
 - (i) belongs to a person who occupies as his residence another dwelling which also forms part of that building, or
 - (ii) is vested in trustees as such and is or, if it is held on trust for sale, the proceeds of its sale are held on trust for a person who occupies as his residence another dwelling which also forms part of that building, and
 - (d) apart from this paragraph the furnished letting would, on the commencement date, become a protected furnished tenancy,
- the Rent Act shall apply, subject to sub-paragraph (2) below, as if the tenancy had been granted on the commencement date and as if the condition in paragraph (b) of section 5A(1) of the ^{M2}Rent Act 1968 were fulfilled in relation to the grant of the tenancy.
- (2) In the application of the ^{M3}Rent Act 1968 to a tenancy by virtue of this paragraph—
- (a) subsection (5) of section 5A shall be omitted; and
 - (b) in section 102A any reference to section 5A of that Act shall be construed as including a reference to this paragraph.
- (3) In any case where paragraphs (a), (b) and (d) of sub-paragraph (1) above apply but on the commencement date the interest referred to in paragraph (c) of that sub-paragraph is vested—
- (a) in the personal representatives of a deceased person acting in that capacity, or
 - (b) by virtue of section 9 of the ^{M4}Administration of Estates Act 1925, in the Probate Judge, within the meaning of that Act, or
 - (c) in trustees as such,
- then, if the deceased immediately before his death or, as the case may be, the settlor immediately before the creation of the trust occupied as his residence another dwelling which also formed part of the building referred to in paragraph (b) of sub-paragraph (1) above, that sub-paragraph shall apply as if the condition in paragraph (c) thereof were fulfilled.

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- (4) In the application of subsection (2)(c) of section 5A of the ^{M5}Rent Act 1968 in a case falling within sub-paragraph (3) above, any period before the commencement date during which the interest of the landlord is vested as mentioned in that subsection shall be disregarded in calculating the period of 12 months specified therein.

Marginal Citations

- M1** 1968 c. 23.
M2 1968 c. 23.
M3 1968 c. 23.
M4 1925 c. 23.
M5 1968 c. 23.

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