
Changes to legislation: There are currently no known outstanding effects for the Rent Act 1974, Paragraph 2. (See end of Document for details)

SCHEDULES

SCHEDULE 3

TRANSITIONAL PROVISIONS

- 2 (1) In any case where—
- (a) before the commencement date a dwelling-house was subject to a tenancy which is a furnished letting; and
 - (b) the dwelling-house 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 Act of 1971; and
 - (c) on that date the interest of the lessor, within the meaning of Part VII of that Act, under the furnished letting—
 - (i) belongs to a person who occupies as his residence another dwelling-house which also forms part of that building, or
 - (ii) is vested in trustees and is held on trust for a person who is entitled to the life interest or to the fee or a share of the fee of that interest and who occupies as his residence a dwelling-house which 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 Act of 1971 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 that Act were fulfilled in relation to the grant of the tenancy.
- (2) In the application of the Act of 1971 to a tenancy by virtue of this paragraph—
- (a) subsection (6) of section 5A shall be omitted; and
 - (b) in section 119A any reference to section 5A 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 of the lessor under the furnished letting is vested in the executor of a deceased person, then, if that deceased person immediately before his death occupied as his residence another dwelling-house 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.
- (4) In the application of subsection (3)(c) of section 5A of the Act of 1971, in a case falling within sub-paragraph (3) above, any period before the commencement date during which the interest of the lessor is vested in the executor as mentioned in that subsection shall be disregarded in calculating the period of 12 months specified in that subsection.
- (5) In this paragraph “the Act of 1971” means the Rent (Scotland)^{M1} Act 1971.

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for the Rent Act 1974, Paragraph 2. (See end of Document for details)*

Marginal Citations

M1 [1971 c. 28.](#)

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