



Rent Act 1974

1974 CHAPTER 51

Modifications of Rent Act in relation to furnished and other tenancies

1 Extension of protection afforded to furnished tenancies.

- (1) On and after the commencement date,—
 - (a) a tenancy of a dwelling-house shall no longer be prevented from being a protected tenancy for the purposes of the Rent Act by reason only that, under the tenancy, the dwelling-house is bona fide let at a rent which includes payments in respect of the use of furniture; and
 - (b) subject to the following provisions of this Act, references in the Rent Act (and in any other enactment or instrument in which those expressions have the same meaning as in that Act) to a protected tenancy, a statutory tenancy or a regulated tenancy shall be construed accordingly.
- (2) Any reference in this Act or the Rent Act to a protected furnished tenancy, a statutory furnished tenancy or a regulated furnished tenancy is a reference to a protected tenancy, a statutory tenancy or a regulated tenancy, as the case may be, under which the rent for the dwelling-house concerned includes such payments in respect of the use of furniture as, apart from subsection (1) above, subsection (4)(a) below and the repeals effected by this Act, would prevent a tenancy of the dwelling-house at that rent from being a protected tenancy.
- [^{F1}(3) Notwithstanding anything in section 7(1) of or Schedule 2 to the Rent Act (controlled and regulated tenancies) no protected furnished tenancy or statutory furnished tenancy shall be a controlled tenancy.]
- (4) In consequence of the provisions of this Act,—
 - (a) in section 2(1)(b) of the Rent Act (exclusion from protection of tenancies where the rent includes payments in respect of board, attendance or use of furniture) for the words “attendance or use of furniture” there shall be substituted the words “ or attendance ”;
 - (b) Schedule 3 to the Rent Act (grounds for possession) shall have effect subject to the modifications in Part I of Schedule 1 to this Act;
 - (c)

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

- (d) Parts IV, IX and X of the ^{M1}Rent (Scotland) Act 1971 shall have effect subject to the amendments in Part III of that Schedule.

Textual Amendments

- F1** S. 1(3) repealed (S.) by Tenants' Rights, Etc. (Scotland) Act 1980 (c. 52, SIF 61), s. 84, **Sch. 5**
- F2** Ss. 1(4)(c), 17(2) repealed by Rent Act 1977 (c. 42, SIF 75:3), s. 155, Sch. 25 (subject to the savings and transitional provisions in **Schedule 24**)

Modifications etc. (not altering text)

- C1** S. 1(1)(b) amended by Rent Act 1977 (c. 42, SIF 75:3), s. 155(3), **Sch. 24 para. 12**
- C2** The text of ss. 1(4)(a), 2(1)(2), 3(2), 4(3)(4), 9, 10, 14(3), 16(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1971 c. 28.

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