

SCHEDULES

SCHEDULE 15

GROUND FOR POSSESSION OF DWELLING-HOUSES LET ON OR SUBJECT TO PROTECTED OR STATUTORY TENANCIES

Modifications etc. (not altering text)

- C1** Sch. 15 applied (with modifications) (31.12.2020) by [The Citizens' Rights \(Application Deadline and Temporary Protection\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1209\)](#), regs. 1(1), **3(4)**, 4(5), 12(1)(d)

PART I

CASES IN WHICH COURT MAY ORDER POSSESSION

Case 1

Where any rent lawfully due from the tenant has not been paid, or any obligation of the protected or statutory tenancy which arises under this Act, or—

- (a) in the case of a protected tenancy, any other obligation of the tenancy, in so far as is consistent with the provisions of Part VII of this Act, or
- (b) in the case of a statutory tenancy, any other obligation of the previous protected tenancy which is applicable to the statutory tenancy.

has been broken or not performed.

Case 2

Where the tenant or any person residing or lodging with him or any sub-tenant of his has been guilty of conduct which is a nuisance or annoyance to adjoining occupiers, or has been convicted of using the dwelling-house or allowing the dwelling-house to be used for immoral or illegal purposes.

Case 3

Where the condition of the dwelling-house has, in the opinion of the court, deteriorated owing to acts of waste by, or the neglect or default of, the tenant or any person residing or lodging with him or any sub-tenant of his and, in the case of any act of waste by, or the neglect or default of, a person lodging with the tenant or a sub-tenant of his, where the court is satisfied that the tenant has not, before the making of the order in question, taken such steps as he ought reasonably to have taken for the removal of the lodger or sub-tenant, as the case may be.

Changes to legislation: There are currently no known outstanding effects for the Rent Act 1977, Part I. (See end of Document for details)

Case 4

Where the condition of any furniture provided for use under the tenancy has, in the opinion of the court, deteriorated owing to ill-treatment by the tenant or any person residing or lodging with him or any sub-tenant of his and, in the case of any ill-treatment by a person lodging with the tenant or a sub-tenant of his, where the court is satisfied that the tenant has not, before the making of the order in question, taken such steps as he ought reasonably to have taken for the removal of the lodger or sub-tenant, as the case may be.

Case 5

Where the tenant has given notice to quit and, in consequence of that notice, the landlord has contracted to sell or let the dwelling-house or has taken any other steps as the result of which he would, in the opinion of the court, be seriously prejudiced if he could not obtain possession.

Case 6

Where, without the consent of the landlord, the tenant has, at any time after—

- (a) F1
- (b) 22nd March 1973, in the case of a tenancy which became a regulated tenancy by virtue of section 14 of the ^{M1}Counter-Inflation Act 1973;
- [F2(bb) the commencement of section 73 of the Housing Act 1980, in the case of a tenancy which became a regulated tenancy by virtue of that section.]
- (c) 14th August 1974, in the case of a regulated furnished tenancy; or
- (d) 8th December 1965, in the case of any other tenancy,

assigned or sublet the whole of the dwelling-house or sublet part of the dwelling-house, the remainder being already sublet.

Textual Amendments

F1 Case 6 para. (a) repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), [Sch. 26](#)

F2 Case 6 para. (bb) inserted by [Housing Act 1980 \(c. 51, SIF 61\)](#), [Sch. 8 para. 2](#)

Marginal Citations

M1 [1973 c. 9.](#)

Textual Amendments

F1 Case 6 para. (a) repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), [Sch. 26](#)

F2 Case 6 para. (bb) inserted by [Housing Act 1980 \(c. 51, SIF 61\)](#), [Sch. 8 para. 2](#)

Marginal Citations

M1 [1973 c. 9.](#)

Case 7

..... F3

Changes to legislation: There are currently no known outstanding effects for the Rent Act 1977, Part I. (See end of Document for details)

Textual Amendments

F3 Case 7 repealed by [Housing Act 1980 \(c. 51, SIF61\)](#), [Sch. 26](#)

Textual Amendments

F3 Case 7 repealed by [Housing Act 1980 \(c. 51, SIF61\)](#), [Sch. 26](#)

Case 8

Where the dwelling-house is reasonably required by the landlord for occupation as a residence for some person engaged in his whole-time employment, or in the whole-time employment of some tenant from him or with whom, conditional on housing being provided, a contract for such employment has been entered into, and the tenant was in the employment of the landlord or a former landlord, and the dwelling-house was let to him in consequence of that employment and he has ceased to be in that employment.

Case 9

Where the dwelling-house is reasonably required by the landlord for occupation as a residence for—

- (a) himself, or
- (b) any son or daughter of his over 18 years of age, or
- (c) his father or mother, or
- (d) if the dwelling-house is let on or subject to a regulated tenancy, the father or mother of his [^{F4}spouse or civil partner],

and the landlord did not become landlord by purchasing the dwelling-house or any interest therein after—

- (i) 7th November 1956, in the case of a [^{F5}tenancy which was then a controlled tenancy];
- (ii) 8th March 1973, in the case of a tenancy which became a regulated tenancy by virtue of section 14 of the ^{M2}Counter-Inflation Act 1973;
- (iii) 24th May 1974, in the case of a regulated furnished tenancy; or
- (iv) 23rd March 1965, in the case of any other tenancy.

Textual Amendments

F4 Words in Sch. 15 Pt. I substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(2), [Sch. 8 para. 14](#); S.I. 2005/3175, art. 2(1), Sch. 1

F5 Words substituted by [Housing Act 1980 \(c. 51, SIF 61\)](#), [Sch. 25 Pt. I para. 57](#) in relation to any tenancy which was a controlled tenancy on 7.11.1956 notwithstanding that it ceased to be a controlled tenancy before 28.11.1980

Marginal Citations

M2 1973 c. 9.

Changes to legislation: There are currently no known outstanding effects for the Rent Act 1977, Part I. (See end of Document for details)

Textual Amendments

- F4** Words in Sch. 15 Pt. I substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(2), [Sch. 8 para. 14](#); S.I. 2005/3175, art. 2(1), Sch. 1
- F5** Words substituted by [Housing Act 1980 \(c. 51, SIF 61\)](#), [Sch. 25 Pt. I para. 57](#) in relation to any tenancy which was a controlled tenancy on 7.11.1956 notwithstanding that it ceased to be a controlled tenancy before 28.11.1980

Marginal Citations

- M2** [1973 c. 9](#).

Case 10

Where the court is satisfied that the rent charged by the tenant—

- (a) for any sublet part of the dwelling-house which is a dwelling-house let on a protected tenancy or subject to a statutory tenancy is or was in excess of the maximum rent for the time being recoverable for that part, having regard to . . . ^{F6} Part III of this Act, or
- (b) for any sublet part of the dwelling-house which is subject to a restricted contract is or was in excess of the maximum (if any) which it is lawful for the lessor, within the meaning of Part V of this Act to require or receive having regard to the provisions of that Part.

Textual Amendments

- F6** Words repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), [Sch. 26](#)

Textual Amendments

- F6** Words repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), [Sch. 26](#)

[^{F7}Case 10A

Textual Amendments

- F7** Sch. 15 Pt. I Case 10A inserted (1.12.2016) by [Immigration Act 2016 \(c. 19\)](#), [ss. 41\(6\), 94\(1\)](#) (with s. 41(7)); S.I. 2016/1037, reg. 5(e)

Both of the following conditions are met in relation to a dwelling-house in England.

Condition 1 is that the Secretary of State has given a notice in writing to the landlord or, in the case of joint landlords, one or more of them which identifies—

- (a) the tenant or, in the case of joint tenants, one or more of them, or
- (b) one or more other persons aged 18 or over who are occupying the dwelling-house, as a person or persons disqualified as a result of their immigration status from occupying the dwelling-house under the tenancy.

Condition 2 is that the person or persons named in the notice—

- (a) fall within paragraph (a) or (b) of condition 1, and

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- (b) are disqualified as a result of their immigration status from occupying the dwelling-house under the tenancy.

For the purposes of this case a person (“P”) is disqualified as a result of their immigration status from occupying the dwelling-house under the tenancy if—

- (a) P is not a relevant national, and
- (b) P does not have a right to rent in relation to the dwelling-house.

P does not have a right to rent in relation to the dwelling-house if—

- (a) P requires leave to enter or remain in the United Kingdom but does not have it, or
- (b) P's leave to enter or remain in the United Kingdom is subject to a condition preventing P from occupying the dwelling-house.

But P is to be treated as having a right to rent in relation to a dwelling-house if the Secretary of State has granted P permission for the purposes of this case to occupy a dwelling-house which is for the time being let on a protected tenancy or subject to a statutory tenancy.

In this case “relevant national” means—

- (a) a British citizen,
 - [an Irish citizen, or
- ^{F8}(aa) a person who is not an Irish citizen and who has leave to enter or remain in the United Kingdom which was granted by virtue of residence scheme immigration rules within the meaning given by section 17 of the European Union (Withdrawal Agreement) Act 2020.]
- ^{F9}(b)
- ^{F9}(c)]

Textual Amendments

- F8** Words in Sch. 15 Pt. I Case 10A inserted (31.12.2020) by [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2), **6(2)(a)**
- F9** Words in Sch. 15 Pt. I Case 10A omitted (31.12.2020) by virtue of [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2), **6(2)(b)**

Changes to legislation:

There are currently no known outstanding effects for the Rent Act 1977, Part I.