



Housing Act 1980

1980 CHAPTER 51

PART II

PRIVATE SECTOR TENANTS

Regulated tenancies

65 Resident landlords

- (1) In section 12(1) of the 1977 Act (certain tenancies granted by resident landlords not to be protected tenancies) for paragraphs (a) to (c) there are substituted the following paragraphs—
- “(a) the dwelling-house forms part only of a building and, except in a case where the dwelling-house also forms part of a flat, the building is not a purpose-built block of flats; and
 - (b) the tenancy was granted by a person who, at the time when he granted it, occupied as his residence another dwelling-house which—
 - (i) in the case mentioned in paragraph (a) above, also forms part of the flat; or
 - (ii) in any other case, also forms part of the building; and
 - (c) subject to paragraph 1 of Schedule 2 to this Act, at all times since the tenancy was granted the interest of the landlord under the tenancy has belonged to a person who, at the time he owned that interest, occupied as his residence another dwelling-house which—
 - (i) in the case mentioned in paragraph (a) above, also formed part of the flat; or
 - (ii) in any other case, also formed part of the building.”
- (2) Schedule 2 to the 1977 Act (provisions for determining application of section 12) is amended as follows.
- (3) In paragraph 1—

*Changes to legislation: There are currently no known outstanding effects
for the Housing Act 1980, Section 65. (See end of Document for details)*

- (a) in sub-paragraph (a) for the words “14 days” there are substituted the words “28 days” and after the the word “building” there are inserted the words “or, as the case may be, flat”;
 - (b) in sub-paragraph (b) for the words “such dwelling-house as is referred to in that paragraph” there are substituted the words “dwelling-house in the building or, as the case may be, flat concerned”; and
 - (c) in sub-paragraph (c) for the words “12 months” there are substituted the words “2 years” and paragraph (i) is hereby repealed.
- (4) In paragraph 2(b) after the word “ building” there are inserted the words “or, as the case may be, flat”.
- (5) After paragraph 2 there is inserted the following paragraph—
- “2A
- (1) The tenancy referred to in section 12(1) falls within this paragraph if the interest of the landlord under the tenancy becomes vested in the personal representatives of a deceased person acting in that capacity.
 - (2) If the tenancy falls within this paragraph, the condition in section 12(1)(c) shall be deemed to be fulfilled for any period, beginning with the date on which the interest becomes vested in the personal representatives and not exceeding two years, during which the interest of the landlord remains so vested.”
- (6) Subject to subsection (7) below, this section, except subsection (1), applies to tenancies granted before as well as those granted after the commencement of this section.
- (7) In any case where the interest of the landlord under a tenancy vested in the personal representatives (acting in that capacity) of a person who died before the commencement of this section, Schedule 2 to the 1977 Act applies as if paragraph 2A had not been inserted and paragraph 1(c)(i) had not been repealed.

Modifications etc. (not altering text)

- C1** The text of ss. 55(1), 59(2)(3), 61(1)–(7), 62, 63, 65(1)–(5), 66(1)–(4), 67–69, 70(1), 71, 73(1)–(4), 74(1)(2), 75, 76, 78, 79, 138, 141, 143(3), 148, 152(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Changes to legislation:

There are currently no known outstanding effects for the Housing Act 1980, Section 65.