



Housing Act 1980

1980 CHAPTER 51

PART II

PRIVATE SECTOR TENANTS

Miscellaneous

76 Statutory tenancies by succession.

- (1) In Schedule 1 to the 1977 Act, for paragraph 2 (under which on the death of the original tenant under a protected or statutory tenancy his widow if residing with him at his death becomes a statutory tenant by succession) there is substituted the following paragraph—

“2 The surviving spouse (if any) of the original tenant, if residing in the dwelling-house immediately before the death of the original tenant, shall after the death be the statutory tenant if and so long as he or she occupies the dwelling-house as his or her residence.”

- (2) F1

- (3) In [^{F2}sections 3(3)(a) and 4(4)(a)] of the ^{M1} Rent (Agriculture) Act 1976 (which correspond to provisions in Schedule 1 to the 1977 Act) for the words “ with him at his death” there shall be substituted in each case the words “ in the dwelling-house immediately before his death”.

- (4) The amendments made by this section have effect only in relation to deaths occurring after the commencement of the subsection concerned.

Textual Amendments

F1 S. 76(2) repealed by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 140, [Sch. 18](#)

Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980, Section 76. (See end of Document for details)

F2 Words in s. 76(3) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(2), **Sch. 8 para. 17**; S.I. 2005/3175, art. 2(1), Sch. 1

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67–69, 70(1), 71, 73(1)–(4), 74(1)(2), 75, 76, 78, 79, 138, 141, 143(3), 148, 152(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Marginal Citations

M1 1976 c. 80.

Changes to legislation:

There are currently no known outstanding effects for the Housing Act 1980, Section 76.