



# Landlord and Tenant Act 1985

## 1985 CHAPTER 70

*[<sup>F1</sup>Implied term as to remedying of hazards*

### **[<sup>F1</sup>10A Remedying of hazards occurring in dwellings let on relevant social housing leases**

- (1) This section applies to a lease of a dwelling if—
  - (a) the dwelling is in England,
  - (b) the lease is a relevant social housing lease, and
  - (c) section 9A—
    - (i) applies to the lease (see section 9B), or
    - (ii) would apply to the lease if the provision in section 9B(3) did not exist.
- (2) There is implied in the lease a covenant by the lessor that the lessor will comply with all prescribed requirements that are applicable to that lease.
- (3) The Secretary of State must make regulations which require the lessor under a lease to which this section applies to take action, in relation to prescribed hazards which affect or may affect the leased dwelling, within the period or periods specified in the regulations.
- (4) Regulations under subsection (3) are enforceable against lessors only through actions for breach of the covenant that is implied by subsection (2).
- (5) In any proceedings for a breach of the covenant that is implied by subsection (2), it is a defence for the lessor to prove that the lessor used all reasonable endeavours to avoid that breach.
- (6) For the purposes of this section a lease is a “relevant social housing lease” at any time when—
  - (a) the lessor under the lease is a registered provider of social housing, and
  - (b) the dwelling leased under the lease—
    - (i) is social housing, but
    - (ii) is not low cost home ownership accommodation.

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**Changes to legislation:** Landlord and Tenant Act 1985, Section 10A is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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(7) In this section and section 10B—

“lease”, “lessor” and “lessee” have the same meanings as in section 9A (see section 9A(9));

“low cost home ownership accommodation” has the meaning given in section 70 of the Housing and Regeneration Act 2008;

“prescribed hazard” has the same meaning as in section 10 (see section 10(2) and (3));

“prescribed requirement” means a requirement prescribed in regulations under subsection (3);

“social housing” has the same meaning as in Part 2 of the Housing and Regeneration Act 2008 (see sections 68 and 72 of that Act).]

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#### Textual Amendments

**F1** Ss. 10A, 10B and cross-heading inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), ss. 42, 46(3)(a); S.I. 2023/1001, reg. 2(t)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(1AB) inserted by [2016 c. 22 Sch. 7 para. 18\(2\)](#)