

Changes to legislation: Housing Act 1988, Cross Heading: Tenancies replacing non-shortholds is up to date with all changes known to be in force on or before 27 January 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

SCHEDULES

[^{F1}SCHEDULE 2A

ASSURED TENANCIES: NON-SHORTHOLDS

Textual Amendments

- F1** Sch. 2A inserted (28.2.1997) by 1996 c. 52, s. 96(2), Sch. 7; S.I. 1997/225, art. 2 (subject to savings in Sch.)

Tenancies replacing non-shortholds

- ^{F27} (1) An assured tenancy which—
- (a) is granted to a person (alone or jointly with others) who, immediately before the tenancy was granted, was the tenant (or, in the case of joint tenants, one of the tenants) under an assured tenancy other than a shorthold tenancy (“the old tenancy”),
 - (b) is granted (alone or jointly with others) by a person who was at that time the landlord (or one of the joint landlords) under the old tenancy, and
 - (c) is not one in respect of which a notice is served as mentioned in sub-paragraph (2) below.
- (2) The notice referred to in sub-paragraph (1)(c) above is one which—
- (a) is in such form as may be prescribed,
 - (b) is served before the assured tenancy is entered into,
 - (c) is served by the person who is to be the tenant under the assured tenancy on the person who is to be the landlord under that tenancy (or, in the case of joint landlords, on at least one of the persons who are to be joint landlords), and
 - (d) states that the assured tenancy to which it relates is to be a shorthold tenancy.

Textual Amendments

- F2** Sch. 2A para. 7 inserted (23.8.1996 for certain purposes and 28.2.1997 otherwise) by 1996 c. 52, s. 96(2), Sch. 7; S.I. 1996/2212, art. 3 (subject to savings in Sch.); S.I. 1997/225, art. 2 (subject to savings in Sch.)

- ^{F38} An assured tenancy which comes into being by virtue of section 5 above on the coming to an end of an assured tenancy which is not a shorthold tenancy.]

Textual Amendments

- F3** Sch. 2A para. 8 inserted (28.2.1997) by 1996 c. 52, s. 96(2), Sch. 7; S.I. 1997/225, art. 2 (subject to savings in Sch.)

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Changes and effects yet to be applied to :

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

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

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)