

**Changes to legislation:** Housing Act 1988, Paragraph 9 is up to date with all changes known to be in force on or before 16 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

### [<sup>F1</sup>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.](#))

#### *Assured agricultural occupancies*

- <sup>F2</sup>9 (1) An assured tenancy—
- (a) in the case of which the agricultural worker condition is, by virtue of any provision of Schedule 3 to this Act, for the time being fulfilled with respect to the dwelling-house subject to the tenancy, and
  - (b) which does not fall within sub-paragraph (2) or (4) below.
- (2) An assured tenancy falls within this sub-paragraph if—
- (a) before it is entered into, a notice—
    - (i) in such form as may be prescribed, and
    - (ii) stating that the tenancy is to be a shorthold tenancy,is served by the person who is to be the landlord under the tenancy on the person who is to be the tenant under it, and
  - (b) it is not an excepted tenancy.
- (3) For the purposes of sub-paragraph (2)(b) above, an assured tenancy is an excepted tenancy if—
- (a) the person to whom it is granted or, as the case may be, at least one of the persons to whom it is granted was, immediately before it is granted, a tenant or licensee under an assured agricultural occupancy, and
  - (b) the person by whom it is granted or, as the case may be, at least one of the persons by whom it is granted was, immediately before it is granted, a landlord or licensor under the assured agricultural occupancy referred to in paragraph (a) above.
- (4) An assured tenancy falls within this sub-paragraph if it comes into being by virtue of section 5 above on the coming to an end of a tenancy falling within sub-paragraph (2) above.]

##### Textual Amendments

**F2** [Sch. 2A para. 9](#) 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.](#))

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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](#)