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**Changes to legislation:** Housing Act 1988, Paragraph 6 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

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# SCHEDULES

## SCHEDULE 4

### STATUTORY TENANTS: SUCCESSION

#### PART I

#### AMENDMENTS OF SCHEDULE 1 TO <sup>M1</sup>RENT ACT 1977

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**Marginal Citations**

**M1** 1977 c. 42.

- 6 For paragraph 6 there shall be substituted the following paragraph—
- “6 (1) Where a person who—
- (a) was a member of the original tenant’s family immediately before that tenant’s death, and
  - (b) was a member of the first successor’s family immediately before the first successor’s death,
- was residing in the dwelling-house with the first successor at the time of, and for the period of 2 years immediately before, the first successor’s death, that person or, if there is more than one such person, such one of them as may be decided by agreement or, in default of agreement, by the county court shall be entitled to an assured tenancy of the dwelling-house by succession.
- (2) If the first successor died within the period of 18 months beginning on the operative date, then, for the purposes of this paragraph, a person who was residing in the dwelling-house with the first successor at the time of his death and for the period which began 6 months before the operative date and ended at the time of his death shall be taken to have been residing with the first successor for the period of 2 years immediately before his death.”

**Changes to legislation:**

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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](#)