



Housing Act 1996

1996 CHAPTER 52

PART V

CONDUCT OF TENANTS

CHAPTER I

INTRODUCTORY TENANCIES [^{F1}: ENGLAND]

General provisions

125 Duration of introductory tenancy.

- (1) A tenancy remains an introductory tenancy until the end of the trial period, unless one of the events mentioned in subsection (5) occurs before the end of that period.
- (2) The “trial period” is the period of one year beginning with—
 - (a) in the case of a tenancy which was entered into by a local housing authority or housing action trust—
 - (i) the date on which the tenancy was entered into, or
 - (ii) if later, the date on which a tenant was first entitled to possession under the tenancy; or
 - (b) in the case of a tenancy which was adopted by a local housing authority or housing action trust, the date of adoption;

[^{F1} but this is subject to subsections (3) and (4) and to section 125A (extension of trial period by 6 months).] .
- (3) Where the tenant under an introductory tenancy was formerly a tenant under another introductory tenancy, [^{F2}or a relevant assured shorthold tenancy] , any period or periods during which he was such a tenant shall count towards the trial period, provided—

Changes to legislation: Housing Act 1996, Section 125 is up to date with all changes known to be in force on or before 18 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

- (a) if there was one such period, it ended immediately before the date specified in subsection (2), and
- (b) if there was more than one such period, the most recent period ended immediately before that date and each period succeeded the other without interruption.

[^{F3}(3A) In subsection (3) “relevant assured shorthold tenancy” means—

- (a) an assured shorthold tenancy in respect of social housing under which the landlord is a private registered provider of social housing, or
- (b) an assured shorthold tenancy under which the landlord is a registered social landlord;

and for these purposes “social housing” has the same meaning as in Part 2 of the Housing and Regeneration Act 2008.]

- (4) Where there are joint tenants under an introductory tenancy, the reference in subsection (3) to the tenant shall be construed as referring to the joint tenant in whose case the application of that subsection produces the earliest starting date for the trial period.
- (5) A tenancy ceases to be an introductory tenancy if, before the end of the trial period—
 - (a) the circumstances are such that the tenancy would not otherwise be a secure tenancy,
 - (b) a person or body other than a local housing authority or housing action trust becomes the landlord under the tenancy,
 - (c) the election in force when the tenancy was entered into or adopted is revoked, or
 - (d) the tenancy ceases to be an introductory tenancy by virtue of section 133(3) (succession).
- (6) A tenancy does not come to an end merely because it ceases to be an introductory tenancy, but a tenancy which has once ceased to be an introductory tenancy cannot subsequently become an introductory tenancy.
- (7) This section has effect subject to section 130 (effect of beginning proceedings for possession).

Textual Amendments

- F1** Words in s. 125(2) substituted (6.6.2005 for E., 25.11.2005 for W.) by [Housing Act 2004 \(c. 34\)](#), [ss. 179\(2\)](#), [270\(4\)](#), [\(5\)\(c\)](#) (with s. [179\(4\)](#)); S.I. 2005/1451, art. 2(a); S.I. 2005/3237, arts. 1(2), 2(f)
- F2** Words in s. 125(3) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), [Sch. 2 para. 97\(2\)](#) (with art. 6, Sch. 3)
- F3** S. 125(3A) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), [Sch. 2 para. 97\(3\)](#) (with art. 6, Sch. 3)

Changes to legislation:

Housing Act 1996, Section 125 is up to date with all changes known to be in force on or before 18 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.

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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](#)

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

- s. 124(1A) inserted by [2016 c. 22 Sch. 7 para. 20\(2\)](#)
- s. 124(6) inserted by [2016 c. 22 Sch. 7 para. 20\(6\)](#)
- s. 124A124B inserted by [2016 c. 22 Sch. 7 para. 21](#)
- s. 125A(3A)(3B) inserted by [2016 c. 22 Sch. 7 para. 22\(3\)](#)
- s. 130A inserted by [2016 c. 22 Sch. 8 para. 7](#)
- s. 133(1A) inserted by [2016 c. 22 Sch. 8 para. 9\(2\)](#)
- s. 143J(3A) inserted by [2016 c. 22 Sch. 8 para. 13\(2\)](#)
- s. 143J(7)(a) words omitted by [S.I. 2022/1166 reg. 25\(11\)\(b\)](#) (This amendment comes into force immediately after 2016 c. 22, s. 120 and Sch. 8 para. 13(3) come into force)
- s. 143GA143GB inserted by [2016 c. 22 Sch. 8 para. 10](#)
- s. 143MA(3A)-(3D) inserted by [2016 c. 22 Sch. 7 para. 27\(3\)](#)
- s. 143MB inserted by [2016 c. 22 Sch. 7 para. 28](#)