



Localism Act 2011

2011 CHAPTER 20

PART 7

HOUSING

CHAPTER 2

SOCIAL HOUSING: TENURE REFORM

Flexible tenancies

155 Flexible tenancies: other amendments

^{F1}(1)

(2) In section 84(1) of that Act (grounds and orders for possession of dwelling-house let on a secure tenancy) at the end insert “ or in accordance with section 107D (recovery of possession on expiry of flexible tenancy) ”.

(3) In section 97 of that Act (tenant's improvements require consent) after subsection (4) insert—

“(5) In this section “secure tenancy” does not include a secure tenancy that is a flexible tenancy.”

(4) In section 99A of that Act (right to compensation for improvement) after subsection (8) insert—

“(9) In this section—

- (a) “secure tenancy” does not include a secure tenancy that is a flexible tenancy, and
- (b) “secure tenant” does not include a tenant under a secure tenancy that is a flexible tenancy.”

Changes to legislation: Localism Act 2011, Section 155 is up to date with all changes known to be in force on or before 24 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

- (5) In section 117 of that Act (index of defined expressions: Part 4) at the appropriate place insert—

“flexible tenancy	section 107A”.
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- (6) After section 137 of the Housing Act 1996 (introductory tenancies) insert—

“Introductory tenancies that are to become flexible tenancies

137A Introductory tenancies that are to become flexible tenancies

- (1) Where this section applies, a tenancy of a dwelling-house in England that ceases to be an introductory tenancy and becomes a secure tenancy in accordance with this Chapter becomes a flexible tenancy for a term certain.
- (2) This section applies if, before entering into or adopting the introductory tenancy, the person who became the landlord under the tenancy served a written notice on the person who was or became the tenant under the tenancy—
 - (a) stating that, on ceasing to be an introductory tenancy, the tenancy would become a secure tenancy that would be a flexible tenancy for a term certain of the length specified in the notice,
 - (b) specifying a period of at least two years as the length of the term of the tenancy, and
 - (c) setting out the other express terms of the tenancy.
- (3) The length of the term of a flexible tenancy that becomes such a tenancy by virtue of this section is that specified in the notice under subsection (2).
- (4) The other express terms of the flexible tenancy are those set out in the notice, so far as those terms are compatible with the statutory provisions relating to flexible tenancies; and in this subsection “statutory provision” means any provision made by or under an Act.”

- (7) After section 143M of that Act (demoted tenancies) insert—

“Demoted tenancies that are to become flexible tenancies

143MA Demoted tenancies that are to become flexible tenancies

- (1) Subsection (2) applies to a demoted tenancy of a dwelling-house in England that—
 - (a) was created on the termination of a flexible tenancy within the meaning of section 107A of the Housing Act 1985, and
 - (b) ceases to be a demoted tenancy and becomes a secure tenancy in accordance with this Chapter.
- (2) If the landlord has served a notice within subsection (3) on the tenant before the end of the demoted tenancy then, on ceasing to be a demoted tenancy, the tenancy becomes a secure tenancy for a term certain that is a flexible tenancy.
- (3) The notice must—

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- (a) state that, on ceasing to be a demoted tenancy, the tenancy will become a secure tenancy that is a flexible tenancy for a term certain of the length specified in the notice,
 - (b) specify a period of at least two years as the length of the term of the tenancy, and
 - (c) set out the other express terms of the tenancy.
- (4) The length of the term of a flexible tenancy that becomes such a tenancy by virtue of this section is that specified in the notice under subsection (3).
- (5) The other express terms of the flexible tenancy are those set out in the notice, so far as those terms are compatible with the statutory provisions relating to flexible tenancies; and in this subsection “statutory provision” means any provision made by or under an Act.”

Textual Amendments

- F1** S. 155(1) repealed (20.10.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 11 para. 50](#); S.I. 2014/2590, art. 3(g)(viii)(kk) (as renumbered (20.10.2014) by S.I. 2014/2754, arts. 1, 3(b))
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Commencement Information

- I1** S. 155 in force at 1.4.2012 by [S.I. 2012/628](#), [art. 6\(a\)](#) (with arts. 9, 11, 14, 15, 17)

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 155(3)(4) omitted by [2016 c. 22 Sch. 7 para. 31](#)

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. 158(8)-(9B) substituted for s. 158(8)(9) by [2016 c. 22 s. 121\(2\)\(e\)](#)
- s. 202(3A) inserted by [2023 c. 55 s. 176\(2\)](#)