



Localism Act 2011

2011 CHAPTER 20

PART 7

HOUSING

CHAPTER 2

SOCIAL HOUSING: TENURE REFORM

Other provisions relating to tenancies of social housing

163 Assured shorthold tenancy following demoted or family intervention tenancy

- (1) In section 20B(2) of the Housing Act 1988 (demoted assured shorthold tenancy lasts for one year unless subsection (3) applies) after “subsection (3) applies” insert “, but see section 20C”.
- (2) After section 20B of the Housing Act 1988 insert—

“20C Assured shorthold tenancies following demoted tenancies

- (1) Subsection (2) applies if—
 - (a) section 20B applies to an assured shorthold tenancy of a dwelling-house in England (“the demoted tenancy”),
 - (b) the landlord is a private registered provider of social housing,
 - (c) the demoted tenancy was created by an order under section 6A made after the coming into force of section 163(2) of the Localism Act 2011,
 - (d) the assured tenancy that was terminated by that order was an assured shorthold tenancy that, whether or not it was a fixed term tenancy when terminated by the order, was granted for a term certain of not less than two years,

Changes to legislation: Localism Act 2011, Section 163 is up to date with all changes known to be in force on or before 21 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

- (e) apart from subsection (2), the demoted tenancy would cease to be an assured shorthold tenancy by virtue of section 20B(2) or (4), and
 - (f) the landlord has served a notice within subsection (3) on the tenant before the demoted tenancy ceases to be an assured shorthold tenancy by virtue of section 20B(2) or (4).
- (2) The demoted tenancy does not cease to be an assured shorthold tenancy by virtue of section 20B(2) or (4), and at the time when it would otherwise cease to be an assured shorthold tenancy by virtue of section 20B(2) to (4)—
- (a) it becomes an assured shorthold tenancy which is a fixed term tenancy for a term certain, and
 - (b) section 20B ceases to apply to it.
- (3) The notice must—
- (a) state that, on ceasing to be a demoted assured shorthold tenancy, the tenancy will become an assured shorthold tenancy which is a fixed term 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) Where an assured shorthold tenancy becomes a fixed term tenancy by virtue of subsection (2)—
- (a) the length of its term is that specified in the notice under subsection (3), and
 - (b) its other express terms are those set out in the notice.”
- (3) Before section 21 of the Housing Act 1988 insert—

“20D Assured shorthold tenancies following family intervention tenancies

- (1) An assured tenancy that arises by virtue of a notice under paragraph 12ZA(2) of Schedule 1 in respect of a family intervention tenancy is an assured shorthold tenancy if—
- (a) the landlord under the assured tenancy is a private registered provider of social housing,
 - (b) the dwelling-house is in England,
 - (c) the family intervention tenancy was granted to a person on the coming to an end of an assured shorthold tenancy under which the person was a tenant, and
 - (d) the notice states that the family intervention tenancy is to be regarded as an assured shorthold tenancy.
- (2) This section does not apply if the family intervention tenancy was granted before the coming into force of section 163(3) of the Localism Act 2011.”

Commencement Information

II S. 163 in force at 1.4.2012 by S.I. 2012/628, art. 6(c) (with arts. 9, 11, 14, 15, 17)

Changes to legislation:

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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\(2\)](#)