Deregulation Act 2015

2015 CHAPTER 20

Housing and development

36 Time limits in relation to section 21 notices and proceedings

(1) Section 21 of the Housing Act 1988 is amended as follows.

(2) After subsection (4A) insert—

"(4B) A notice under subsection (1) or (4) may not be given in relation to an assured shorthold tenancy of a dwelling-house in England—

(a) in the case of a tenancy which is not a replacement tenancy, within the period of four months beginning with the day on which the tenancy began, and

(b) in the case of a replacement tenancy, within the period of four months beginning with the day on which the original tenancy began.

(4C) Subsection (4B) does not apply where the tenancy has arisen due to section 5(2).

(4D) Subject to subsection (4E), proceedings for an order for possession under this section in relation to a dwelling-house in England may not be begun after the end of the period of six months beginning with the date on which the notice was given under subsection (1) or (4).

(4E) Where—

(a) a notice under subsection (4) has been given in relation to a dwelling-house in England, and

(b) paragraph (b) of that subsection requires the date specified in the notice to be more than two months after the date the notice was given,

proceedings for an order for possession under this section may not be begun after the end of the period of four months beginning with the date specified in the notice."

(3) In subsection (6), for "subsection" substitute " subsections (4B)(b) and ".

Changes to legislation: *Deregulation Act 2015, Section 36 is up to date with all changes known to be in force on or before 01 August 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*

Commencement Information

I1 S. 36 in force at 1.10.2015 by S.I. 2015/994, **art. 11(j)**

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Changes and effects yet to be applied to :

– specified provision(s) amendment to earlier commencing SI 2015/994 art. 13 Sch. by S.I. 2015/1405 art. 2(3)

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. 110A inserted by 2016 c. 12 s. 16(1)