

Landlord and Tenant Act 1954

1954 CHAPTER 56

PART I

SECURITY OF TENURE FOR RESIDENTIAL TENANTS

Security of tenure for tenants under ground leases, etc.

1 Protection of residential tenants on termination of long tenancies at low rents.

On the termination in accordance with the provisions of this Part of this Act of a tenancy to which this section applies the tenant shall be entitled to the protection of the Rent Acts subject to and in accordance with those provisions.

2 Tenancies to which s. 1 applies.

- (1) The foregoing section applies to any long tenancy at a low, rent, being a tenancy as respects which for the time being the following condition (hereinafter referred to as " the qualifying condition") is fulfilled, that is to say that the circumstances (as respects the property comprised in the tenancy, the use of that property, and all other relevant matters) are such that on the coming to an end of the tenancy at that time the tenant would, if the tenancy had not been one at a low rent, be entitled by virtue of the Rent Acts to retain possession of the whole or part of the property comprised in the tenancy.
- (2) At any time before, but not more than twelve months before, the term date application may be made to the court as respects any long tenancy at a low rent, not being at the time of the application a tenancy as respects which the qualifying condition is fulfilled, for an order declaring that the tenancy is not to be treated for the purposes of this Part of this Act as a tenancy to which the foregoing section applies; and where such an application is made—
 - (a) the court, if satisfied that the tenancy is not likely, immediately before the term date, to be a tenancy to which the foregoing section applies, but not otherwise, shall make the order;

Status: This is the original version (as it was originally enacted).

- (b) if the court makes the order, then notwithstanding any thing in subsection (1) of this section the tenancy shall not thereafter be treated as a tenancy to which the foregoing section applies.
- (3) Anything authorised or required to be done under the following provisions of this Part of this Act in relation to tenancies to which the foregoing section applies shall, if done before the term date in relation to a long tenancy at a low rent, not be treated as invalid by reason only that at the time at which it was done the qualifying condition was not fulfilled as respects the tenancy.
- (4) In this Part of this Act the expression "long tenancy " means a tenancy granted for a term of years certain exceeding twenty-one years, whether or not subsequently extended by act of the parties or by any enactment.
- (5) In this Part of this Act the expression "tenancy at a low rent" means a tenancy the rent payable in respect whereof (or where that rent is a progressive rent, the maximum rent payable in respect whereof) is less than two-thirds of the rateable value of the property comprised in the tenancy; and—
 - (a) if that property is a dwelling-house to which the Act of 1920 applies apart from the Act of 1939, the expression " rateable value " has in relation to it the same meaning in this subsection as it has in the Act of 1920 in relation to such a dwelling-house;
 - (b) if that property is not such a dwelling-house, the said expression has in relation to it the same meaning in this subsection as it has in the Act of 1920 in relation to a dwelling-house to which that Act applies by virtue of the Act of 1939.
- (6) In this Part of this Act the expression "term date", in relation to a tenancy granted for a term of years certain, means the date of expiry of the term.