



# Housing Act 1988

## 1988 CHAPTER 50

### PART I

#### RENTED ACCOMMODATION

#### CHAPTER I

#### ASSURED TENANCIES

#### *Security of tenure*

### **9 Extended discretion of court in possession claims.**

- (1) Subject to subsection (6) below, the court may adjourn for such period or periods as it thinks fit proceedings for possession of a dwelling-house let on an assured tenancy.
- (2) On the making of an order for possession of a dwelling-house let on an assured tenancy or at any time before the execution of such an order, the court, subject to subsection (6) below, may—
  - (a) stay or suspend execution of the order, or
  - (b) postpone the date of possession,for such period or periods as the court thinks just.
- (3) On any such adjournment as is referred to in subsection (1) above or on any such stay, suspension or postponement as is referred to in subsection (2) above, the court, unless it considers that to do so would cause exceptional hardship to the tenant or would otherwise be unreasonable, shall impose conditions with regard to payment by the tenant of arrears of rent (if any) and rent<sup>F1</sup> . . . and may impose such other conditions as it thinks fit.
- (4) If any such conditions as are referred to in subsection (3) above are complied with, the court may, if it thinks fit, discharge or rescind any such order as is referred to in subsection (2) above.

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**Changes to legislation:** *Housing Act 1988, Section 9 is up to date with all changes known to be in force on or before 01 February 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*

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- (5) <sup>F2</sup> .....
- (5A) <sup>F2</sup> .....
- (6) This section does not apply if the court is satisfied that the landlord is entitled to possession of the dwelling-house—
  - (a) on any of the grounds in Part I of Schedule 2 to this Act; or
  - (b) by virtue of subsection (1) or subsection (4) of section 21 below.

**Textual Amendments**

**F1** Words in s. 9(3) omitted (20.5.2009) by virtue of and repealed (prosp.) by [Housing and Regeneration Act 2008 \(c. 17\)](#), ss. 299, 321(1), 325, [Sch. 11 para. 8\(2\)](#), [Sch. 16](#) (with [Sch. 11 para. 14](#)); S.I. 2009/1261, {arts. 2, 3}

**F2** S. 9(5)(5A) omitted (20.5.2009) by virtue of and repealed (prosp.) by [Housing and Regeneration Act 2008 \(c. 17\)](#), ss. 299, 321(1), 325, [Sch. 11 para. 8\(4\)](#), [Sch. 16](#) (with [Sch. 11 para. 14](#)); S.I. 2009/1261, {arts. 2, 3}

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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](#)