



# Leasehold Reform Act 1967

## 1967 CHAPTER 88

### PART II

#### AMENDMENTS OF OTHER ACTS

#### **38 Modification of right to possession under Landlord and Tenant Act 1954.**

- (1) The grounds on which under section 13 of the <sup>M1</sup>Landlord and Tenant Act 1954 a landlord may apply to the court for possession of property comprised in a tenancy (and which may accordingly under section 4 be specified in a landlord's notice to resume possession), in the case of applications made after the commencement of this Part of this Act, shall not include the ground mentioned in section 12(1)(a) (redevelopment), except where the landlord seeking to obtain possession is a body to which section 28 above applies and the property is required for relevant development within the meaning of section 28; but on any application by such a body under section 13 of that Act for possession on that ground a certificate given by a Minister of the Crown as provided by section 28(1) above shall be conclusive that the property is so required.
- (2) In section 57 of the Landlord and Tenant Act 1954 (under which a tenant's rights under Part II of that Act are curtailed if an authority within the section is the landlord or a superior landlord and obtains a certificate similar to that under section 28 above) references to a local authority shall apply to any body to which section 28 above applies and which is not otherwise within the said section 57.
- (3) For purposes of this section, section 28(5) to (8) above shall have effect from the commencement of this Part of this Act.

#### **Modifications etc. (not altering text)**

- C1** S. 38(1) amended by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 84, [Sch. 13 para. 17](#)  
S. 38(1) amended (1.4.1995) by [S.I. 1995/401](#), art. 18, [Sch. para. 3](#)

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*Status: Point in time view as at 17/12/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Leasehold Reform Act 1967, Section 38. (See end of Document for details)*

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**Marginal Citations**

**M1** [1954 c. 56.](#)

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Point in time view as at 17/12/2009.

**Changes to legislation:**

There are currently no known outstanding effects for the Leasehold Reform Act 1967, Section 38.