



Rent Act 1977

1977 CHAPTER 42

PART VIII

CONVERSION OF CONTROLLED TENANCIES INTO REGULATED TENANCIES

Miscellaneous

115^{F1}

Textual Amendments

F1 Ss. 15(6), 17, 18(3)(4), 24(1)(2), 27–43, 50, 53, 67(6), 70(5), 76, 79(4), 86(5), 91, 92(6)(7), 108–113, 115, 117, 130, 133–135, 141(2), 155(1), Sch. 1 para. 8, Schs. 3, 4, 6, Sch. 7 para. 4, Sch. 10 para. 10, Sch. 11 paras. 13, 14 and 15–25, Sch. 13, Sch. 14 para. 6, Sch. 17 paras. 10, 11, Sch. 19, Sch. 20 paras. 1(6)(7), 4, Schs. 21, 22, Sch. 23 paras. 1, 4(g)–(i), 37, 38 repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), [Sch. 26](#)

116 Consent of tenant.

[^{F2}(1) This section applies where a dwelling-house is subject to a statutory tenancy and the landlord wishes to carry out works which can not be carried out without the consent of the tenant.]

(2) If the tenant is unwilling to give his consent, then, if [^{F3}either of the conditions specified in subsections (3) and (3A)] below is satisfied, the county court may, on the application of the landlord, make an order empowering him to enter and carry out the works.

[^{F4}(3) The [^{F5}first of the conditions referred to in subsection (2) above] is that the works were specified in an application for a ^{F6}. . . grant under Chapter I of Part I of the Housing Grants, Construction and Regeneration Act 1996 and the application has been approved.]

Changes to legislation: There are currently no known outstanding effects for the Rent Act 1977, Cross Heading: Miscellaneous. (See end of Document for details)

- [^{F7}(3A) The second of those conditions is that assistance was or is to be provided in relation to the carrying out of the works under article 3 of the Regulatory Reform (Housing Assistance)(England and Wales) Order 2002]
- (4) An order under subsection (2) above may be made subject to such conditions as to the time at which the works are to be carried out and as to any provision to be made for the accommodation of the tenant and his household while they are carried out as the court may think fit.
- (5) Where such an order is made subject to any condition as to time, compliance with that condition shall be deemed to be also compliance with any condition imposed by the [^{F8}local housing authority [^{F9}under section 37 of the Housing Grants, Construction and Regeneration Act 1996.]]
- (6) In determining whether to make such an order and, if it is made, what (if any) conditions it should be subject to, the court shall have regard to all the circumstances and in particular to—
- (a) any disadvantage to the tenant that might be expected to result from the works, and
 - (b) the accommodation that might be available for him whilst the works are carried out, and
 - (c) the age and health of the tenant,
- but the court shall not take into account the means or resources of the tenant.

Textual Amendments

- F2** S. 116(1) substituted by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 25 Pt. 1 para. 47(2)**
- F3** Words in s. 116(2) substituted (19.7.2002) by [The Regulatory Reform \(Housing Assistance\) \(England and Wales\) Order 2002 \(S.I. 2002/1860\)](#), arts. 1(2)(b), 9, **Sch. 1 para. 1(2)**
- F4** S. 116(3) substituted (17.12.1996) by 1996 c. 53, s. 103, **Sch. 1 para. 1(3)**; S.I. 1996/2842, **art. 3**
- F5** Words in s. 116(3) substituted (19.7.2002) by [The Regulatory Reform \(Housing Assistance\) \(England and Wales\) Order 2002 \(S.I. 2002/1860\)](#), arts. 1(2)(b), 9, **Sch. 1 para. 1(3)**
- F6** Words in s. 116(3) repealed (19.7.2003) by [The Regulatory Reform \(Housing Assistance\) \(England and Wales\) Order 2002 \(S.I. 2002/1860\)](#), arts. 1(3)(c)(e), 12, 15, Sch. 4 para. 1, **Sch. 6**
- F7** S. 116(3A) inserted (19.7.2002) by [The Regulatory Reform \(Housing Assistance\) \(England and Wales\) Order 2002 \(S.I. 2002/1860\)](#), arts. 1(2)(b), 9, **Sch. 1 para. 1(4)**
- F8** Words substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, **Sch. 2 para. 35(9)(c)**
- F9** Words in s. 116(5) substituted (17.12.1996) by 1996 c. 53, s. 103, **Sch. 1 para. 1(5)**; S.I. 1996/2842, **art. 3**

117 ^{F10}

Textual Amendments

- F10** Ss. 15(6), 17, 18(3)(4), 24(1)(2), 27–43, 50, 53, 67(6), 70(5), 76, 79(4), 86(5), 91, 92(6)(7), 108–113, 115, 117, 130, 133–135, 141(2), 155(1), Sch. 1 para. 8, Schs. 3, 4, 6, Sch. 7 para. 4, Sch. 10 para. 10, Sch. 11 paras. 13, 14 and 15–25, Sch. 13, Sch. 14 para. 6, Sch. 17 paras. 10, 11, Sch. 19, Sch. 20 paras. 1(6)(7), 4, Schs. 21, 22, Sch. 23 paras. 1, 4(g)–(i), 37, 38 repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 26**

Changes to legislation: There are currently no known outstanding effects for the Rent Act 1977, Cross Heading: Miscellaneous. (See end of Document for details)

118 Interpretation of Part VIII.

F11

Textual Amendments

F11 S. 118 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), ss. 3, 5, Sch. 1 Pt. I, Sch. 4

Changes to legislation:

There are currently no known outstanding effects for the Rent Act 1977, Cross Heading:
Miscellaneous.