



# Rent Act 1977

## 1977 CHAPTER 42

### PART I

#### PRELIMINARY

##### *Protected and statutory tenancies*

## 2 Statutory tenants and tenancies.

(1) Subject to this Part of this Act—

(a) after the termination of a protected tenancy of a dwelling-house the person who, immediately before that termination, was the protected tenant of the dwelling-house shall, if and so long as he occupies the dwelling-house as his residence, be the statutory tenant of it: and

[<sup>F1</sup>(b) Part 1 of Schedule 1 to this Act shall have effect for determining what person (if any)—

(i) is the statutory tenant of the dwelling-house, or (as the case may be),

(ii) in the case of a dwelling-house in England, is entitled to an assured tenancy of a dwelling-house by succession, or

(iii) in the case of a dwelling-house in Wales, is entitled to a secure contract of a dwelling-house by succession,

at any time after the death of a person who, immediately before that person's death, was either a protected tenant of the dwelling-house or a statutory tenant of it by virtue of paragraph (a) above.]

(2) In this Act a dwelling-house is referred to as subject to a statutory tenancy when there is a statutory tenant of it.

(3) In subsection (1)(a) above and in Part I of Schedule 1, the phrase “if and so long as he occupies the dwelling-house as his residence” shall be construed as it was immediately before the commencement of this Act (that is to say, in accordance with section 3(2) of the <sup>M1</sup>Rent Act 1968).

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*Changes to legislation: There are currently no known outstanding effects  
for the Rent Act 1977, Section 2. (See end of Document for details)*

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- (4) A person who becomes a statutory tenant of a dwelling-house as mentioned in subsection (1)(a) above is, in this Act, referred to as a statutory tenant by virtue of his previous protected tenancy.
- (5) A person who becomes a statutory tenant as mentioned in subsection 1(b) above is, in this Act, referred to as a statutory tenant by succession.

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**Textual Amendments**

- F1** S. 2(1)(b) substituted (18.5.2023) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2023 \(S.I. 2023/550\)](#), regs. 1, **2(2)**
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**Marginal Citations**

- M1** 1968 c. 23.

**Changes to legislation:**

There are currently no known outstanding effects for the Rent Act 1977, Section 2.