



Landlord and Tenant Act 1985

1985 CHAPTER 70

Repairing obligations

13 Leases to which s. 11 applies: general rule.

(1) Section 11 (repairing obligations) applies to a lease of a dwelling-house granted on or after 24th October 1961 for a term of less than seven years.

[^{F1}(1ZA) But in the case of a dwelling-house in Wales, section 11 does not apply if the dwelling-house is subject to an occupation contract (for provisions about repairing obligations in the case of occupation contracts, see Part 4 of the Renting Homes (Wales) Act 2016 (anaw 1)).

(1ZB) In this section, “occupation contract” has the same meaning as in the Renting Homes (Wales) Act 2016 (see section 7 of that Act).]

[^{F2}(1A) Section 11 also applies to a lease of a dwelling-house in England granted on or after the day on which section 166 of the Localism Act 2011 came into force which is—

- (a) a secure tenancy for a fixed term of seven years or more granted by a person within section 80(1) of the Housing Act 1985 (secure tenancies: the landlord condition), or
- (b) an assured tenancy for a fixed term of seven years or more that—
 - (i) is not a shared ownership lease, and
 - (ii) is granted by a private registered provider of social housing.

(1B) In subsection (1A)—

“assured tenancy” has the same meaning as in Part 1 of the Housing Act 1988;

“secure tenancy” has the meaning given by section 79 of the Housing Act 1985; and

“shared ownership lease” means a lease—

- (a) granted on payment of a premium calculated by reference to a percentage of the value of the dwelling-house or of the cost of providing it, or

Changes to legislation: Landlord and Tenant Act 1985, Section 13 is up to date with all changes known to be in force on or before 17 April 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

- (b) under which the lessee (or the lessee's personal representatives) will or may be entitled to a sum calculated by reference, directly or indirectly, to the value of the dwelling-house.]
- (2) In determining whether a lease is one to which section 11 applies—
- (a) any part of the term which falls before the grant shall be left out of account and the lease shall be treated as a lease for a term commencing with the grant,
 - (b) a lease which is determinable at the option of the lessor before the expiration of seven years from the commencement of the term shall be treated as a lease for a term of less than seven years, and
 - (c) a lease (other than a lease to which paragraph (b) applies) shall not be treated as a lease for a term of less than seven years if it confers on the lessee an option for renewal for a term which, together with the original term, amounts to seven years or more.
- (3) This section has effect subject to—
- section 14 (leases to which section 11 applies: exceptions), and
- section 32(2) (provisions not applying to tenancies within Part II of the ^{M1}Landlord and Tenant Act 1954).

Textual Amendments

- F1** S. 13(1ZA)(1ZB) inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), **13(4)**
- F2** S. 13(1A)(1B) inserted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), **ss. 166, 240(2)**; S.I. 2012/628, art. 6(c) (with arts. 9, 11, 14, 15, 17)
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Marginal Citations

- M1** 1954 c. 56.

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Changes and effects yet to be applied to :

- s. 13(1B) words inserted by [2016 c. 22 Sch. 7 para. 18\(3\)\(b\)](#)
- s. 13(1B) words substituted by [2016 c. 22 Sch. 7 para. 18\(3\)\(a\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(1AB) inserted by [2016 c. 22 Sch. 7 para. 18\(2\)](#)