



Landlord and Tenant Act 1987

1987 CHAPTER 31

PART III

COMPULSORY ACQUISITION BY TENANTS OF THEIR LANDLORD'S INTEREST

29 Conditions for making acquisition orders.

- (1) The court may, on an application for an acquisition order, make such an order in respect of any premises if—
 - (a) the court is satisfied—
 - (i) that those premises were, at the date of service on the landlord of the notice (if any) under section 27 and on the date when the application was made, premises to which this Part applies, and
 - (ii) that they have not ceased to be such premises since the date when the application was made, and
 - (b) either of the conditions specified in subsections (2) and (3) is fulfilled with respect to those premises, and
 - (c) the court considers it appropriate to make the order in the circumstances of the case.
- (2) The first of the conditions referred to in subsection (1)(b) is that the court is satisfied—
 - (a) that the landlord either is in breach of any obligation owed by him to the applicants under their leases and relating to the ^{F1}... management of the premises in question, or any part of them, or (in the case of an obligation dependent on notice) would be in breach of any such obligation but for the fact that it has not been reasonably practicable for the tenant to give him the appropriate notice, and
 - (b) that the circumstances by virtue of which he is (or would be) in breach of any such obligation are likely to continue, ^{F2}...
 - ^{F2}(c)

[^{F3}(2A) The reference in subsection (2) to the management of any premises includes a reference to the repair, maintenance, improvement or insurance of those premises.]

Changes to legislation: Landlord and Tenant Act 1987, Section 29 is up to date with all changes known to be in force on or before 20 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

- (3) The second of those conditions is that, both at the date when the application was made and throughout the period of [^{F4}two years] immediately preceding that date, there was in force an appointment under Part II of a person to act as manager in relation to the premises in question [^{F5}which was made by reason of an act or omission on the part of the landlord.]
- (4) An acquisition order may, if the court thinks fit—
- (a) include any yard, garden, outhouse or appurtenance belonging to, or usually enjoyed with, the premises specified in the application on which the order is made;
 - (b) exclude any part of the premises so specified.
- (5) Where—
- (a) the premises in respect of which an application for an acquisition order is made consist of part only of more extensive premises in which the landlord has an interest, and
 - (b) it appears to the court that the landlord's interest in the latter premises is not reasonably capable of being severed, either in the manner contemplated by the application or in any manner authorised by virtue of subsection (4)(b),
- then, notwithstanding that paragraphs (a) and (b) of subsection (1) apply, the court shall not make an acquisition order on the application.
- (6) In a case where an application for an acquisition order was preceded by the service of a notice under section 27, the court may, if it thinks fit, make such an order notwithstanding—
- (a) that any period specified in the notice in pursuance of subsection (2)(d) of that section was not a reasonable period, or
 - (b) that the notice failed in any other respect to comply with any requirement contained in subsection (2) of that section or in any regulations applying to the notice under section 54(3).
- (7) Where any premises are premises to which this Part applies at the time when an application for an acquisition order is made in respect of them, then, for the purposes of this section and the following provisions of this Part, they shall not cease to be such premises by reason only that—
- (a) the interest of the landlord in them subsequently becomes held by [^{F6}—
 - (i)] an exempt landlord or a resident landlord, [^{F7}or
 - (ii) the Welsh Ministers in their new towns residuary capacity,] or
 - (b) they subsequently become included within the functional land of any charity.

Textual Amendments

- F1** Words in s. 29(2)(a) repealed (30.9.2003 for E.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\)](#), s. 181(1), [Sch. 9 para. 9\(2\)](#), [Sch. 14](#); S.I. 2003/1986, art. 2(c)(i)(iv), [Sch. 1 Pt. 2 \(with Sch. 2\)](#); S.I. 2004/669, art. 2(c)(i)(iv), [Sch. 1 Pt. 2 \(with Sch. 2\)](#)
- F2** Words from "and (c)" onwards in s. 29(2) repealed (1.11.1993) by 1993 c. 28, ss. 85(4), 187(2), [Sch. 22](#); S.I. 1993/2134, [arts. 2, 5](#) (subject to savings in [Sch. 1 para. 2](#))
- F3** S. 29(2A) inserted (30.9.2003 for E.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\)](#), s. 181(1), [Sch. 9 para. 9\(3\)](#); S.I. 2003/1986, art. 2(c)(i) (with [Sch. 2](#)); S.I. 2004/669, art. 2(c)(i) (with [Sch. 2](#))
- F4** Words in s. 29(3) substituted (1.10.1996) by 1996 c. 52, s. 88; S.I. 1996/2212, [art. 2\(2\)](#) (with [Sch.](#))

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- F5** Words in s. 29(3) inserted (26.7.2002 for E. and 1.1.2003 for W.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\), s. 160\(5\)](#); S.I. 2002/1912, [art. 2\(b\)\(i\)](#) (subject to Sch. 2); S.I. 2002/3012, [art. 2\(b\)\(i\)](#) (subject to Sch. 2)
- F6** Words in s. 29(7)(a) renumbered as s. 29(7)(a)(i) (1.12.2008) by [Housing and Regeneration Act 2008 \(c. 17\), s. 325\(1\), Sch. 8 para. 39\(a\)](#); S.I. 2008/3068, [art. 2\(1\)\(w\)\(3\)](#) (with arts. 6-13)
- F7** S. 29(7)(a)(ii) and word inserted (1.12.2008) by [Housing and Regeneration Act 2008 \(c. 17\), s. 325\(1\), Sch. 8 para. 39\(b\)](#); S.I. 2008/3068, [art. 2\(1\)\(w\)\(3\)](#) (with arts. 6-13)

Modifications etc. (not altering text)

- C1** Pt. III excluded (30.9.2003 for E.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\), s. 181\(1\), Sch. 7 para. 9](#); S.I. 2003/1986, [art. 2\(a\)](#); S.I. 2004/669, [art. 2\(a\)](#)

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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. 24(2)(abb) inserted by [2002 c. 15 Sch. 10 para. 14](#)