



Housing Act 1996

1996 CHAPTER 52

PART V

CONDUCT OF TENANTS

[^{F1}CHAPTER 1A

[^{F1}General provisions

Textual Amendments

- F1** Pt. 5 Ch. 1A inserted (30.6.2004 for E., 30.9.2004 for W. for specified purposes, 30.4.2005 for W. so far as not already in force) by [Anti Social Behaviour Act 2003 \(c. 38\)](#), s. 93, [Sch. 1 para. 1](#); S.I. 2004/1502, [art. 2\(a\)\(iii\)](#); S.I. 2004/2557, [art. 2\(a\)\(ii\)](#); S.I. 2005/1225, [art. 2\(b\)](#)

Demoted tenancies [^{F2}: England]

Textual Amendments

- F2** Word in Pt. 5 Ch. 1A heading inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), [25\(7\)](#) (with savings and transitional provisions in S.I. 2022/1172, [regs. 4-7](#), [19](#))

143A Demoted tenancies

- (1) This section applies to a periodic tenancy of a dwelling-house [^{F3}: in England] if each of the following conditions is satisfied.
- (2) The first condition is that the landlord is either a local housing authority or a housing action trust.

Changes to legislation: Housing Act 1996, Cross Heading: General provisions is up to date with all changes known to be in force on or before 11 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 condition is that the tenant condition in section 81 of the Housing Act 1985 is satisfied.
- (4) The third condition is that the tenancy is created by virtue of a demotion order under section 82A of that Act.
- (5) In this Chapter—
 - (a) a tenancy to which this section applies is referred to as a demoted tenancy;
 - (b) references to demoted tenants must be construed accordingly.

Textual Amendments

F3 Words in s. 143A(1) inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), **25(8)** (with savings and transitional provisions in [S.I. 2022/1172](#), regs. 4-7, 19)

Duration of demoted tenancy

143B Duration of demoted tenancy

- (1) A demoted tenancy becomes a secure tenancy at the end of the period of one year (the demotion period) starting with the day the demotion order takes effect; but this is subject to subsections (2) to (5).
- (2) A tenancy ceases to be a demoted tenancy if any of the following paragraphs applies—
 - (a) either of the first or second conditions in section 143A ceases to be satisfied;
 - (b) the demotion order is quashed;
 - (c) the tenant dies and no one is entitled to succeed to the tenancy.
- (3) If at any time before the end of the demotion period the landlord serves a notice of proceedings for possession of the dwelling-house subsection (4) applies.
- (4) The tenancy continues as a demoted tenancy until the end of the demotion period or (if later) until any of the following occurs—
 - (a) the notice of proceedings is withdrawn by the landlord;
 - (b) the proceedings are determined in favour of the tenant;
 - (c) the period of 6 months beginning with the date on which the notice is served ends and no proceedings for possession have been brought.
- (5) A tenancy does not come to an end merely because it ceases to be a demoted tenancy.

Change of landlord

143C Change of landlord

- (1) A tenancy continues to be a demoted tenancy for the duration of the demotion period if—
 - (a) at the time the demoted tenancy is created the interest of the landlord belongs to a local housing authority or a housing action trust, and
 - (b) during the demotion period the interest of the landlord transfers to another person who is a local housing authority or a housing action trust.
- (2) Subsections (3) and (4) apply if—

Changes to legislation: *Housing Act 1996, Cross Heading: General provisions is up to date with all changes known to be in force on or before 11 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*

- (a) at the time the demoted tenancy is created the interest of the landlord belongs to a local housing authority or a housing action trust, and
 - (b) during the demotion period the interest of the landlord transfers to a person who is not such a body.
- (3) If the new landlord is [^{F4}a private registered provider of social housing,] a registered social landlord or a person who does not satisfy the landlord condition the tenancy becomes an assured shorthold tenancy.
- [^{F5}(4) If the new landlord—
- (a) is neither a private registered provider of social housing nor a registered social landlord, and
 - (b) satisfies the landlord condition,
- the tenancy becomes a secure tenancy.]
- (5) The landlord condition must be construed in accordance with section 80 of the Housing Act 1985.]

Textual Amendments

- F4** Words in s. 143C(3) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), [Sch. 2 para. 98\(2\)](#) (with art. 6, Sch. 3)
- F5** S. 143C(4) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), [Sch. 2 para. 98\(3\)](#) (with art. 6, Sch. 3)

Changes to legislation:

Housing Act 1996, Cross Heading: General provisions is up to date with all changes known to be in force on or before 11 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

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

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

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

- s. 124(1A) inserted by [2016 c. 22 Sch. 7 para. 20\(2\)](#)
- s. 124(6) inserted by [2016 c. 22 Sch. 7 para. 20\(6\)](#)
- s. 124A124B inserted by [2016 c. 22 Sch. 7 para. 21](#)
- s. 125A(3A)(3B) inserted by [2016 c. 22 Sch. 7 para. 22\(3\)](#)
- s. 130A inserted by [2016 c. 22 Sch. 8 para. 7](#)
- s. 133(1A) inserted by [2016 c. 22 Sch. 8 para. 9\(2\)](#)
- s. 143J(3A) inserted by [2016 c. 22 Sch. 8 para. 13\(2\)](#)
- s. 143J(7)(a) words omitted by [S.I. 2022/1166 reg. 25\(11\)\(b\)](#) (This amendment comes into force immediately after 2016 c. 22, s. 120 and Sch. 8 para. 13(3) come into force)
- s. 143GA143GB inserted by [2016 c. 22 Sch. 8 para. 10](#)
- s. 143MA(3A)-(3D) inserted by [2016 c. 22 Sch. 7 para. 27\(3\)](#)
- s. 143MB inserted by [2016 c. 22 Sch. 7 para. 28](#)