



Housing Act 1996

1996 CHAPTER 52

PART III

LANDLORD AND TENANT

CHAPTER II

ASSURED TENANCIES

Assured shorthold tenancies

99 Restriction on recovery of possession on expiry or termination

In section 21 of the Housing Act 1988 there shall be inserted at the end—

“(5) Where an order for possession under subsection (1) or (4) above is made in relation to a dwelling-house let on a tenancy to which section 19A above applies, the order may not be made so as to take effect earlier than—

- (a) in the case of a tenancy which is not a replacement tenancy, six months after the beginning of the tenancy, and
- (b) in the case of a replacement tenancy, six months after the beginning of the original tenancy.

(6) In subsection (5)(b) above, the reference to the original tenancy is—

- (a) where the replacement tenancy came into being on the coming to an end of a tenancy which was not a replacement tenancy, to the immediately preceding tenancy, and
- (b) where there have been successive replacement tenancies, to the tenancy immediately preceding the first in the succession of replacement tenancies.

(7) For the purposes of this section, a replacement tenancy is a tenancy—

Status: This is the original version (as it was originally enacted).

- (a) which comes into being on the coming to an end of an assured shorthold tenancy, and
- (b) under which, on its coming into being—
 - (i) the landlord and tenant are the same as under the earlier tenancy as at its coming to an end, and
 - (ii) the premises let are the same or substantially the same as those let under the earlier tenancy as at that time.”