



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 2

HOUSING

15 Demoted assured shorthold tenancies

- (1) In the Housing Act 1988 (c. 50) after section 20A (duty of landlord to provide statement of terms for certain tenancies) there is inserted the following section—

“20B Demoted assured shorthold tenancies

- (1) An assured tenancy is an assured shorthold tenancy to which this section applies (a demoted assured shorthold tenancy) if—
- (a) the tenancy is created by virtue of an order of the court under section 82A of the Housing Act 1985 or section 6A of this Act (a demotion order), and
 - (b) the landlord is a registered social landlord.
- (2) At the end of the period of one year starting with the day when the demotion order takes effect a demoted assured shorthold tenancy ceases to be an assured shorthold tenancy unless subsection (3) applies.
- (3) This subsection applies if before the end of the period mentioned in subsection (2) the landlord gives notice of proceedings for possession of the dwelling house.
- (4) If subsection (3) applies the tenancy continues to be a demoted assured shorthold tenancy until the end of the period mentioned in subsection (2) or (if later) until one of the following occurs—
- (a) the notice of proceedings for possession is withdrawn;
 - (b) the proceedings are determined in favour of the tenant;
 - (c) the period of six months beginning with the date on which the notice is given ends and no proceedings for possession have been brought.

Status: This is the original version (as it was originally enacted).

- (5) Registered social landlord has the same meaning as in Part 1 of the Housing Act 1996.”
- (2) In section 21 of that Act (recovery of possession on expiry or termination of assured shorthold tenancy) after subsection (5) there is inserted the following subsection—
- “(5A) Subsection (5) above does not apply to an assured shorthold tenancy to which section 20B (demoted assured shorthold tenancies) applies.”
- (3) In Schedule 2A to that Act (assured tenancies which are not shorthold tenancies) after paragraph 5 (former secure tenancies) there is inserted the following paragraph—
- “Former demoted tenancies*
- 5A. An assured tenancy which ceases to be an assured shorthold tenancy by virtue of section 20B(2) or (4).”