
Changes to legislation: *Housing Act 2004, Paragraph 11 is up to date with all changes known to be in force on or before 11 August 2023. 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*

SCHEDULES

SCHEDULE 7

FURTHER PROVISIONS REGARDING EMPTY DWELLING MANAGEMENT ORDERS

PART 2

FINAL EDMOS

General effect of final EDMOs: leases and licences granted by authority

- 11 (1) This paragraph applies in relation to any interest or right created by the authority under paragraph 10(3)(c).
- (2) For the purposes of any enactment or rule of law—
- (a) any interest created by the authority under paragraph 10(3)(c)(i) is to be treated as if it were a legal lease, and
 - (b) any right created by the authority under paragraph 10(3)(c)(ii) is to be treated as if it were a licence to occupy granted by the legal owner of the dwelling, despite the fact that the authority have no legal estate in the dwelling (see paragraph 10(5)(a)).
- (3) Any enactment or rule of law relating to landlords and tenants or leases accordingly applies in relation to any interest created by the authority under paragraph 10(3)(c) (i) as if the authority were the legal owner of the dwelling.
- (4) References to leases and licences—
- (a) in this Chapter, and
 - (b) in any other enactment,
- accordingly include (where the context permits) interests and rights created by the authority under paragraph 10(3)(c).
- (5) The preceding provisions of this paragraph have effect subject to—
- (a) paragraph 12(4) to (6), and
 - (b) any provision to the contrary contained in an order made by the appropriate national authority.
- (6) In paragraph 10(5)(b) the reference to leasing does not include the creation of interests under paragraph 10(3)(c)(i).
- (7) In this paragraph—
- “enactment” has the meaning given by paragraph 10(11);
 - “legal lease” means a term of years absolute (within section 1(1)(b) of the Law of Property Act 1925 (c. 20)).

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Commencement Information

- II** Sch. 7 para. 11 wholly in force at 16.6.2006; Sch. 7 para. 11 in force at for certain purposes at Royal Assent see s. 270(2)(b); Sch. 7 para. 11 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 7 para. 11 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

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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. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)