

## SCHEDULES

### SCHEDULE 7

#### FURTHER PROVISIONS REGARDING EMPTY DWELLING MANAGEMENT ORDERS

##### PART 1

##### INTERIM EDMOS

*General effect of interim EDMOs: leases and licences granted by authority*

- 3 (1) This paragraph applies in relation to any interest or right created by the authority under paragraph 2(3)(c).
- (2) For the purposes of any enactment or rule of law—
- (a) any interest created by the authority under paragraph 2(3)(c)(i) is to be treated as if it were a legal lease, and
  - (b) any right created by the authority under paragraph 2(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 2(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 2(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 2(3)(c).
- (5) The preceding provisions of this paragraph have effect subject to—
- (a) paragraph 4(4) to (6), and
  - (b) any provision to the contrary contained in an order made by the appropriate national authority.
- (6) In paragraph 2(5)(b) the reference to leasing does not include the creation of interests under paragraph 2(3)(c)(i).
- (7) In this paragraph—
- “enactment” has the meaning given by paragraph 2(11);
  - “legal lease” means a term of years absolute (within section 1(1)(b) of the Law of Property Act 1925 (c. 20)).