

*Status: Point in time view as at 28/06/2013.*

*Changes to legislation: Equality Act 2010, Paragraph 3 is up to date with all changes known to be in force on or before 22 May 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)*

## SCHEDULES

### SCHEDULE 21

#### REASONABLE ADJUSTMENTS: SUPPLEMENTARY

##### *Landlord's consent*

- 3 (1) This paragraph applies if—
- (a) A occupies premises under a tenancy,
  - (b) A is proposing to make an alteration to the premises so as to comply with a duty to make reasonable adjustments, and
  - (c) but for this paragraph, A would not be entitled to make the alteration.
- (2) This paragraph also applies if—
- (a) A is a responsible person in relation to common parts,
  - (b) A is proposing to make an alteration to the common parts so as to comply with a duty to make reasonable adjustments,
  - (c) A is the tenant of property which includes the common parts, and
  - (d) but for this paragraph, A would not be entitled to make the alteration.
- (3) The tenancy has effect as if it provided—
- (a) for A to be entitled to make the alteration with the written consent of the landlord,
  - (b) for A to have to make a written application for that consent,
  - (c) for the landlord not to withhold the consent unreasonably, and
  - (d) for the landlord to be able to give the consent subject to reasonable conditions.
- (4) If a question arises as to whether A has made the alteration (and, accordingly, complied with a duty to make reasonable adjustments), any constraint attributable to the tenancy must be ignored unless A has applied to the landlord in writing for consent to the alteration.
- (5) For the purposes of sub-paragraph (1) or (2), A must be treated as not entitled to make the alteration if the tenancy—
- (a) imposes conditions which are to apply if A makes an alteration, or
  - (b) entitles the landlord to attach conditions to a consent to the alteration.

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