

*Status: Point in time view as at 01/07/2012.*

*Changes to legislation: Equality Act 2010, Cross Heading: The duty in relation to let premises is up to date with all changes known to be in force on or before 10 June 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 4

#### PREMISES: REASONABLE ADJUSTMENTS

##### *The duty in relation to let premises*

- 2 (1) This paragraph applies where A is a controller of let premises.
- (2) A must comply with the first and third requirements.
- (3) For the purposes of this paragraph, the reference in section 20(3) to a provision, criterion or practice of A's includes a reference to a term of the letting.
- (4) For those purposes, the reference in section 20(3) or (5) to a disabled person is a reference to a disabled person who—
  - (a) is a tenant of the premises, or
  - (b) is otherwise entitled to occupy them.
- (5) In relation to each requirement, the relevant matters are—
  - (a) the enjoyment of the premises;
  - (b) the use of a benefit or facility, entitlement to which arises as a result of the letting.
- (6) Sub-paragraph (2) applies only if A receives a request from or on behalf of the tenant or a person entitled to occupy the premises to take steps to avoid the disadvantage or provide the auxiliary aid.
- (7) If a term of the letting that prohibits the tenant from making alterations puts the disabled person at the disadvantage referred to in the first requirement, A is required to change the term only so far as is necessary to enable the tenant to make alterations to the let premises so as to avoid the disadvantage.
- (8) It is never reasonable for A to have to take a step which would involve the removal or alteration of a physical feature.
- (9) For the purposes of this paragraph, physical features do not include furniture, furnishings, materials, equipment or other chattels in or on the premises; and none of the following is an alteration of a physical feature—
  - (a) the replacement or provision of a sign or notice;
  - (b) the replacement of a tap or door handle;
  - (c) the replacement, provision or adaptation of a door bell or door entry system;
  - (d) changes to the colour of a wall, door or any other surface.
- (10) The terms of a letting include the terms of an agreement relating to it.

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