

Status: Point in time view as at 18/01/2011.

Changes to legislation: Equality Act 2010, Paragraph 2 is up to date with all changes known to be in force on or before 18 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 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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