

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 34: Further exemptions to section 33

191. This section provides for certain exemptions from the measures to prevent retaliatory eviction contained in section 33. These include an exemption where the condition of the dwelling which resulted in the serving of the relevant notice was due to the tenant's breach of their duty to use the dwelling in a tenant-like manner, or breach of an express term of the tenancy to the same effect. There is also an exemption where the landlord has a genuine intention to sell their interest in the dwelling to a person that they are not associated with. Examples of where the landlord would not have a genuine intention to sell include where the landlord intends to sell to a family member or business partner. Furthermore, there are also exemptions where the landlord is a private registered provider of social housing and where a mortgagee (including a receiver who has been appointed by the mortgagee to act on behalf of the landlord) is in possession of the landlord's interest in the dwelling and the mortgagee needs to be able to exercise their power of sale with vacant possession.