

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Housing and Planning Act 2016, Paragraph 28 is up to date with all changes known to be in force on or before 13 August 2023. 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) View outstanding changes

SCHEDULES

PROSPECTIVE

SCHEDULE 7

SECURE TENANCIES ETC: PHASING OUT OF TENANCIES FOR LIFE

Housing Act 1996 (c. 52)

28 After section 143MA insert—

“143MB Default flexible tenancies when no notice given under section 143MA

(1) This section applies where—

- (a) a landlord has the power to serve a notice under section 143MA on the tenant under a demoted tenancy but fails to do so, and
- (b) the tenancy comes to an end on or after the day on which paragraph 4 of Schedule 7 to the Housing and Planning Act 2016 comes fully into force.

(2) On ceasing to be a demoted tenancy, the tenancy becomes a secure tenancy for a fixed term of 5 years that is a flexible tenancy.

(3) The terms of the new tenancy are the same as those of the tenancy that it replaces, so far as those terms are compatible with—

- (a) a tenancy for a fixed term of 5 years, and
- (b) the statutory provisions relating to flexible tenancies (within the meaning given by section 143MA(5)).”

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)