

Status: Point in time view as at 28/08/2020.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, SCHEDULE 29. (See end of Document for details)

SCHEDULES

SCHEDULE 29

Section 81

RESIDENTIAL TENANCIES IN ENGLAND AND WALES: PROTECTION FROM EVICTION

Interpretation

- 1 (1) In this Schedule “the relevant period” means the period—
 - (a) beginning with the day after the day on which this Act is passed, and
 - (b) ending with ^{F1}—
 - (i) in relation to England, 31 March 2021, and
 - (ii) in relation to Wales,] 30 September 2020.
- (2) The relevant national authority may by regulations made by statutory instrument amend sub-paragraph (1)(b) to specify a later date than the date for the time being specified there.
- (3) In this Schedule “relevant national authority” means—
 - (a) in relation to England, the Secretary of State, and
 - (b) in relation to Wales, the Welsh Ministers.

Textual Amendments

- F1** Words in Sch. 29 para. 1(1)(b) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(2)** (with reg. 4)

Rent Act 1977: protected tenancies and statutory tenancies

- 2 (1) Section 5(1) of the Protection from Eviction Act 1977 (validity of notices to quit) is to be read, in relation to Rent Act notices to quit given by the landlord during the relevant period, as if the reference to 4 weeks were a reference to ^{F2}—
 - (a) in relation to premises in England, the relevant notice period, and
 - (b) in relation to premises in Wales,] 3 months.
- (2) In sub-paragraph (1) ^{F3}—
 - (a)] “Rent Act notice to quit” means a notice to quit relating to a tenancy that is a protected tenancy for the purposes of the Rent Act 1977 (see section 1 of that Act) ^{F4}, and
 - (b) “relevant notice period” means—
 - (i) where the circumstance specified in Case 2 in Schedule 15 to the Rent Act 1977 applies (whether or not any other circumstance specified in that Schedule applies) or at the time the notice is served more than six months’ rent is unpaid, four weeks,

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- (ii) where sub-paragraph (i) does not apply and the circumstance specified in Case 10A in Schedule 15 to that Act applies (provided that no other circumstance specified in that Schedule applies), three months, and
 - (iii) where sub-paragraphs (i) and (ii) do not apply, six months.]
- (3) Section 3 of the Rent Act 1977 (terms and conditions of statutory tenancies) is to be read as if after subsection (4) there were inserted—
- “(4A) Proceedings for an order for a landlord to obtain possession of a dwelling-house as against a statutory tenant may not be commenced during the relevant period (see paragraph 1(1) and (2) of Schedule 29 to the Coronavirus Act 2020) unless—
- (a) the landlord has given the statutory tenant a notice of intention to commence possession proceedings;
 - (b) the notice period is a period of [^{F5}—
 - (i) in relation to a dwelling-house in England, at least the relevant notice period, and
 - (ii) in relation to a dwelling-house in Wales,] at least three months; and
 - (c) the proceedings are commenced on or after the intended date for commencing proceedings.
- (4B) But the proceedings may be commenced without compliance with subsection (4A) if the court considers it just and equitable to dispense with the requirement to comply.
- (4C) For the purposes of this section a “notice of intention to commence possession proceedings”, in relation to a dwelling house and a statutory tenant, is a notice that—
- (a) is in writing;
 - (b) describes the statutory tenancy;
 - (c) states—
 - (i) the address of the dwelling-house,
 - (ii) the name of the statutory tenant, and
 - (iii) the name and address of the landlord;
 - (d) states that the landlord intends to commence proceedings to obtain possession of the dwelling-house as against the statutory tenant;
 - (e) states—
 - (i) the ground or grounds on which the landlord intends to seek possession of the dwelling-house, and
 - (ii) the reason or reasons why the landlord believes the ground or grounds to be applicable;
 - (f) states the date on or after which the landlord intends to commence the possession proceedings;
 - (g) explains that the landlord is prohibited from commencing those proceedings in reliance on the notice—
 - (i) unless that date falls [^{F6}, in relation to a dwelling-house in England, at least the relevant notice period after the date on which the notice is given and, in relation to a dwelling-house

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- in Wales,] at least three months after the date on which the notice is given, and
- (ii) until that date.
- (4D) A notice of intention to commence possession proceedings may be given by leaving it at, or sending it by post to, the dwelling-house to which it relates.
- (4E) Where subsection (4A) applies and possession proceedings are commenced in reliance on a notice of intention to commence possession proceedings, the court must not make an order for the landlord to obtain possession of the dwelling-house as against the statutory tenant on a particular ground mentioned in Schedule 15 or 16 to this Act unless—
- (a) the notice states the ground and one or more reasons why the landlord believes that the ground is applicable, or
- (b) the court gives permission for the ground to be raised in the proceedings.
- (4F) In this section, in relation to a notice of intention to commence possession proceedings—
- “intended date for commencing proceedings” means the date stated in accordance with subsection (4C)(f);
- “notice period” means the period that—
- (a) begins with the date on which the notice is given, and
- (b) ends with the intended date for commencing proceedings.
- [^{F7}“relevant notice period” means—
- (a) where the notice of intention to commence possession proceedings specifies a ground that corresponds to Case 2 in Schedule 15 to this Act (whether or not the notice specifies any other ground) or at the time the notice is served more than six months’ rent is unpaid, four weeks,
- (b) where paragraph (a) does not apply and the notice of intention to commence possession proceedings specifies a ground that corresponds to Case 10A in Schedule 15 to this Act and no other ground is specified, three months, and
- (c) where paragraphs (a) and (b) do not apply, six months.”]

Textual Amendments

- F2** Words in Sch. 29 para. 2(1) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(3)(a)** (with reg. 4)
- F3** Words in Sch. 29 para. 2(2) renumbered as Sch. 29 para. 2(2)(a) (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(3)(b)(i)** (with reg. 4)
- F4** Sch. 29 para. 2(2)(b) and word inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(3)(b)(ii)** (with reg. 4)
- F5** Words in Sch. 29 para. 2(3) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(3)(c)(i)** (with reg. 4)

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- F6** Words in Sch. 29 para. 2(3) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(3)(c)(ii)** (with reg. 4)
- F7** Words in Sch. 29 para. 2(3) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(3)(c)(iii)** (with reg. 4)

Secure tenancies

- [^{F8}3** Section 83 of the Housing Act 1985 (proceedings for possession etc. of a dwelling-house let under a secure tenancy: general notice requirements) is to be read, in relation to notices served under that section during the relevant period, as if—
- (a) subsection (3) were omitted,
 - (b) in subsection (4) for the words from the beginning to “specified in the notice,” there were substituted “If the proceedings are for an order for the possession of a dwelling-house [^{F9}(and, in relation to a dwelling-house in England, Ground 2 in Schedule 2 is not specified in the notice)],”,
 - (c) after subsection (4A) there were inserted—
 - “(4B) The date specified in accordance with subsection (4)—
 - (a) must not be earlier than [^{F10}—
 - (i) in relation to a dwelling-house in England, the relevant notice period after the date of service of the notice, and
 - (ii) in relation to a dwelling-house in Wales,] three months after the date of service of the notice, and
 - (b) in a case where the tenancy is a periodic tenancy, must also not be earlier than the date on which the tenancy could, apart from this Part, be brought to an end by notice to quit given by the landlord on the same date as the notice under this section.
- [^{F11}(4C)** In subsection (4B) “relevant notice period” means—
- (a) where any one or more of the following grounds is specified in the notice—
 - (i) Ground 1 in Schedule 2 and at the time the notice is served at least six months’ rent is unpaid, or
 - (ii) Grounds 2ZA, 2A or 5 in Schedule 2, and no other ground is specified, four weeks, and
 - (b) where paragraph (a) does not apply, six months.”],
 - (d) in subsection (5) for “subsection (3), (4) or (4A)” there were substituted “subsection (4A)”, and
 - (e) in subsection (6) for “subsections (3) to (5)” there were substituted “subsections (4B)(b) and (5)”.]

Textual Amendments

- F8** Sch. 29 para. 3 suspended in part (E.) (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **2(a)** (with reg. 4)

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- F9** Words in Sch. 29 para. 3(b) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(4)(a)** (with reg. 4)
- F10** Words in Sch. 29 para. 3(c) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(4)(b)(i)** (with reg. 4)
- F11** Words in Sch. 29 para. 3(c) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(4)(b)(ii)** (with reg. 4)

[^{F124} Section 83ZA of the Housing Act 1985 (notice requirements in relation to proceedings for possession on absolute ground for anti-social behaviour) is to be read, in relation to notices served under that section during the relevant period, as if—

(a) for subsection (10) there were substituted—

“(10) The date specified in accordance with subsection (9)(a)—

(a) must not be earlier than three months after the date of the service of the notice, and

(b) in a case where the tenancy is a periodic tenancy, must also not be earlier than the date on which the tenancy could, apart from this Part, be brought to an end by notice to quit given by the landlord on the same day as the notice under this section.”, and

(b) in subsection (11) for “subsection (10)(a)” there were substituted “subsection (10)(b)”.]

Textual Amendments

- F12** Sch. 29 para. 4 suspended (E.) (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **2(b)** (with reg. 4)

Flexible tenancies

5 Section 107D of the Housing Act 1985 (recovery of possession on expiry of flexible tenancy) is to be read, in relation to notices given under subsection (4) of that section during the relevant period, as if for “two months’ notice” in that subsection there were substituted “[^{F13}six months]’ notice”.

Textual Amendments

- F13** Words in Sch. 29 para. 5 substituted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(5)** (with reg. 4)

Assured tenancies

6 Section 8 of the Housing Act 1988 (notice of proceedings for possession: assured tenancies) is to be read, in relation to notices served under that section during the relevant period, as if—

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- [^{F14}(a) in subsection (3A)—
- (i) in paragraph (a), for “periodic tenancy,” there were substituted “periodic tenancy—
- “(i) three months after the date on which the notice was served, and
- (ii)”,
- and
- (ii) in paragraph (b) for “one month” there were substituted “three months”,]
- [^{F15}(b) in subsection (4) after “earlier than” there were inserted “three months after”,]
- (c) in subsection (4A)(a) for “two months” there were substituted [^{F16}“the relevant notice period”][^{F17}in relation to a dwelling-house in England and “six months” in relation to a dwelling-house in Wales], ^{F18}...
- (d) in subsection (4B) for “two weeks” there were substituted [^{F19}“the relevant notice period”][^{F20}in relation to a dwelling-house in England and “six months” in relation to a dwelling-house in Wales][^{F21}, and
- (e) after subsection (4B) there were inserted in relation to a dwelling-house in England—
- “(4BA) In subsections (4A) and (4B), “relevant notice period” means—
- (a) where—
- (i) any of Grounds 1 to 6, 9, 12, 13, 15 or 16 in Schedule 2 to this Act is specified in the notice, or
- (ii) any of Grounds 8, 10 or 11 in Schedule 2 to this Act is specified in the notice and at the time the notice is served less than six months’ rent is unpaid,
- six months,
- (b) where paragraph (a) does not apply and one or both of Grounds 7 and 7B in Schedule 2 to this Act is specified in the notice, three months,
- (c) where paragraph (a) and (b) do not apply and any of Grounds 8, 10 or 11 in Schedule 2 to this Act are specified in the notice, four weeks, and
- (d) where paragraphs (a), (b) and (c) do not apply and any of Grounds 14A, 14ZA or 17 in Schedule 2 to this Act is specified in the notice, two weeks.”.]

Textual Amendments

F14 Sch. 29 para. 6(a) suspended (E.) (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **2(c)** (with reg. 4)

F15 Sch. 29 para. 6(b) suspended (E.) (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **2(c)** (with reg. 4)

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- F16** Words in Sch. 29 para. 6(c) substituted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(6)(a)** (with reg. 4)
- F17** Words in Sch. 29 para. 6(c) inserted (24.7.2020) by [The Coronavirus Act 2020 \(Assured Tenancies and Assured Shorthold Tenancies, Extension of Notice Periods\) \(Amendment\) \(Wales\) Regulations 2020 \(S.I. 2020/778\)](#), regs. 1(2), **2(2)**
- F18** Word in Sch. 29 para. 6(c) omitted (28.8.2020) by virtue of [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(6)(b)** (with reg. 4)
- F19** Words in Sch. 29 para. 6(d) substituted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(6)(c)** (with reg. 4)
- F20** Words in Sch. 29 para. 6(d) inserted (24.7.2020) by [The Coronavirus Act 2020 \(Assured Tenancies and Assured Shorthold Tenancies, Extension of Notice Periods\) \(Amendment\) \(Wales\) Regulations 2020 \(S.I. 2020/778\)](#), regs. 1(2), **2(2)**
- F21** Sch. 29 para. 6(e) and word inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(6)(d)** (with reg. 4)

Assured shorthold tenancies

- 7 Section 21 of the Housing Act 1988 (recovery of possession on expiry or termination of assured shorthold tenancy) is to be read, in relation to notices given under subsection (1) or (4) of that section during the relevant period, as if—
- (a) in subsection (1)(b) for “two months” there were substituted [^{F22}“six months”][^{F23}in relation to a dwelling-house in England and “six months” in relation to a dwelling-house in Wales],
- (b) in subsection (4)(a) for “two months” there were substituted [^{F24}“six months”][^{F25}in relation to a dwelling-house in England and “six months” in relation to a dwelling-house in Wales],
- [^{F26}(ba) in subsection (4D) for “six months” there were substituted “10 months”,] and
- (c) in subsection (4E)(b) for “two months” there were substituted “[^{F27}six months]”.

Textual Amendments

- F22** Words in Sch. 29 para. 7(a) substituted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(7)(a)** (with reg. 4)
- F23** Words in Sch. 29 para. 7(a) inserted (24.7.2020) by [The Coronavirus Act 2020 \(Assured Tenancies and Assured Shorthold Tenancies, Extension of Notice Periods\) \(Amendment\) \(Wales\) Regulations 2020 \(S.I. 2020/778\)](#), regs. 1(2), **2(3)(a)**
- F24** Words in Sch. 29 para. 7(b) substituted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(7)(a)** (with reg. 4)
- F25** Words in Sch. 29 para. 7(b) inserted (24.7.2020) by [The Coronavirus Act 2020 \(Assured Tenancies and Assured Shorthold Tenancies, Extension of Notice Periods\) \(Amendment\) \(Wales\) Regulations 2020 \(S.I. 2020/778\)](#), regs. 1(2), **2(3)(b)**

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- F26** Sch. 29 para. 7(ba) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(7)(b)** (with reg. 4)
- F27** Words in Sch. 29 para. 7(c) substituted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(7)(c)** (with reg. 4)

Introductory tenancies

8 Section 128 of the Housing Act 1996 (notice of proceedings for possession of a dwelling-house let under an introductory tenancy) is to be read, in relation to notices served under that section during the relevant period, as if—

- (a) in subsection (4) the second sentence were omitted, ^{F28} ...
- (b) after subsection (4) there were inserted—

“(4A) The date specified in accordance with subsection (4)—

- (a) must not be earlier than the end of the period of [^{F29}—
- (i) in relation to a dwelling-house in England, the relevant notice period beginning with the date on which the notice of proceedings is served, and
- (ii) in relation to a dwelling-house in Wales,] three months beginning with the date on which the notice of proceedings is served, and
- (b) must not be earlier than the date on which the tenancy could, apart from this Chapter, be brought to an end by notice to quit given by the landlord on the same date as the notice of proceedings.”

[^{F30}, and

- (c) after subsection (7) there were inserted—

“(8) In this section—

“relevant notice period” means—

- (a) where the landlord has specified in the notice of proceedings an ASB reason for applying for a possession order (whether or not the landlord has any other reason), four weeks, and
- (b) in any other case, six months;

“ASB reason” means a reason which corresponds to any of those set out in section 84A(3) to (7) of the Housing Act 1985 or Grounds 2, 2ZA and 2A of Schedule 2 to that Act.”.]

Textual Amendments

- F28** Word in Sch. 29 para. 8(a) omitted (28.8.2020) by virtue of [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(8)(a)** (with reg. 4)
- F29** Words in Sch. 29 para. 8(b) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(8)(b)** (with reg. 4)

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F30 Sch. 29 para. 8(c) and word inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(8)(c)** (with reg. 4)

Demoted tenancies

9 Section 143E of the Housing Act 1996 (notice of proceedings for possession of a dwelling-house let under a demoted tenancy) is to be read, in relation to notices served under that section during the relevant period, as if ^{F31}—

(a) for subsection (3) there were substituted—

“(3) The date specified under subsection (2)(c)—

(a) must not be earlier than the end of the period of ^{F32}—

(i) in relation to a dwelling-house in England, the relevant notice period beginning with the date on which the notice of proceedings is served, and

(ii) in relation to a dwelling-house in Wales,] three months beginning with the date on which the notice of proceedings is served, and

(b) must not be earlier than the date on which the tenancy could (apart from this Chapter) be brought to an end by notice to quit given by the landlord on the same date as the notice of proceedings.”

^{F33}, and

(b) after subsection (5) there were inserted—

“(6) In this section—

“relevant notice period” means—

(a) where the landlord has specified in the notice of proceedings an ASB reason for applying for a possession order (whether or not the landlord has any other reason), four weeks, and

(b) in any other case, six months;

“ASB reason” means a reason which corresponds to any of those set out in section 84A(3) to (7) of the Housing Act 1985 or Grounds 2, 2ZA and 2A of Schedule 2 to that Act.”.]

Textual Amendments

F31 Words in Sch. 29 para. 9 renumbered as Sch. 29 para. 9(a) (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(9)(a)** (with reg. 4)

F32 Words in Sch. 29 para. 9(a) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(9)(b)** (with reg. 4)

F33 Sch. 29 para. 9(b) and word inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(9)(c)** (with reg. 4)

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Consequential modifications in relation to prescribed forms

- 10 (1) Part 1 of the Schedule to the Secure Tenancies (Notices) Regulations 1987 (S.I. 1987/755) (notice of seeking possession) is to be read, in relation to notices served under section 83 of the Housing Act 1985 during the relevant period, as if—
- (a) in the first paragraph 5—
- [^{F34}(i) the words “Cross out this paragraph if possession is being sought on Ground 2 of Schedule 2 to the Housing Act 1985 (whether or not possession is also sought on another Ground)” were omitted,]
- [^{F35}(ia) where the notice is served in relation to a dwelling-house in England, in the first bullet point, for the words from “the date when” to the end there were substituted “the relevant notice period from the date this Notice is served and also cannot be earlier than the date on which your tenancy or licence could be brought to an end by notice to quit given by the landlord on the same date as this Notice.
- (ib) where the notice is served in relation to a dwelling-house in England, after the first bullet point, there were inserted—
- “The relevant notice period is—
- (a) four weeks where any one or more of the following grounds is specified in the notice—
- (i) Ground 1 in Schedule 2 to the Housing Act 1985 and at the time the notice is served at least six months’ rent is unpaid, or
- (ii) Grounds 2ZA, 2A or 5 in Schedule 2 to that Act,
- and no other ground is specified, and
- (b) otherwise, six months.”.]
- (ii) [^{F36}where the notice is served in relation to a dwelling-house in Wales,] in the first bullet point, for the words from “the date when” to the end there were substituted “ three months from the date this Notice is served and also cannot be earlier than the date on which your tenancy or licence could be brought to an end by notice to quit given by the landlord on the same date as this Notice ”, and
- (iii) in the second bullet point, for “this date” there were substituted “ the date in this paragraph ”, and
- [^{F37}(b) the second paragraph 5 were omitted.]
- ^{F38F39F40}(2) Part 2 of the Schedule to the Secure Tenancies (Notices) Regulations 1987 (S.I. 1987/755) (notice of seeking termination of tenancy and recovery of possession) is to be read, in relation to notices served under section 83 of the Housing Act 1985 during the relevant period, as if after paragraph 4 there were inserted—

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- 5 The Court proceedings for possession will not be begun until after ...
(give the date after which Court proceedings can be brought)
- Court proceedings cannot be begun until after this date, which cannot be earlier than three months from the date this Notice is served.
 - After this date, Court proceedings may be begun at once or at any time during the following twelve months. Once the twelve months are up this Notice will lapse and a new Notice must be served before possession can be sought.

Textual Amendments

- F34** Sch. 29 para. 10(a)(i) suspended (E.) (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **2(d)** (with reg. 4)
- F35** Sch. 29 para. 10(1)(ia)(ib) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(10)(a)(i)** (with reg. 4)
- F36** Words in Sch. 29 para. 10(1)(a)(ii) inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(10)(a)(ii)** (with reg. 4)
- F37** Sch. 29 para. 10(b) suspended (E.) (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **2(d)** (with reg. 4)
- F38** Sch. 29 para. 10(2): in the first bullet point of the modification, after the words "earlier than" the words "— (a) in relation to a dwelling-house in England, the relevant notice period from the date this Notice is served, and (b) in relation to a dwelling-house in Wales," are inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(10)(b)(i)** (with reg. 4)
- F39** Sch. 29 para. 10(2): after the first bullet point of the modification the words "The relevant notice period is — (a) four weeks where any one or more of the following grounds is specified in the notice — (i) Ground 1 in Schedule 2 to the Housing Act 1985 and at the time the notice is served at least six months' rent is unpaid, or (ii) Grounds 2ZA, 2A or 5 in Schedule 2 to that Act, and no other ground is specified, and (b) otherwise, six months (unless proceedings are brought on Ground 2 in Schedule 2 to the Housing Act 1985 in which case they may be begun immediately)." are inserted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(10)(b)(ii)** (with reg. 4)
- F40** Sch. 29 para. 10(2): in the second bullet point of the modification, the words "the date in this paragraph" are substituted for "this date" (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(10)(b)(iii)** (with reg. 4)

- 11 The Schedule to the Assured Tenancies and Agricultural Occupancies (Forms) Regulations 1997 (S.I. 1997/194) (which applies in relation to Wales) is to be read, in relation to notices served under section 8 of the Housing Act 1988 during the relevant period, as if in Form 3 (notice seeking possession of a property let on an assured tenancy or an assured agricultural occupancy), in paragraph 5 (earliest date on which court proceedings can be brought)—

(a) in the first bullet point, for "2 months" there were substituted [^{F41}"6 months"],

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- (b) in the second bullet point—
- (i) for “2 weeks” there were substituted [^{F42}“6 months”], and
- (ii) for “two months” there were substituted [^{F43}“six months”], and
- (c) in the third bullet point, for the words “before the date this notice is served” there were substituted “earlier than 3 months from the date on which this notice is served”.

Textual Amendments

- F41** Words in Sch. 29 para. 11(a) substituted (24.7.2020) by [The Coronavirus Act 2020 \(Assured Tenancies and Assured Shorthold Tenancies, Extension of Notice Periods\) \(Amendment\) \(Wales\) Regulations 2020 \(S.I. 2020/778\)](#), regs. 1(2), **2(4)(a)**
- F42** Words in Sch. 29 para. 11(b)(i) substituted (24.7.2020) by [The Coronavirus Act 2020 \(Assured Tenancies and Assured Shorthold Tenancies, Extension of Notice Periods\) \(Amendment\) \(Wales\) Regulations 2020 \(S.I. 2020/778\)](#), regs. 1(2), **2(4)(b)(i)**
- F43** Words in Sch. 29 para. 11(b)(ii) substituted (24.7.2020) by [The Coronavirus Act 2020 \(Assured Tenancies and Assured Shorthold Tenancies, Extension of Notice Periods\) \(Amendment\) \(Wales\) Regulations 2020 \(S.I. 2020/778\)](#), regs. 1(2), **2(4)(b)(ii)**

- 12 (1) The Schedule to the Assured Tenancies and Agricultural Occupancies (Forms) (England) Regulations 2015 (S.I. 2015/620) is to be read, in relation to notices served under section 8 of the Housing Act 1988 during the relevant period, as if in Form 3 (notice seeking possession of a property let on an assured tenancy or an assured agricultural occupancy), in the notes to paragraph 5 (notes on the earliest date on which court proceedings can be brought)—
- [^{F44}(a) for the first and second bullet points there were substituted—
- “Where the landlord is seeking possession on any of grounds 1 to 6, 9, 12, 13, 15 or 16, or of grounds 8, 10 or 11 if at the time the notice is served less than six months’ rent is unpaid, (without ground 7A or 14) court proceedings cannot begin earlier than six months from the date this notice is served on you.
 - Where the landlord is seeking possession on grounds 7 or 7B (without ground 7A or 14) and the paragraph above does not apply, court proceedings cannot begin earlier than three months from the date this notice is served on you.
 - Where the landlord is seeking possession on grounds 8, 10 or 11 and at the time the notice is served at least six months’ rent is unpaid (without ground 7A or 14) and the paragraphs above do not apply, court proceedings cannot begin earlier than four weeks from the date this notice is served on you.
 - Where the landlord is seeking possession on grounds 14A, 14ZA or 17 (without ground 7A or 14) and the paragraphs above do not apply, court proceedings cannot begin earlier than two weeks from the date this notice is served on you.
 - Where the landlord is seeking possession on grounds 1, 2, 5 to 7, 9 or 16 (without ground 7A or 14) court proceedings also cannot begin before the date on which the tenancy (had it not been assured) could have been brought to an end by a notice to quit served at the same time as this notice.”]
- [^{F45}(c) in the third bullet point, for “1 month” there were substituted “3 months”, and]
- [^{F46}(d) in the fourth bullet point, for the words “before the date this notice is served” there were substituted “earlier than 3 months from the date on which this notice is served”.]

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- (2) The Schedule to the Assured Tenancies and Agricultural Occupancies (Forms) (England) Regulations 2015 (S.I. 2015/620) is to be read, in relation to notices given under section 21(1) or (4) of the Housing Act 1988 during the relevant period, as if in Form 6A (notice seeking possession of a property let on an assured shorthold tenancy)—
- (a) in the section headed “What to do if this notice is served on you”, in the second paragraph—
- (i) for “two months” there were substituted “[^{F47}six months’]”, and
- (ii) the words “if you pay rent quarterly, you must be given at least three months’ notice, or,” were omitted, and
- (b) in paragraph 3, for “two months” there were substituted “[^{F48}six months’]”.

Textual Amendments

- F44** Sch. 29 para. 12(1)(a) substituted for Sch. 29 para. 12(1)(a)(b) (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(11)(a)** (with reg. 4)
- F45** Sch. 29 para. 12(1)(c) suspended (E.) (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **2(e)** (with reg. 4)
- F46** Sch. 29 para. 12(1)(d) suspended (E.) (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **2(e)** (with reg. 4)
- F47** Words in Sch. 29 para. 12(2)(a)(i) substituted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(11)(b)** (with reg. 4)
- F48** Words in Sch. 29 para. 12(2)(b) substituted (28.8.2020) by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) Regulations 2020 \(S.I. 2020/914\)](#), regs. 1(2), **3(11)(b)** (with reg. 4)

Power to alter three month notice periods

- 13 (1) The relevant national authority may by regulations made by statutory instrument amend this Schedule—
- (a) to alter a reference to three months in this Schedule into—
- (i) a reference to six months, or
- (ii) a reference to any other specified period which is less than six months, or
- (b) to alter a reference which has been altered by virtue of paragraph (a) or this paragraph (but not so as to result in the reference being to a specified period of more than six months).
- (2) Sub-paragraph (1) applies to references in this Schedule whether or not they are contained in text which is to be treated as if inserted or substituted into another enactment.

Regulations under this Schedule

- 14 (1) Any power to make regulations under this Schedule—
- (a) may be exercised more than once,

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- (b) may be exercised so as to make different provision for different purposes or different areas, and
 - (c) includes power to make supplementary, incidental, consequential, transitional, transitory or saving provision (including provision modifying enactments or amending this Schedule).
- (2) A statutory instrument containing regulations of the Secretary of State under paragraph 1 or 13 is subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) A statutory instrument containing regulations of the Welsh Ministers under paragraph 1 or 13 is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

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Changes to legislation:

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