



Landlord and Tenant Act 1954

1954 CHAPTER 56 2 and 3 Eliz 2

PART IV

MISCELLANEOUS AND SUPPLEMENTARY

51 Extension of Leasehold Property (Repairs) Act 1938.

- (1) The ^{M1}Leasehold Property (Repairs) Act 1938 (which restricts the enforcement of repairing covenants in long leases of small houses) shall extend to every tenancy (whether of a house or of other property, and without regard to rateable value) where the following conditions are fulfilled, that is to say,—
- (a) that the tenancy was granted for a term of years certain of not less than seven years;
 - (b) that three years or more of the term remain unexpired at the date of the service of the notice of dilapidations or, as the case may be, at the date of commencement of the action for damages; and
 - [^{F1}(c) that the tenancy is neither a tenancy of an agricultural holding in relation to which the Agricultural Holdings Act 1986 applies nor a farm business tenancy]
- (2) In accordance with the last foregoing subsection the said Act of 1938 shall be amended as follows—
- (a) in subsection (1) of section one, for the words “a house of rateable value of one hundred pounds or less” there shall be substituted the words “all or any of the property comprised in the lease”, and for the word “five” there shall be substituted the word “three” ;
 - (b) in subsection (2) of section one, for the word “five” there shall be substituted the word “three” ;
 - (c) in paragraph (b) of subsection (5) of section one, for the word “house” there shall be substituted the word “premises” and for the words from “relating” to the end of the paragraph there shall be substituted the words “or for giving effect to any order of a court or requirement by any authority under any enactment or any such byelaw or other provision as aforesaid” ;

Changes to legislation: *Landlord and Tenant Act 1954, Section 51 is up to date with all changes known to be in force on or before 21 April 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) View outstanding changes*

- (d) in paragraph (c) of subsection (5) of section one, for the word “house”, where it first occurs, there shall be substituted the words “premises as respects which the covenant or agreement is proposed to be enforced”, and for the words “the house” in the second place in which they occur there shall be substituted the words “those premises” ;
 - (e) in section three, for the words “a house” there shall be substituted the word “premises” .
 - (f) section four shall be omitted ;
 - (g) in subsection (1) of section seven, in the definition of the expression “lease”, for the words “twenty-one years or more” there shall be substituted the words “seven years or more, not being a lease of an agricultural holding within the meaning of the Agricultural Holdings Act, 1948” .
- (3) The said Act of 1938 shall apply where there is an interest belonging to Her Majesty in right of the Crown or to a Government department, or held on behalf of Her Majesty for the purposes of a Government department, in like manner as if that interest were an interest not so belonging or held.
- (4) Subsection (2) of section twenty-three of the Landlord and Tenant Act 1927 (which authorises a tenant to serve documents on the person to whom he has been paying rent) shall apply in relation to any counter-notice to be served under the said Act of 1938.
- (5) This section shall apply to tenancies granted, and to breaches occurring, before or after the commencement of this Act, except that it shall not apply where the notice of dilapidations was served, or the action for damages begun, before the commencement of this Act.
- (6) In this section the expression “notice of dilapidations” means a notice under subsection (1) of section one hundred and forty-six of the ^{M2}Law of Property Act 1925.

Textual Amendments

F1 S. 51(1)(c) substituted (1.9.1995) by 1995 c. 8, ss. 40, 41(2), **Sch. para. 11** (with s. 37)

Modifications etc. (not altering text)

C1 The text of ss. 47(5), 51(2), 63(10) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M1 1938 c. 34.

M2 1925 c. 20.

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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. 34(5) inserted by [2022 c. 46 s. 61\(5\)](#)
- s. 34A inserted by [2022 c. 46 s. 61\(2\)](#)
- s. 34B34C inserted by [2022 c. 46 s. 63](#)
- s. 63(2A)-(2C) inserted by [2022 c. 46 s. 65](#)