



Deserted Tenements Act 1817

1817 CHAPTER 52

An Act to alter an Act passed in the Eleventh Year of the Reign of King *George* the Second, for the more effectual securing the Payment of Rents, and preventing Frauds by Tenants. [27th June 1817]

WHEREAS by an Act of Parliament passed in the Eleventh Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the more effectual securing the Payment of Rents, and preventing Frauds by Tenants*, it is amongst other Things enacted, that from and after the Twenty-fourth Day of *June* One thousand seven hundred and thirty-eight, if any Tenant holding any Lands, Tenements, or Hereditaments at a Rack Rent, or where the Rent reserved mould be full Three-fourths of the Yearly Value of the demised Premises, who mould be in Arrear for One Year's Rent, mould desert the demised Premises, and leave the same uncultivated or unoccupied, so as no sufficient Distress could be had to countervail the Arrears of Rent, it mould and might be lawful to and for Two or more Justices of the Peace of the County, Riding, Division, or Place (having no Interest in the demised Premises), at the Request of the Lessor or Landlord, Lessors or Landlords, or his, her, or their Bailiff or Receiver, to go upon and view the same, and to affix or cause to be affixed on the mod notorious Part of the Premises Notice in Writing what Day (at the Distance of Fourteen Days at least) they would return to take a Second View thereof; and if upon such Second View the Tenant, or some Person on his or her Behalf, mould not appear and pay the Rent in Arrear, or there mould not be sufficient Distress upon the Premises, then the said Justices might put the Landlord or Landlords, Lessor or Lessors, into the Possession of the said demised Premises; and the Lease thereof to such Tenant, as to any Demise therein contained only, mould from thenceforth become void: And whereas it is expedient, for the due Protection of the Interest of Landlords, that so much of the said Aft as requires a Tenant to be in Arrear for One Year's Rent should be altered, and that the Provisions of the said Act should be extended to Tenancies where no Right of Entry in case of Non-payment is reserved to the Landlord;

be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Certain Provisions of recited Act extended to the Cafe of Tenants in Arrear for One Half Year's Rent inftead of One Year.

That from and after the passing of this Act the Provisions, Powers, and Remedies by the said recited Act given to Lessors and Landlords in case of any Tenant deserting the demised Premises, and leaving the same uncultivated or unoccupied, so as no sufficient Distress can be had to countervail the Arrears of Rent, shall be extended to the Cafe of Tenants holding any Lands, Tenements, or Hereditaments at a Rack Rent, or where the Rent reserved shall be full Three Fourths of the Yearly Value of the demised Premises, and who shall be in Arrear for One Half Year's Rent (instead of for One Year, as in the said recited Act is provided and enacted), and who shall hold such Lands and Tenements or Hereditaments under any Demise or Agreement either written or verbal, and although no Right or Power of Re-entry be reserved or given to the Landlord in case of Non-payment of Rent, who shall be in Arrear for One Half Year's Rent, instead of for One Year, as in the said recited Act is provided and enacted.