
STATUTORY INSTRUMENTS

2021 No. 564

**The Coronavirus Act 2020 (Residential
Tenancies: Protection from Eviction)
(Amendment) (England) (No. 2) Regulations 2021**

Amendment of Schedule 29 to the Coronavirus Act 2020

2.—(1) Schedule 29 to the Coronavirus Act 2020 is amended as follows.

(2) In paragraph 1(1)(b)(i) (end of the relevant period in relation to England) for “31 May 2021” substitute “30 September 2021”.

(3) In paragraph 2(2)(b) (modification of section 5(1) of the Protection from Eviction Act 1977⁽¹⁾): the relevant notice period for Rent Act notices to quit—

- (a) in sub-paragraph (i) for “more than six months” substitute “four months’ or more”,
- (b) in sub-paragraph (ii) for “three months, and” substitute “four weeks”,
- (c) for sub-paragraph (iii) substitute—

“(iii) where sub-paragraphs (i) and (ii) do not apply and—

- (aa) the circumstance specified in Case 1 in Schedule 15 to that Act applies (provided that no other circumstance specified in that Schedule applies),
- (ab) at the time the notice is given less than four months’ rent is unpaid, and
- (ac) the notice is given on or after 1 August 2021,
two months, and

(iv) where sub-paragraphs (i), (ii) and (iii) do not apply, four months.”.

(4) In paragraph 2(3) (modification of section 3 of the Rent Act 1977⁽²⁾: the notice period for possession proceedings in relation to Rent Act 1977 statutory tenancies), in the definition of “relevant notice period” in inserted subsection (4F) of the modification—

- (a) in paragraph (a) for “more than six months” substitute “four months’ or more”,
- (b) in paragraph (b) for “three months, and” substitute “four weeks”,
- (c) for paragraph (c) substitute—

“(c) where paragraphs (a) and (b) do not apply and—

- (i) the notice of intention to commence possession proceedings specifies a ground that corresponds to Case 1 in Schedule 15 to this Act and no other ground is specified,
- (ii) at the time the notice is given less than four months’ rent is unpaid, and
- (iii) the notice is given on or after 1 August 2021,
two months, and

(d) where paragraphs (a), (b) and (c) do not apply, four months.”.

⁽¹⁾ 1977 c. 443. Section 5 was amended by section 32(1) of the Housing Act 1988 (c. 50).

⁽²⁾ 1977 c. 42.

(5) In paragraph 3(c) (modification of section 83 of the Housing Act 1985⁽³⁾): notice of possession proceedings in relation to secure tenancies) in inserted subsection (4C) of the modification (definition of “relevant notice period”) —

- (a) in paragraph (a)(i) for “six months” substitute “four months”,
- (b) at the end of paragraph (a) omit “and”,
- (c) for paragraph (b) substitute—

“(b) where paragraph (a) does not apply and Ground 1 in Schedule 2 is specified in the notice (and no other ground is specified) and at the time the notice is served less than four months’ rent is unpaid, if the notice is served on or after 1 August 2021, two months, and

(c) where paragraphs (a) and (b) do not apply, four months.”.

(6) In paragraph 5 (modification of section 107D of the Housing Act 1985⁽⁴⁾): notice of possession proceedings in relation to flexible tenancies) for “six months” substitute “four months”.

(7) In paragraph 6(e) (modification of section 8 of the Housing Act 1988: notice of possession proceedings in relation to assured tenancies) in inserted subsection (4BA) of the modification (definition of “relevant notice period” for the purposes of subsections (4A) and (4B))—

- (a) in paragraph (a)(ii) for “six months’ rent” substitute “four months’ rent”,
- (b) in the full out words in paragraph (a) for “six months” substitute—

“two months (in the case of a notice served on or after 1 August 2021 in which any of Grounds 8, 10 or 11 is specified and no other ground) or four months (in any other case).”,

- (c) for paragraph (b) substitute—

“(b) where paragraph (a) does not apply and Ground 7 in Schedule 2 to this Act is specified in the notice, two months,”, and

- (d) in paragraph (d) after “any of Grounds” insert “7B,”.

(8) In paragraph 7 (modification of section 21 of the Housing Act 1988⁽⁵⁾): notice of possession proceedings in relation to assured shorthold tenancies)—

- (a) in paragraph (a) for “six months” in the first place it occurs substitute “four months”,
- (b) in paragraph (b) for “six months” in the first place it occurs substitute “four months”,
- (c) in paragraph (ba) for “10 months” substitute “8 months”,
- (d) in paragraph (c) for “six months” substitute “four months”.

(9) In paragraph 8(c) (modification of section 128 of the Housing Act 1996⁽⁶⁾): notice of possession proceedings in relation to introductory tenancies) in inserted subsection (8) of the modification, in the definition of “relevant notice period”—

- (a) at the end of paragraph (a) omit “and”,
- (b) after paragraph (a) insert—

“(aa) where paragraph (a) does not apply and the landlord has specified in the notice of proceedings a reason for applying for a possession order which corresponds to

(3) 1985 c. 68. Section 83 was substituted by section 147(1) of the Housing Act 1996 (c. 52), section 14(3) of the Anti-Social Behaviour Act 2003 (c. 38) and paragraph 7 of Part 1 of Schedule 11 to the Anti-Social Behaviour, Crime and Policing Act 2014 (c. 12).

(4) Section 107D was inserted by section 154 of the Localism Act 2011 (c. 20).

(5) Section 21 of the Housing Act 1988 was amended by paragraph 103 of Schedule 11 to the Local Government and Housing Act 1989 (c. 42), sections 98 and 99 of the Housing Act 1996, paragraph 9 of Part 1 of Schedule 11 to the Housing and Regeneration Act 2008 (c. 17) and sections 35 to 37 of the Deregulation Act 2015 (c. 20) and modified by paragraph 7 of Schedule 29 to the Coronavirus Act 2020 which was amended by S.I. 2020/778 (W. 172).

(6) 1996 c. 52.

Ground 5 of Schedule 2 to the Housing Act 1985 (whether or not the landlord has any other reason), four weeks,” and

(c) for paragraph (b) substitute —

“(b) where paragraphs (a) and (aa) do not apply and the landlord has specified in the notice of proceedings only a reason for applying for a possession order which corresponds to Ground 1 of Schedule 2 to the Housing Act 1985 and at the time the notice is served —

(i) at least four months’ rent is unpaid, four weeks,

(ii) less than four months’ rent is unpaid, and the notice is served on or after 1 August 2021, two months, and

(c) in any other case, four months;”.

(10) In paragraph 9(b) (modification of section 143E of the Housing Act 1996⁽⁷⁾: notice of possession proceedings in relation to demoted tenancies) in inserted subsection (6)(b) of the modification, in the definition of “relevant notice period”—

(a) at the end of paragraph (a) omit “and”,

(b) after paragraph (a) insert—

“(aa) where paragraph (a) does not apply and the landlord has specified in the notice of proceedings a reason for applying for a possession order which corresponds to Ground 5 of Schedule 2 to the Housing Act 1985 (whether or not the landlord has any other reason), four weeks”, and

(c) for paragraph (b) substitute—

“(b) where paragraphs (a) and (aa) do not apply and the landlord has specified in the notice of proceedings only a reason for applying for a possession order which corresponds to Ground 1 of Schedule 2 to the Housing Act 1985 and at the time the notice is served —

(i) at least four months’ rent is unpaid, four weeks,

(ii) less than four months’ rent is unpaid, and the notice is served on or after 1 August 2021, two months, and

(c) in any other case, four months;”.

(11) In paragraph 10(1)(a)(ib)⁽⁸⁾ (modification of prescribed forms in relation to secure tenancies) in the inserted definition of “relevant notice period”—

(a) in paragraph (a)(i) for “six months” substitute “four months”,

(b) at the end of paragraph (a) omit “and”,

(c) for paragraph (b) substitute—

“(b) where paragraph (a) does not apply, Ground 1 in Schedule 2 to that Act is specified in the notice (and no other ground is specified), and at the time the notice is served less than four months’ rent is unpaid, if the notice is served on or after 1 August 2021, two months, and

(c) where paragraphs (a) and (b) do not apply, four months.”.

(7) Section 143E of the Housing Act 1996 was inserted by paragraph 1 of Schedule 1 to the Anti-Social Behaviour Act 2003 (c. 38).

(8) Sub-paragraph (1) modified the form in Part 1 of the Schedule to S.I. 1987/755 which was amended by S.I. 1997/71, S.I. 1997/357 and by S.I. 2010/671.