



Secure Tenancies (Victims of Domestic Abuse) Act 2018

2018 CHAPTER 11

1 Duty to grant old-style secure tenancies: victims of domestic abuse

(1) Section 81B of the Housing Act 1985 (cases where old-style English secure tenancies may be granted) is amended as follows.

(2) After subsection (2) insert—

“(2A) A local housing authority that grants a secure tenancy of a dwelling-house in England must grant an old-style secure tenancy if—

- (a) the tenancy is offered to a person who is or was a tenant of some other dwelling-house under a qualifying tenancy (whether as the sole tenant or as a joint tenant), and
- (b) the authority is satisfied that—
 - (i) the person or a member of the person’s household is or has been a victim of domestic abuse carried out by another person, and
 - (ii) the new tenancy is granted for reasons connected with that abuse.

(2B) A local housing authority that grants a secure tenancy of a dwelling-house in England must grant an old-style secure tenancy if—

- (a) the tenancy is offered to a person who was a joint tenant of that dwelling-house under an old-style secure tenancy, and
- (b) the authority is satisfied that—
 - (i) the person or a member of the person’s household is or has been a victim of domestic abuse carried out by another person, and
 - (ii) the new tenancy is granted for reasons connected with that abuse.

(2C) In subsections (2A) and (2B)—

Status: Prospective version(s) available.

Status: This is the original version (as it was originally enacted).

“abuse” means—

- (a) violence,
- (b) threatening, intimidating, coercive or controlling behaviour, or
- (c) any other form of abuse, including emotional, financial, physical, psychological or sexual abuse;

“domestic abuse” is abuse where the victim is or has been—

- (a) in the same family or household as the abuser, or
- (b) in an intimate personal relationship with the abuser;

“qualifying tenancy” means a tenancy of a dwelling-house in England which is—

- (a) an old-style secure tenancy, or
- (b) an assured tenancy which is not an assured shorthold tenancy and which is granted by a private registered provider of social housing, by the Regulator of Social Housing or by a housing trust which is a charity.”

- (3) In subsection (1)(b), after “(2)” insert “, (2A) or (2B)”.