

SCHEDULES

SCHEDULE 3

EXCLUDED RESIDENTIAL TENANCY AGREEMENTS

Hostels and refuges

- 6 (1) An agreement that grants a right of occupation of accommodation in a hostel or refuge.
- (2) “Hostel” means a building which satisfies the following two conditions.
- (3) The first condition is that the building is used for providing to persons generally, or to a class of persons—
- (a) residential accommodation otherwise than in separate and self-contained premises, and
 - (b) board or facilities for the preparation of food adequate to the needs of those persons (or both).
- (4) The second condition is that any of the following applies in relation to the building—
- (a) it is managed by a registered housing association;
 - (b) it is not operated on a commercial basis and its costs of operation are provided wholly or in part by a government department or agency, or by a local authority;
 - (c) it is managed by a voluntary organisation or charity.
- (5) “Refuge” means a building which satisfies the second condition in sub-paragraph (4) and is used wholly or mainly for providing accommodation to persons who have been subject to any incident, or pattern of incidents, of—
- (a) controlling, coercive or threatening behaviour,
 - (b) physical violence,
 - (c) abuse of any other description (whether physical or mental in nature), or
 - (d) threats of any such violence or abuse.
- (6) In this paragraph—
- “government department” includes—
 - (a) any part of the Scottish Administration;
 - (b) a Northern Ireland department;
 - (c) the Welsh Assembly Government;
 - (d) any body or authority exercising statutory functions on behalf of the Crown;
 - “registered housing association” means—
 - (a) a private registered provider of social housing;
 - (b) a registered social landlord within the meaning of Part 1 of the Housing Act 1996 or section 165 of the Housing (Scotland) Act 2010;

Status: This is the original version (as it was originally enacted).

(c) a housing association which is registered in a register maintained under Article 14 of the Housing (Northern Ireland) Order 1992 ([S.I. 1992/1725 \(N.I. 15\)](#));

“voluntary organisation” means a body, other than a public or local authority, whose activities are not carried on for profit.