

SCHEDULES

SCHEDULE 2

TENANCIES GRANTED BY RESIDENT LANDLORDS

PART II

AMENDMENTS OF PART IX OF RENT ACT 1968

- 3 In section 101 of the Rent Act 1968 (provisions where tenant shares accommodation with landlord) in paragraph (c) after the words " paragraph (b) above " there shall be inserted the words " or by reason of those circumstances and the operation of section 5A of this Act ".
- 4 After section 102 of that Act there shall be inserted the following section:—

“102A Application of Part VI to tenancies falling within section 5A.

- (1) If and so long as a tenancy is, by virtue only of section 5A of this Act, precluded from being a protected tenancy, it shall be treated for the purposes of Part VI of this Act as a contract to which that Part applies, notwithstanding that the rent may not include payment for the use of furniture or for services.
- (2) In any case where—
- (a) a tenancy which, by virtue only of section 5A of this Act, was precluded from being a protected tenancy ceases to be so precluded and accordingly becomes a protected tenancy, and
 - (b) before it became a protected tenancy a rent was registered for the dwelling concerned under Part VI of this Act,
- the amount which is so registered shall be deemed to be registered under Part IV of this Act as the rent for the dwelling-house which is let on that tenancy, and that registration shall be deemed to take effect on the day the tenancy becomes a protected tenancy.
- (3) Section 44(3) of this Act shall not apply to an application for the registration under Part IV of this Act of a rent different from that which is deemed to be registered as mentioned in subsection (2) above.
- (4) The reference in section 45(1)(b) of this Act to a rent being registered for a dwelling-house does not include a rent which is deemed to be registered as mentioned in subsection (2) above.
- (5) If, immediately before a tenancy became a protected tenancy as mentioned in subsection (2)(a) above, the rates in respect of the dwelling concerned were borne as mentioned in subsection (2A) of section 74 of this Act and the fact that they were so borne was noted as required by that subsection, then, in the application of Part IV of this Act in relation to the protected tenancy, section 47(2) of this Act shall be deemed to apply.

Status: This is the original version (as it was originally enacted).

- (6) If, in a case where a tenancy becomes a protected tenancy as mentioned in subsection (2)(a) above,—
- (a) a notice to quit had been served in respect of the dwelling concerned before the date on which the tenancy became a protected tenancy, and
 - (b) the period at the end of which that notice to quit takes effect had, before that date, been extended under Part VI of this Act, and
 - (c) that period has not expired before that date,
- the notice to quit shall take effect on the day following that date (whenever it would otherwise take effect) and, accordingly, on that day the protected tenancy shall become a statutory tenancy.”