

SCHEDULES

SCHEDULE 17

Sections 18(5), 115.

CONVERTED TENANCIES : MODIFICATION OF ACT

- 1 In this Schedule—
- " converted tenancy " means a tenancy which has become a regulated tenancy by virtue of—
- (a) section 18(3) of this Act or paragraph 5 of Schedule 2 to the Rent Act 1968 ; or
- (b) Part VIII of this Act or Part III of the Housing Finance Act 1972.
- " the conversion " means the time when the tenancy became a regulated tenancy.
- 2 In relation to any rental period beginning after the conversion, sections 45 to 47 of this Act shall have effect as if references therein to the last contractual period were references to the last rental period beginning before the conversion.
- 3 Section 48(1) of this Act shall not apply to any improvement completed before the conversion, but if the rent recoverable for the last rental period beginning before the conversion was less than it would have been if all notices of increase authorised by virtue of section 32 of this Act (or, as the case may be, section 56 of the Rent Act 1968) had been served, the rent recoverable under section 45(1) of this Act, as modified by paragraph 2 above, shall be increased by the amount of that difference.
- 4 (1) The increase provided for by paragraph 3 above shall not take effect except in pursuance of a notice of increase served by the landlord on the tenant and specifying the date, which may be any date after the service of the notice, from which it is to take effect.
- (2) Section 49 of this Act shall apply to a notice of increase under this paragraph as it applies to a notice of increase described in that section.
- 5 Section 5(1) of this Act shall not apply to the converted tenancy after the conversion.
- 6 Section 70 of this Act shall apply in relation to the converted tenancy as if the references in subsection (3) of that section to the tenant under the regulated tenancy included references to the tenant under the tenancy before the conversion.
- 7 The enactments mentioned in paragraph 1 above shall not be taken as affecting any court proceedings, instituted under this Act (or, as the case may be, the Rent Act 1968) before the conversion, which may affect the recoverable rent before the conversion, or the rent under the regulated tenancy after the conversion so far as that depends on the previous rent.
- 8 Any court order in any proceedings to which paragraph 7 above applies which is made after the conversion may exclude from the effect of the order rent for any rental period beginning before the conversion, or for any later rental period beginning before the making of the order.
- 9 Any right conferred on a tenant by section 38 of, or paragraph 6(4) of Schedule 6 to, this Act to recover any amount by deducting it from rent shall be exercisable

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

by deducting it from rent for any rental period beginning after the conversion to the same extent as the right would have been exercisable if the conversion had not taken place.

10 No certificate of disrepair shall be issued or cancelled by the local authority after the time of the conversion.

11 Subject to paragraph 8 above, where the court is satisfied that a local authority have failed to issue a certificate of disrepair and make an order under paragraph 4(5) of Schedule 6 to this Act after the conversion, the order shall be that a certificate of disrepair shall be deemed to have been issued immediately before the conversion.