



Rent Act 1977

1977 CHAPTER 42

PART XI

GENERAL

Sublettings

138 Effect on furnished sub-tenancy of determination of superior unfurnished tenancy.

- (1) If, in a case where section 137(2) of this Act applies, the conditions mentioned in subsection (2) below are fulfilled, the terms on which the sub-tenant is, by virtue of section 137(2), deemed to become the tenant of the landlord shall not include any terms as to the provision by the landlord of furniture or services.
- (2) The conditions are:—
 - (a) that the statutorily protected tenancy which is determined as mentioned in section 137(2) was neither a protected furnished tenancy nor a statutory furnished tenancy; and
 - (b) that, immediately before the determination of that statutorily protected tenancy, the sub-tenant referred to in section 137(2) was the tenant under a protected furnished tenancy or a statutory furnished tenancy; and
 - (c) that the landlord, within the period of 6 weeks beginning with the day on which the statutorily protected tenancy referred to in section 137(2) is determined, serves notice on the sub-tenant that this section is to apply to his tenancy or statutory tenancy.
- (3) In this section “statutorily protected tenancy” has the ^[F1]same meaning as it has for the purposes of section 137(2) of this Act.]

Textual Amendments

F1 Words substituted retrospectively by [Housing Act 1980 \(c. 51, SIF 61\)](#), [Sch. 25 Pt. I para. 51](#)

Changes to legislation:

Rent Act 1977, Section 138 is up to date with all changes known to be in force on or before 06 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2(4)(b) words substituted by [2024 c. 22 s. 112](#)