



Landlord and Tenant Act 1954

1954 CHAPTER 56 2 and 3 Eliz 2

PART IV

MISCELLANEOUS AND SUPPLEMENTARY

53 Jurisdiction of county court where lessor refuses licence or consent.

- (1) Where a landlord withholds his licence or consent—
- (a) to an assignment of the tenancy or a subletting, charging or parting with the possession of the demised property or any part thereof, or
 - (b) to the making of an improvement on the demised property or any part thereof, or
 - (c) to a change in the use of the demised property or any part thereof, or to the making of a specified use of that property,

and the High Court has jurisdiction to make a declaration that the licence or consent was unreasonably withheld, then without prejudice to the jurisdiction of the High Court the county court shall have [^{F1}the like jurisdiction whatever the net annual value for rating of the demised property is to be taken to be for the purposes of the County Courts Act 1984] and notwithstanding that the tenant does not seek any relief other than the declaration.

- (2) Where on the making of an application to the county court for such a declaration the court is satisfied that the licence or consent was unreasonably withheld, the court shall make a declaration accordingly.
- (3) The foregoing provisions of this section shall have effect whether the tenancy in question was created before or after the commencement of this Act and whether the refusal of the licence or consent occurred before or after the commencement of this Act.
- (4) Nothing in this section shall be construed as conferring jurisdiction on the county court to grant any relief other than such a declaration as aforesaid.

[^{F2}(5) This section does not apply to occupation contracts within the meaning of section 7 of the Renting Homes (Wales) Act 2016 (anaw 1).]

Changes to legislation: Landlord and Tenant Act 1954, Section 53 is up to date with all changes known to be in force on or before 26 July 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. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** Words substituted by virtue of County Courts Act 1984 (c. 28, SIF 34), s. 148(1), **Sch. 2 para. 23**
- F2** S. 53(5) inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **5(2)**
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Modifications etc. (not altering text)

- C1** S. 53 amended by S.I. 1990/776, **arts. 2(2), 4(1)(d)**

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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. 34(5) inserted by [2022 c. 46 s. 61\(5\)](#)
- s. 34A inserted by [2022 c. 46 s. 61\(2\)](#)
- s. 34B34C inserted by [2022 c. 46 s. 63](#)
- s. 63(2A)-(2C) inserted by [2022 c. 46 s. 65](#)