
STATUTORY INSTRUMENTS

1997 No. 3005

**LANDLORD AND TENANT,
ENGLAND AND WALES**

**The Long Residential Tenancies
(Supplemental Forms) Regulations 1997**

Made - - - - *16th December 1997*
22nd December
Laid before Parliament *1997*
Coming into force - - *15th January 1998*

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 18 and 66 of and paragraph 5 of Schedule 5 to the Landlord and Tenant Act 1954⁽¹⁾, as applied by section 186(5) of and paragraph 19 of Schedule 10 to the Local Government and Housing Act 1989⁽²⁾, and now vested in them⁽³⁾ and of all other powers enabling them in that behalf, hereby make the following Regulations—

Citation and commencement

1. These Regulations may be cited as the Long Residential Tenancies (Supplemental Forms) Regulations and shall come into force on 15th January 1998.

Interpretation

2. In these Regulations—

“the 1954 Act” means the Landlord and Tenant Act 1954;

“the 1989 Act” means the Local Government and Housing Act 1989; and

any reference to a numbered form is a reference to the form bearing that number in the Schedule, or to a form substantially to the same effect.

(1) 2 & 3 Eliz. 2 c.56.
(2) 1989 c. 42.
(3) S.I.1974/1896.

Forms

3. The forms prescribed for the purposes specified below shall be as follows—
- (a) for a notice under section 18 of the 1954 Act (as applied by section 186(5) of the 1989 Act) requiring information about sub-tenancies, form 7;
 - (b) for a notice under paragraph 5 of Schedule 5 to the 1954 Act (as applied by paragraph 19 of Schedule 10 to the 1989 Act) requiring a landlord to consent to the giving of a notice under paragraph 4(1) of Schedule 10 to the 1989 Act terminating a long residential tenancy, form 8; and
 - (c) for a notice under paragraph 5 of Schedule 5 to the 1954 Act (as applied by paragraph 19 of Schedule 10 to the 1989 Act) requiring a landlord to consent to the making of an agreement with the tenant under Schedule 10 to the 1989 Act, form 9.

Signed by authority of the Secretary of State

Hilary Armstrong
Minister of State,
Department of the Environment, Transport and
the Regions

12th December 1997

Signed by authority of the Secretary of State for Wales

Win Griffiths
Parliamentary Under Secretary of State, Welsh
Office

16th December 1997

SCHEDULE

Regulation 3

Prescribed Forms

Form 7(long residential tenancies)Landlord’s Notice Requiring Information about Sub-tenancies of Residential Property

Section 18 of the Landlord and Tenant Act 1954 as applied by section 186(5) of the Local Government and Housing Act 1989

The landlord must cross out any text in square brackets which does not apply.

- This notice asks whether you have any sub-tenant of any part of the property described below.
- Please read this notice carefully. **There is a time limit which you must keep to.** If you need help or advice about this notice, you should take it immediately to any of the following:
 - a Citizens’ Advice Bureau
 - a housing aid centre
 - a law centre
 - a solicitor.
- Please read the notes at the end of the form.

1. To:

Insert name[s] of tenant[s].

2. From:

of:

.....

.....

Insert name[s] and address of landlord[s].

(see note 1)

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

3. [I][We] require you to notify [me][us] whether you have a sub-tenant of the whole or any part of:

.....
.....
.....

Insert the address of the property to which the notice relates.

(see notes 2 to 4)

4. If you have a sub-tenant, [I][We] require you to state—

- (a) what property is let under the sub-tenancy;
- (b) if the sub-tenancy is for a fixed term, what is the term, or, if the sub-tenancy is terminable by notice, by what notice it can be terminated;
- (c) the rent payable under the sub-tenancy;
- (d) the full name of sub-tenant; and
- (e) whether, to the best of your knowledge and belief, the sub-tenant occupies the property let under the sub-tenancy or any part of it, and, if not, what is the sub-tenant’s address.

(see note 4)

5. I require you to give me the information requested in this notice **WITHIN ONE MONTH** of the giving of this notice.

(see note 5)

6. This Notice is given under the provisions of section 18 of the Landlord and Tenant Act 1954 as applied by section 186(5) of the Local Government and Housing Act 1989.

Signed Date

To be signed and dated by the landlord or the landlord’s agent. If there are joint landlords, each landlord or the agent for that landlord must sign (but one can sign on behalf of another with his consent).

[The name and address of the agent is:

.....
.....
.....

Insert name and address of agent, if signed by an agent.]

NOTES

Note 1: The landlord referred to in this notice is not necessarily the landlord to whom you pay the rent. It may be that landlord or a superior landlord.

Note 2: Section 18 of the Landlord and Tenant Act 1954, as applied by section 186(5) of the Local Government and Housing Act 1989, provides that a tenant or sub-tenant of any property let under a tenancy to which the section applies may be required to give information about sublettings by a notice from his immediate landlord or any superior landlord. Section 18 (as applied by the 1989 Act) will apply to you if you hold a long tenancy at a low rent or if you are a sub-tenant of a person holding such a tenancy. A long tenancy is normally a tenancy granted for more than 21 years. A tenancy is at a low rent:

- (a) if no rent is payable; or
- (b) where the tenancy was entered into before 1st April 1990, if the maximum rent payable at any time is less than two thirds of the rateable value of the property on 31st March 1990; or
- (c) where the tenancy was entered into on or after 1st April 1990, if the maximum rent payable at any time is payable at a rate of:
 - (i) £1,000 or less a year if the property is in Greater London, or
 - (ii) £250 or less a year if the property is elsewhere.

The low rent test in (b) above applies (rather than the test in (c)) if the tenancy was entered into on or after 1st April 1990 in pursuance of a contract made before that date and the property had a rateable value on 31st March 1990.

Note 3: The information is required so that the landlord giving this notice can find out who will be in occupation when the current tenancy comes to an end. Where section 18 of the 1954 Act (as applied by the 1989 Act) applies, the landlord has a right to seek this information, but **NOT EARLIER THAN TWO YEARS** before the tenancy is due to end.

Note 4: If you have sublet to more than one sub-tenant, the information must be given in respect of each sub-tenancy (including any statutory tenancy under the Rent Act).

Note 5: If section 18 of the Landlord and Tenant Act 1954 applies to you (see note 2), you should **WITHIN ONE MONTH** of this notice having been given, supply the information asked for. Failing to give the information asked for or giving incorrect information could involve the landlord in loss for which you might in certain circumstances be held liable.

Form 8(Long Residential Tenancies)Landlord's Notice Requiring Consent of Other Landlord to Notice Terminating Long Residential Tenancy

Paragraph 5 of Schedule 5 to the Landlord and Tenant Act 1954 as applied by paragraph 19 of Schedule 10 to the Local Government and Housing Act 1989

*The landlord giving this notice **must** cross out any text in square brackets which does not apply.*

- This notice seeks your consent as another landlord with an interest in the property concerned, to a notice terminating the tenant's long residential tenancy and either proposing an assured monthly periodic tenancy or giving notice to resume possession.
- Please read this notice carefully. **There is a time limit which you must keep to.** If you need help or advice about this notice, you should take it immediately to any of the following—
 - a Citizens' Advice Bureau
 - a housing aid centre
 - a law centre
 - a solicitor.
- Please read the notes at the end of the form.

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

1. To:

Insert name[s] of other landlord[s].

2. From:

of:

.....

.....

Insert name[s] and address of the competent landlord[s] (who is giving this notice).

3. [I am] [We are] the landlord for the purposes of Schedule 10 to the Local Government and Housing Act 1989 of:

.....

.....

.....

Insert the address of the property let under the long residential tenancy.

and you are another landlord of that property

(see notes 1 and 2)

4. [I][We] propose to give notice under paragraph 4(1) of Schedule 10 to the Local Government and Housing Act 1989 to:

.....

.....

.....

Insert name[s] of the tenant[s] under the long residential tenancy.

terminating the long residential tenancy of the property and

[proposing an assured monthly periodic tenancy.]

[stating that [I][we] propose to apply to court for possession.]

(see notes 3 and 4)

5. A copy of the proposed notice under paragraph 4(1) of Schedule 10 terminating the long residential tenancy is attached.

6. You are required **WITHIN ONE MONTH** after the service of this notice, to notify [me][us] in writing whether you consent to the notice referred to in paragraph 4 being given.

(see note 5)

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

7. This notice is given under paragraph 5 of Schedule 5 to the Landlord and Tenant Act 1954 as applied by paragraph 19 of Schedule 10 to the Local Government and Housing Act 1989.

Signed Date

To be signed and dated by the landlord or the landlord's agent. If there are joint landlords, each landlord or the agent for that landlord must sign (but one can sign on behalf of another with his consent).

[The name and address of the agent is:

.....
.....
.....

Insert name and address of agent, if signed by an agent.]

NOTES

Note 1: This notice requires you to consent to a landlord's notice being given under paragraph 4(1) of Schedule 10 to the Local Government and Housing Act 1989. That notice would terminate a long residential tenancy of property of which you are a superior landlord or an intermediate landlord.

Note 2: This notice is not appropriate if your interest in the property is due to end (or can be terminated by notice to quit) within the period of two months beginning on the relevant date (as defined in paragraph 3 of Schedule 5 to the Landlord and Tenant Act 1954).

Note 3: A notice under paragraph 4(1) of Schedule 10 to the 1989 Act, as well as terminating the long residential tenancy, will either propose an assured monthly periodic tenancy (form 1) or state that the landlord proposes to apply to court for possession (form 2).

Note 4: A notice under paragraph 4(1) of Schedule 10 to the 1989 Act can only be given to the tenant by the person who is the landlord for the purposes of that Schedule. Such a notice is binding on every superior and intermediate landlord. If you are a superior or intermediate landlord and you suffer loss as a result of such a notice having been given, you will be entitled to compensation unless your written consent to it has been obtained (but not if this notice should not have been served on you for the reason given in note 2).

Note 5: If you do not give your consent **WITHIN ONE MONTH** after this notice was served on you, or you consent subject to conditions which the rent assessment committee or county court considers unreasonable, the committee or court may (on the application of the landlord giving this notice) order that you shall be deemed to have consented. It may order that you shall be deemed to have consented either without qualification or subject to such conditions (including conditions as to the modification of the proposed notice or as to payment to you of compensation) as it may specify.

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

Form 9(long residential tenancies)Landlord’s Notice Requiring Consent of Other Landlord to Agreement with Tenant under Schedule 10 to Local Government and Housing Act 1989

Paragraph 5 of Schedule 5 to the Landlord and Tenant Act 1954 as applied by paragraph 19 of Schedule 10 to the Local Government and Housing Act 1989

The landlord giving this notice **must** cross out any text in square brackets which does not apply.

- This notice seeks your consent as another landlord with an interest in the property concerned, to an agreement to grant a new tenancy of the property to a tenant who has a long residential tenancy of the property.
- Please read this notice carefully. **There is a time limit which you must keep to.** If you need help or advice about this notice, you should take it immediately to any of the following:
 - a Citizens’ Advice Bureau
 - a housing aid centre
 - a law centre
 - a solicitor.
- Please read the notes at the end of the form.

1. To:

Insert name[s] of other landlord[s].

2. From:

of:

.....

.....

Insert name[s] and address of the competent landlord[s] (who is giving this notice).

3. [I am] [We are] the landlord for the purposes of Schedule 10 to the Local Government and Housing Act 1989 of:

.....

.....

.....

Insert the address of the property let under the long residential tenancy.

and you are another landlord of that property.

(see notes 1 and 2)

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

4. [I][We] propose to make an agreement under Schedule 10 to the Local Government and Housing Act 1989 for granting a tenancy of

[the whole of the property]

[the following part of the property, namely:.....]

If the proposed agreement relates to only part of the property let under the long residential tenancy, describe that part.]

to:

.....
.....
.....

Insert name[s] of the tenant[s] under the long residential property.

5. A copy of the proposed agreement is attached.

(see note 3)

6. You are required **WITHIN ONE MONTH** after the service of this notice, to notify [me][us] in writing whether you consent to the making of the agreement.

(see note 4)

7. This notice is given under paragraph 5 of Schedule 5 to the Landlord and Tenant Act 1954 as applied by paragraph 19 of Schedule 10 to the Local Government and Housing Act 1989.

Signed Date

To be signed and dated by the landlord or the landlord's agent. If there are joint landlords, each landlord or the agent for that landlord must sign (but one can sign on behalf of another with his consent).

[The name and address of the agent is:

.....
.....
.....

Insert name and address of agent, if signed by an agent.]

NOTES

Note 1: This notice requires you to consent to an agreement under Schedule 10 to the Local Government and Housing Act 1989 in respect of property of which you are a superior or intermediate landlord.

Note 2: This notice is not appropriate if your interest in the property is due to end (or can be terminated by notice to quit) within the period of two months beginning on the relevant date (as defined in paragraph 3 of Schedule 5 to the Landlord and Tenant Act 1954).

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

Note 3: Under Schedule 10 to the Local Government and Housing Act 1989, the proposed agreement can only be made between the tenant and the person who is the landlord for the purposes of the Schedule. Such an agreement is binding on every superior and intermediate landlord. If you are a superior or intermediate landlord and suffer loss as a result of the making of the agreement, you will be entitled to compensation unless your written consent to it has been obtained (but not if this notice should not have been served on you for the reason given in note 2).

Note 4: If you do not give your consent **WITHIN ONE MONTH** after service of this notice, or you consent subject to conditions which the rent assessment committee or county court considers unreasonable, the committee or court may (on the application of the landlord giving this notice) order that you shall be deemed to have consented. It may order that you shall be deemed to have consented either without qualification or subject to such conditions (including conditions as to the modification of the proposed notice or as to payment to you of compensation) as it may specify.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe forms of notice to be used for the purposes of section 186 of and Schedule 10 to the Local Government and Housing Act 1989 (security of tenure on ending of long residential tenancies). The forms prescribed are those specified in regulation 3 and set out in the Schedule (or forms substantially to the same effect).

Forms 1 to 6 are prescribed for the purposes of Schedule 10 in the Long Residential Tenancies (Principal Forms) Regulations 1997.