

Status: Point in time view as at 30/09/2021.

Changes to legislation: There are currently no known outstanding effects for the Rent Act 1977, Part IV. (See end of Document for details)

SCHEDULES

SCHEDULE 15

GROUND FOR POSSESSION OF DWELLING-HOUSES LET ON OR SUBJECT TO PROTECTED OR STATUTORY TENANCIES

Modifications etc. (not altering text)

- C1** Sch. 15 applied (with modifications) (31.12.2020) by [The Citizens' Rights \(Application Deadline and Temporary Protection\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1209\)](#), regs. 1(1), **3(4)**, 4(5), 12(1)(d)

PART IV

SUITABLE ALTERNATIVE ACCOMMODATION

- 3 For the purposes of section 98(1)(a) of this Act, a certificate of the [^{F1}local housing authority] for the district in which the dwelling-house in question is situated, certifying that the authority will provide suitable alternative accommodation for the tenant by a date specified in the certificate, shall be conclusive evidence that suitable alternative accommodation will be available for him by that date.

Textual Amendments

- F1** Words “local housing authority” substituted for words “housing authority” wherever occurring, by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, **Sch. 2 para. 35(11)(a)**

- 4 [^{F2}(1)] Where no such certificate as is mentioned in [^{F3}paragraph 3] above is produced to the court, accommodation shall be deemed to be suitable for the purposes of section 98(1) (a) of this Act if it consists of either—
- (a) premises which are to be let as a separate dwelling such that they will then be let on a protected tenancy [^{F4}other than one under which the landlord might recover possession of the dwelling-house under one of the cases in Part II of this Schedule)], or
 - (b) premises to be let as a separate dwelling on terms which will, in the opinion of the court, afford to the tenant security of tenure reasonably equivalent to the security afforded by Part VII of this Act in the case of a protected tenancy, [^{F4}or a kind mentioned in paragraph (a) above],
- and, in the opinion of the court, the accommodation fulfils the relevant conditions as defined in paragraph 5 below.

- (2) ^{F2}

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Textual Amendments

- F2** Sch. 15 Pt. IV para. 4 renumbered as sub-paragraph (1) of that paragraph and after it a new sub-paragraph (2) inserted (the said paragraph 4(2) was repealed by [Housing Act 1988 \(c. 50, SIF 61, 75:1\)](#), s. 140(2), [Sch. 18](#)) by [Housing and Planning Act 1986 \(c. 63, SIF 75:3\)](#), s. 13(2)
- F3** Words substituted by [Housing Act 1980 \(c. 51, SIF 61\)](#), [Sch. 25 Pt. I para. 58](#)
- F4** Words inserted by [Housing Act 1980 \(c. 51, SIF 61\)](#), [Sch. 25 Pt. I para. 58](#)

- 5 (1) For the purposes of paragraph 4 above, the relevant conditions are that the accommodation is reasonably suitable to the needs of the tenant and his family as regards proximity to place of work, and either—
- (a) similar as regards rental and extent to the accommodation afforded by dwelling-houses provided in the neighbourhood by any [^{F5}local housing authority] for persons whose needs as regards extent are, in the opinion of the court, similar to those of the tenant and of his family; or
 - (b) reasonably suitable to the means of the tenant and to the needs of the tenant and his family as regards extent and character; and
- that if any furniture was provided for use under the protected or statutory tenancy in question, furniture is provided for use in the accommodation which is either similar to that so provided or is reasonably suitable to the needs of the tenant and his family.
- (2) For the purposes of sub-paragraph (1)(a) above, a certificate of a [^{F5}local housing authority] stating—
- (a) the extent of the accommodation afforded by dwelling-houses provided by the authority to meet the needs of tenants with families of such number as may be specified in the certificate, and
 - (b) the amount of the rent charged by the authority for dwelling-houses affording accommodation of that extent,
- shall be conclusive evidence of the facts so stated.

Textual Amendments

- F5** Words “local housing authority” substituted for words “housing authority” wherever occurring, by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, [Sch. 2 para. 35\(11\)\(a\)](#)

- 6 Accommodation shall not be deemed to be suitable to the needs of the tenant and his family if the result of their occupation of the accommodation would be that it would be an overcrowded dwelling-house for the purposes of the [^{F6}Part X of the [Housing Act 1985](#)].

Textual Amendments

- F6** Words substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, [Sch. 2 para. 35\(11\)\(b\)](#)

- 7 Any document purporting to be a certificate of a [^{F7}local housing authority] named therein issued for the purposes of this Schedule and to be signed by the proper officer of that authority shall be received in evidence and, unless the contrary is shown, shall be deemed to be such a certificate without further proof.

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Textual Amendments

F7 Words “local housing authority” substituted for words “housing authority” wherever occurring, by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\), s. 4, Sch. 2 para. 35\(11\)\(a\)](#)

[^{F8} In this Part “local housing authority” and “district” in relation to such an authority have the same meaning as in the Housing Act 1985.]

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Textual Amendments

F8 Sch. 15 Pt. IV para. 8 substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\), s. 4, Sch. 2 para. 35\(11\)\(c\)](#)

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