

SCHEDULES

SCHEDULE 15

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

PART IV

SUITABLE ALTERNATIVE ACCOMMODATION

- 3 For the purposes of section 98(1)(a) of this Act, a certificate of the 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.
- 4 Where no such certificate as is mentioned in paragraph 1 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, 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,
- and, in the opinion of the court, the accommodation fulfils the relevant conditions as defined in paragraph 5 below.
- 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 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 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

Status: This is the original version (as it was originally enacted).

(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.

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 Housing Act 1957.

7 Any document purporting to be a certificate of a 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.

8 In this Schedule "housing authority" means a council which is a local authority for the purpose of Part V of the Housing Act 1957, and "district", in relation to such an authority, means the district for supplying the needs of which the authority has power under that Part of that Act.