



# Rent Act 1977

## 1977 CHAPTER 42

### PART I

#### PRELIMINARY

##### *Exceptions*

#### **12 Resident landlords.**

(1) Subject to subsection (2) below, a tenancy of a dwelling-house granted on or after 14th August 1974 shall not be a protected tenancy at any time if—

[<sup>F1</sup>(a) the dwelling-house forms part only of a building and, except in a case where the dwelling-house also forms part of a flat, the building is not a purpose-built block of flats, and

(b) the tenancy was granted by a person who, at the time when he granted it, occupied as his residence another dwelling-house which—

(i) in the case mentioned in paragraph (a) above, also forms part of the flat; or

(ii) in any other case, also forms part of the building; and

(c) subject to paragraph 1 of Schedule 2 to this Act, at all times since the tenancy was granted the interest of the landlord under the tenancy has belonged to a person who, at the time he owned that interest, occupied as his residence another dwelling-house which—

(i) in the case mentioned in paragraph (a) above, also formed part of the flat; or

(ii) in any other case, also formed part of the building.]

[<sup>F2</sup>(2) This section does not apply to a tenancy of a dwelling-house which forms part of a building if the tenancy is granted to a person who, immediately before it was granted, was a protected or statutory tenant of that dwelling-house or of any other dwelling-house in that building.]

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*Status: Point in time view as at 31/01/2017.*

*Changes to legislation: There are currently no known outstanding effects for the Rent Act 1977, Section 12. (See end of Document for details)*

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- (3) For the purposes of subsection (2) above, a tenancy shall be treated as being for a term of years certain notwithstanding that it is liable to determination by re-entry or on the happening of any event other than the giving of notice by the landlord to determine the term.
- (4) Schedule 2 to this Act shall have effect for the purpose of supplementing this section.

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**Textual Amendments**

- F1** S. 12(1)(a)–(c) substituted by [Housing Act 1980 \(c. 51, SIF 61\)](#), **s. 65(1)**
- F2** S. 12(2) substituted for s. 12(2)(3) with saving by [Housing Act 1980 \(c. 51, SIF 61\)](#), s. 69(4), **Sch. 25 Pt. II para. 67**

**Status:**

Point in time view as at 31/01/2017.

**Changes to legislation:**

There are currently no known outstanding effects for the Rent Act 1977, Section 12.