



Housing Act 1980

1980 CHAPTER 51

PART I

PUBLIC SECTOR TENANTS

CHAPTER II

SECURITY OF TENURE AND RIGHTS OF SECURE TENANTS

Secure tenancies

28 Secure tenancies

- (1) A tenancy under which a dwelling-house is let as a separate dwelling is a secure tenancy at any time when the conditions described below as the landlord condition and the tenant condition are satisfied, but subject to the exceptions in Schedule 3 to this Act and to subsection (5) below and sections 37 and 49 of this Act.
- (2) The landlord condition is that—
 - (a) the interest of the landlord belongs to one of the bodies mentioned in subsection (4) below; or
 - (b) the interest of the landlord belongs to a housing association falling within subsection (3) of section 15 of the 1977 Act; or
 - (c) the interest of the landlord belongs to a housing co-operative and the dwelling-house is comprised in a housing co-operative agreement; or
 - (d) the interest of the landlord belongs to a county council and the tenancy was granted by it in the exercise of the reserve powers conferred on county councils by section 194 of the Local Government Act 1972.
- (3) The tenant condition is that the tenant is an individual and occupies the dwelling-house as his only or principal home; or, where the tenancy is a joint tenancy, that each of the joint tenants is an individual and at least one of them occupies the dwelling-house as his only or principal home.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) The bodies referred to in subsection (2) (a) above are—
- (a) a local authority;
 - (b) the Commission for the New Towns;
 - (c) a development corporation;
 - (d) the Housing Corporation;
 - (e) a housing trust which is a charity within the meaning of the Charities Act 1960 ; and
 - (f) the Development Board for Rural Wales.
- (5) Where a secure tenancy is a tenancy for a term certain and the tenant dies, the tenancy remains a secure tenancy until either—
- (a) the tenancy is vested or otherwise disposed of in the course of the administration of the tenant's estate; or
 - (b) it is known that when the tenancy has been so vested or disposed of it will not be a secure tenancy.