



# Housing Act 1980

## 1980 CHAPTER 51

### PART II

#### PRIVATE SECTOR TENANTS

##### *Miscellaneous*

#### 76 Statutory tenancies by succession

- (1) In Schedule 1 to the 1977 Act, for paragraph 2 (under which on the death of the original tenant under a protected or statutory tenancy his widow if residing with him at his death becomes a statutory tenant by succession) there is substituted the following paragraph—
  - “2 The surviving spouse (if any) of the original tenant, if residing in the dwelling-house immediately before the death of the original tenant, shall after the death be the statutory tenant if and so long as he or she occupies the dwelling-house as his or her residence.”
- (2) For paragraph 6 of that Schedule (similar provision in relation to death of first successor) there is substituted the following paragraph—
  - “6 The surviving spouse (if any) of the first successor, if residing in the dwelling-house immediately before the death of the first successor, shall after the death be the statutory tenant if and so long as he or she occupies the dwelling-house as his or her residence.”
- (3) In sections 3(2) and (3)(a) and 4(3) and (4)(a) of the Rent (Agriculture) Act 1976 (which correspond to provisions in Schedule 1 to the 1977 Act) for the words " with him at his death " there shall be substituted in each case, the words " in the dwelling-house immediately before his death ".
- (4) The amendments made by this section have effect only in relation to deaths occurring after the commencement of the subsection concerned.