



Housing Act 1985

1985 CHAPTER 68

PART IV

SECURE TENANCIES AND RIGHTS OF SECURE TENANTS

Supplementary provisions

115 Meaning of “long tenancy”.

- (1) The following are long tenancies for the purposes of this Part, subject to subsection (2)
- (a) a tenancy granted for a term certain exceeding 21 years, whether or not it is (or may become) terminable before the end of that term by notice given by the tenant or by re-entry or forfeiture;
 - (b) a tenancy for a term fixed by law under a grant with a covenant or obligation for perpetual renewal, other than a tenancy by sub-demise from one which is not a long tenancy;
 - (c) any tenancy granted in pursuance of Part V (the right to buy) ^[F1], including any tenancy granted in pursuance of that Part as it has effect by virtue of section 17 of the Housing Act 1996 (the right to acquire)].
- (2) A tenancy granted so as to become terminable by notice after a death is not a long tenancy for the purposes of this Part, unless—
- (a) it is granted by a housing association which at the time of the grant is ^[F2]a private registered provider of social housing or^[F3] a registered social landlord],
 - (b) it is granted at a premium calculated by reference to a percentage of the value of the dwelling-house or of the cost of providing it, and
 - (c) at the time it is granted it complies with the requirements of the regulations then in force under section 140(4)(b) of the ^{M1}Housing Act 1980 ^[F4]or paragraph 4(2)(b) of schedule 4A to the Leasehold Reform Act 1967] (conditions for exclusion of shared ownership leases from Part I of the ^{M2}Leasehold Reform Act 1967) or, in the case of a tenancy granted before any

Status: Point in time view as at 01/04/2013. This version of this provision has been superseded.

Changes to legislation: Housing Act 1985, Section 115 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

such regulations were brought into force, with the first such regulations to be in force.

Textual Amendments

- F1** Words in s. 115(1)(c) inserted (1.4.1997) by S.I. 1997/627, art. 2, **Sch. para. 3(2)**
- F2** Words in s. 115(2)(a) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), **Sch. 2 para. 26** (with art. 6, Sch. 3)
- F3** Words in s. 115(2)(a) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), **Sch. 2 para. 14(13)**
- F4** Words inserted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 140(1), **Sch. 17 Pt. I para. 40**

Marginal Citations

- M1** 1980 c. 51
- M2** 1967 c. 88.

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