



# Landlord and Tenant Act 1985

## 1985 CHAPTER 70

### *Repairing obligations*

#### **14 Leases to which s. 11 applies: exceptions.**

(1) Section 11 (repairing obligations) does not apply to a new lease granted to an existing tenant, or to a former tenant still in possession, if the previous lease was not a lease to which section 11 applied (and, in the case of a lease granted before 24th October 1961, would not have been if it had been granted on or after that date).

(2) In subsection (1)—

“existing tenant” means a person who is when, or immediately before, the new lease is granted, the lessee under another lease of the dwelling-house;

“former tenant is still in possession” means a person who—

- (a) was the lessee under another lease of the dwelling-house which terminated at some time before the new lease was granted, and
- (b) between the termination of that other lease and the grant of the new lease was continuously in possession of the dwelling-house or of the rents and profits of the dwelling-house; and

“the previous lease” means the other lease referred to in the above definitions.

(3) Section 11 does not apply to a lease of a dwelling-house which is a tenancy of an agricultural holding within the meaning of the [<sup>F1</sup>Agricultural Holdings Act 1986][<sup>F2</sup>and in relation to which that Act applies or to a farm business tenancy within the meaning of the Agricultural Tenancies Act 1995].

(4) Section 11 does not apply to a lease granted on or after 3rd October 1980 to—  
a local authority,  
a new town corporation,  
an urban development corporation,  
the Development Board for Rural Wales,  
a registered housing association,  
a co-operative housing association, or

*Status: Point in time view as at 01/09/1995. This version of this provision has been superseded.*

*Changes to legislation: Landlord and Tenant Act 1985, Section 14 is up to date with all changes known to be in force on or before 18 May 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)*

an educational institution or other body specified, or of a class specified, by regulations under section 8 of the <sup>M1</sup>Rent Act 1977 [<sup>F3</sup>or paragraph 8 of Schedule 1 to the Housing Act 1988] (bodies making student lettings) [<sup>F4</sup>a housing action trust established under Part III of the Housing Act 1988].

- (5) Section 11 does not apply to a lease granted on or after 3rd October 1980 to—
- (a) Her Majesty in right of the Crown (unless the lease is under the management of the Crown Estate Commissioners), or
  - (b) a government department or a person holding in trust for Her Majesty for the purposes of a government department.

#### Textual Amendments

- F1** Words substituted by Agricultural Holdings Act 1986 (c. 5, SIF 2:3), ss. 99, 100, Sch. 13 para. 3, **Sch. 14 para. 64**
- F2** Words in s. 14(3) added (1.9.1995) by 1995 c. 8, ss. 40, 41(2), **Sch. para. 31** (with s. 37)
- F3** Words inserted by Local Government and Housing Act 1989 (c. 42, SIF 75:1), s. 194(1), **Sch. 11 para. 89**
- F4** Words added by Housing Act 1988 (c. 50, SIF 75:1), **s. 116(3)** (with s. 116(4))

#### Modifications etc. (not altering text)

- C1** S. 14(4) amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 4, 5, **Sch. 2 para. 61**)
- C2** S. 14(4) explained by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 4, 5, **Sch. 3 para. 5(3)**  
S. 14(4) extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))  
S. 14(4) modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(a)**

#### Marginal Citations

- M1** 1977 c. 42.

**Status:**

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