



# Landlord and Tenant Act 1987

## 1987 CHAPTER 31

### PART VII

#### GENERAL

#### 58 Exempt landlords and resident landlords.

- (1) In this Act “exempt landlord” means a landlord who is one of the following bodies, namely—
- (a) a district, county [<sup>F1</sup>, county borough] or London borough council, the Common Council of the City of London, [<sup>F2</sup>a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004,]<sup>F3</sup>the London Fire Commissioner,] the Council of the Isles of Scilly, [<sup>F4</sup>a police and crime commissioner, the Mayor's Office for Policing and Crime]<sup>F5</sup>...<sup>F6</sup>..., [<sup>F7</sup>a joint authority established by Part 4 of the Local Government Act 1985, an economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009 or a combined authority established under section 103 of that Act;]
  - (b) <sup>F8</sup>... a development corporation established by an order made (or having effect as if made) under the <sup>M1</sup>New Towns Act 1981;
  - <sup>F9</sup>(ba) a Mayoral development corporation;]
  - (c) an urban development corporation within the meaning of Part XVI of the <sup>M2</sup>Local Government, Planning and Land Act 1980;
  - <sup>F10</sup>(ca) a housing action trust established under Part III of the Housing Act 1988.]
  - <sup>F11</sup>(d) .....
  - <sup>F12</sup>(dd) the Broads Authority;]
  - <sup>F13</sup>(de) a National Park authority;]
  - <sup>F14</sup>(df) the Homes and Communities Agency;]
  - <sup>F15</sup>(dg) the Greater London Authority so far as exercising its housing or regeneration functions or its new towns and urban development functions;]
  - (e) the [<sup>F16</sup>Regulator of Social Housing];
  - <sup>F17</sup>(ea) .....

*Status: Point in time view as at 08/05/2017. This version of this provision has been superseded.*

*Changes to legislation: Landlord and Tenant Act 1987, Section 58 is up to date with all changes known to be in force on or before 01 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)*

- (f) a housing trust (as defined in section 6 of the <sup>M3</sup>Housing Act 1985) which is a charity;
  - [<sup>F18</sup>(g) a non-profit private registered provider of social housing;
  - (ga) a registered social landlord;
  - (gb) a fully mutual housing association which is neither a private registered provider of social housing nor a registered social landlord;]
  - (h) an authority established under section 10 of the <sup>M4</sup>Local Government Act 1985 (joint arrangements for waste disposal functions).
- [<sup>F19</sup>(1ZA) In this Act “exempt landlord”, in relation to social housing (within the meaning of Part 2 of the Housing and Regeneration Act 2008), includes a landlord which is a profit-making private registered provider of social housing.]
- [<sup>F20</sup>(1A) In subsection (1)(ga) “registered social landlord” has the same meaning as in the Housing Act 1985 (see section 5(4) and (5) of that Act).
- (1B) In subsection (1)(gb) “fully mutual housing association” has the same meaning as in the Housing Associations Act 1985 (see section 1(1) and (2) of that Act).]
- (2) For the purposes of this Act the landlord of any premises consisting of the whole or part of a building is a resident landlord of those premises at any time if—
- (a) the premises are not, and do not form part of, a purpose-built block of flats; and
  - (b) at that time the landlord occupies a flat contained in the premises as his only or principal residence; and
  - (c) he has so occupied such a flat throughout a period of not less than 12 months ending with that time.
- (3) In subsection (2) “purpose-built block of flats” means a building which contained as constructed, and contains, two or more flats.

#### Textual Amendments

- F1** Words in s. 58(1)(a) inserted (1.4.1996) by 1994 c. 19, s. 22(2), **Sch. 8 para. 8** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 3, **Sch.**
- F2** Words in s. 58(1)(a) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by **Policing and Crime Act 2017 (c. 3)**, s. 183(1)(5)(e), **Sch. 1 para. 54**; S.I. 2017/399, reg. 2, **Sch. para. 38**
- F3** Words in s. 58(1)(a) substituted (31.1.2017 for specified purposes, 1.4.2018 in so far as not already in force) by **Policing and Crime Act 2017 (c. 3)**, s. 183(1)(5)(e), **Sch. 2 para. 79**; S.I. 2018/227, reg. 4(c)
- F4** Words in s. 58(1)(a) substituted (16.1.2012) by virtue of **Police Reform and Social Responsibility Act 2011 (c. 13)**, s. 157(1), **Sch. 16 para. 176**; S.I. 2011/3019, art. 3, **Sch. 1** (with **Sch. 2 para. 52**)
- F5** Words in s. 58(1) repealed (1.4.2002) by 2001 c. 16, ss. 128(1), 137, 138(2), **Sch. 6 para. 70**, **Sch. 7 Pt. 5(1)**; S.I. 2002/344, **art. 3(j)(k)(m)**
- F6** Words repealed by **Education Reform Act 1988 (c. 40, SIF 41:1)**, ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**
- F7** Words in s. 58(1)(a) substituted (17.12.2009) by **Local Democracy, Economic Development and Construction Act 2009 (c. 20)**, s. 148(6), **Sch. 6 para. 72**; S.I. 2009/3318, art. 2(c)
- F8** Words in s. 58(1)(b) repealed (1.12.2008) by **Housing and Regeneration Act 2008 (c. 17)**, s. 325(1), **Sch. 8 para. 40(a)**, **Sch. 16**; S.I. 2008/3068, art. 2(1)(w)(3)5, **Sch.** (with arts. 6-13)
- F9** S. 58(1)(ba) inserted (15.1.2012) by **Localism Act 2011 (c. 20)**, s. 240(1)(l), **Sch. 22 para. 22**
- F10** S. 58(1)(ca) inserted by **Housing Act 1988 (c. 50, SIF 75:1)**, s. 119, **Sch. 13 para. 7**
- F11** S. 58(1)(d) repealed (1.10.1998) by 1998 c. 38, s. 152, **Sch. 18 Pt. IV** (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, **art. 4**

*Status: Point in time view as at 08/05/2017. This version of this provision has been superseded.*

*Changes to legislation: Landlord and Tenant Act 1987, Section 58 is up to date with all changes known to be in force on or before 01 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)*

- F12** S. 58(1)(dd) inserted by Norfolk and Suffolk Broads Act 1988 (c. 4, SIF 81:1), ss. 21, 23(2), **Sch. 6 para. 28**
- F13** S. 58(1)(de) inserted (23.11.1995) by 1995 c. 25, s. 78, **Sch. 10 para. 26** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1995/2950, **art. 2(1)**
- F14** S. 58(1)(df) inserted (1.12.2008) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 8 para. 40(b)**; S.I. 2008/3068, art. 2(1)(w)(3) (with arts. 6-13)
- F15** S. 58(1)(dg) inserted (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 19 para. 23**; S.I. 2012/628, art. 6(i) (with arts. 911141517)
- F16** Words in s. 58(1)(e) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), **Sch. 2 para. 62(2)(a)** (with art. 6, Sch. 3)
- F17** S. 58(1)(ea) repealed (1.11.1998) by 1998 c. 38, s. 152, **Sch. 18 Pt. VI** (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, **art. 5**
- F18** S. 58(1)(g)(ga)(gb) substituted for s. 58(1)(g) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), **Sch. 2 para. 62(2)(b)** (with art. 6, Sch. 3)
- F19** S. 58(1ZA) 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. 62(3)** (with art. 6, Sch. 3)
- F20** S. 58(1A)(1B) substituted for s. 58(1A) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), **Sch. 2 para. 62(4)** (with art. 6, Sch. 3)

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

- C1** S. 58 excluded (8.5.2017) by The Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017 (S.I. 2017/470), art. 1(2), **Sch. 2 para. 12**
- C2** S. 58(1) extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 25(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))  
S. 58(1) extended (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 11**
- C3** S. 58(1)(e) modified (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 3, **Sch. para. 1** (with art. 6)

#### Marginal Citations

- M1** 1981 c. 64.  
**M2** 1980 c. 65.  
**M3** 1985 c. 68.  
**M4** 1985 c. 51.

**Status:**

Point in time view as at 08/05/2017. This version of this provision has been superseded.

**Changes to legislation:**

Landlord and Tenant Act 1987, Section 58 is up to date with all changes known to be in force on or before 01 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.