

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: Local Government and Housing Act 1989, Cross Heading: The assured periodic tenancy is up to date with all changes known to be in force on or before 02 June 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)*

## SCHEDULES

### SCHEDULE 10

#### SECURITY OF TENURE ON ENDING OF LONG RESIDENTIAL TENANCIES

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

**C1** Sch. 10 excluded (1.11.1993) by 1993 c. 28, s. 59(2)(b)(i) (with ss. 94(2), 95); S.I. 1993/2134, arts. 2, 5(a)

*The assured periodic tenancy*

- 9 (1) Where a long residential tenancy (in this paragraph referred to as “the former tenancy”) is terminated by a landlord’s notice proposing an assured tenancy, then, subject to sub-paragraph (3) below, the tenant shall be entitled to remain in possession of the dwelling-house and his right to possession shall depend upon an assured periodic tenancy arising by virtue of this paragraph.
- (2) The assured periodic tenancy referred to in sub-paragraph (1) above is one—
- (a) taking effect in possession on the day following the date of termination;
  - (b) deemed to have been granted by the person who was the landlord under the former tenancy on the date of termination to the person who was then the tenant under that tenancy;
  - (c) under which the premises let are the dwelling-house;
  - (e) under which the periods of the tenancy, and the intervals at which rent is to be paid, are monthly beginning on the day following the date of termination;
  - (e) under which the rent is determined in accordance with paragraphs 10 to 12 below; and
  - (e) under which the other terms are determined in accordance with paragraphs 10 to 12 below.
- (3) If, at the end of the period of two months beginning on the date of service of the landlord’s notice, the qualifying condition was not fulfilled as respects the tenancy, the tenant shall not be entitled to remain in possession as mentioned in sub-paragraph (1) above unless there has been an election by the tenant to retain possession; and if, at the specified date of termination, the qualifying condition is not fulfilled as respects the tenancy, then, notwithstanding that there has been such an election, the tenant shall not be entitled to remain in possession as mentioned in that sub-paragraph.
- (4) Any reference in the following provisions of this Schedule to an assured periodic tenancy is a reference to an assured periodic tenancy arising by virtue of this paragraph.

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