



Leasehold Reform, Housing and Urban Development Act 1993

1993 CHAPTER 28

PART I

LANDLORD AND TENANT

CHAPTER I

COLLECTIVE ENFRANCHISEMENT IN CASE OF TENANTS OF FLATS

Preliminary

10 Premises with a resident landlord.

- (1) For the purposes of this Chapter any premises falling within section 3(1) are at any time premises with a resident landlord if—
 - (a) the premises are not, and do not form part of, a purpose-built block of flats; and
 - (b) the freeholder, or an adult member of the freeholder's family—
 - (i) at that time occupies a flat contained in the premises as his only or principal home, and
 - (ii) has so occupied such a flat throughout a period of not less than twelve months ending with that time.
- (2) Where any premises falling within section 3(1) would at any time ("the relevant time") be premises with a resident landlord but for the fact that subsection (1)(b)(ii) above does not apply, the premises shall nevertheless be treated for the purposes of this Chapter as being at that time premises with a resident landlord if—
 - (a) immediately before the date when the freeholder acquired his interest in the premises the premises were (or, had this Chapter then been in force, would have been) such premises for the purposes of this Chapter; and

Status: Point in time view as at 01/11/1993. This version of this provision has been superseded.

Changes to legislation: Leasehold Reform, Housing and Urban Development Act 1993, Section 10 is up to date with all changes known to be in force on or before 07 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)

- (b) the freeholder, or an adult member of the freeholder’s family—
 - (i) entered into occupation of a flat contained in the premises within the period of 28 days beginning with that date, and
 - (ii) has occupied such a flat as his only or principal home throughout the period beginning with the time when he so entered into occupation and ending with the relevant time.
- (3) In paragraph (b) of each of subsections (1) and (2) any reference to a flat includes a reference to a unit (other than a flat) which is used as a dwelling.
- (4) Where the freehold interest in any premises is held on trust, subsections (1) and (2) shall apply as if, in paragraph (b) of each of those subsections, any reference to the freeholder were instead a reference to a person having an interest under the trust (whether or not also a trustee).
- (5) For the purposes of this section a person is an adult member of another’s family if that person is—
 - (a) the other’s wife or husband; or
 - (b) a son or daughter or a son-in-law or daughter-in-law of the other, or of the other’s wife or husband, who has attained the age of 18; or
 - (c) the father or mother of the other, or of the other’s wife or husband;and in paragraph (b) any reference to a person’s son or daughter includes a reference to any stepson or stepdaughter of that person, and “son-in-law” and “daughter-in-law” shall be construed accordingly.
- (6) In this section—
 - “the freeholder”, in relation to any premises, means the person who owns the freehold of the premises;
 - “purpose-built block of flats” means a building which as constructed contained two or more flats.

Status:

Point in time view as at 01/11/1993. This version of this provision has been superseded.

Changes to legislation:

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