



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.

[^{F1}(1) For the purposes of this Chapter any premises falling within section 3(1) are premises with a resident landlord at any time if—

- (a) the premises are not, and do not form part of, a purpose-built block of flats;
- (b) the same person has owned the freehold of the premises since before the conversion of the premises into two or more flats or other units; and
- (c) he, or an adult member of his family, has occupied a flat or other unit contained in the premises as his only or principal home throughout the period of twelve months ending with that time.]

^{F2}(2)

^{F3}(3)

[^{F4}(4) Where the freehold of any premises is held on trust, subsection (1) applies as if—

- (a) the requirement in paragraph (b) were that the same person has had an interest under the trust (whether or not also a trustee) since before the conversion of the premises, and

Status: Point in time view as at 05/12/2005.

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 21 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) paragraph (c) referred to him or an adult member of his family.]

^{F5}(4A)

(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 [^{F6}spouse or civil partner]; or
- (b) a son or daughter or a son-in-law or daughter-in-law of the other, or of the other's [^{F6}spouse or civil partner], who has attained the age of 18; or
- (c) the father or mother of the other, or of the other's [^{F6}spouse or civil partner];

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—

^{F7}
. . . .

"purpose-built block of flats" means a building which as constructed contained two or more flats.

[^{F8}"qualifying flat", in relation to a relevant person, or an adult member of a relevant person's family, means a flat the freehold of the whole of which is owned by the relevant person.]

Textual Amendments

- F1** S. 10(1) substituted (26.7.2002 for E. and 1.1.2003 for W.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\), s. 118\(2\)](#); S.I. 2002/1912, [art. 2\(b\)\(i\)](#) (subject to [Sch. 2](#)); S. I. 2002/3012, [art. 2\(b\)\(i\)](#) (subject to [Sch. 2](#))
- F2** S. 10(2) repealed (26.7.2002 for E. and 1.1.2003 for W.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\), s. 180, Sch. 14](#); S.I. 2002/1912, [art. 2\(b\)\(ii\)](#), [Sch. 1 Pt. 1](#) (subject to [Sch. 2](#)); S. I. 2002/3012, [art. 2\(b\)\(ii\)](#), [Sch. 1 Pt. 1](#) (subject to [Sch. 2](#))
- F3** S. 10(3) repealed by (26.7.2002 for E. and 1.1.2003 for W.) [Commonhold and Leasehold Reform Act 2002 \(c. 15\), s. 180, Sch. 14](#); S.I. 2002/1912, [art. 2\(b\)\(ii\)](#), [Sch. 1 Pt. 1](#) (subject to [Sch. 2](#)); S. I. 2002/3012, [art. 2\(b\)\(ii\)](#), [Sch. 1 Pt. 1](#) (subject to [Sch. 2](#))
- F4** S. 10(4) substituted (26.7.2002 for E. and 1.1.2003 for W.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\), s. 118\(3\)](#); S.I. 2002/1912, [art. 2\(b\)\(i\)](#) (subject to [Sch. 2](#)); S. I. 2002/3012, [art. 2\(b\)\(i\)](#), (subject to [Sch. 2](#))
- F5** S. 10(4A) repealed (26.7.2002 for E. and 1.1.2003 for W.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\), s. 180, Sch. 14](#); S.I. 2002/1912, [art. 2\(b\)\(ii\)](#), [Sch. 1 Pt. 1](#) (subject to [Sch. 2](#)); S. I. 2002/3012, [art. 2\(b\)\(ii\)](#), [Sch. 1 Pt. 1](#) (subject to [Sch. 2](#))
- F6** Words in s. 10(5) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), s. 263\(2\), Sch. 8 para. 48](#); S.I. 2005/3175, [art. 2\(1\)](#), [Sch. 1](#)
- F7** Definition in s. 10(6) repealed (1.10.1996) by [1996 c. 52, s. 227, Sch. 19 Pt.V](#); S.I. 1996/2212, [art. 2\(2\)](#) (with savings in [Sch.](#))
- F8** In s. 10(6) definition of "qualifying flat" repealed (prosp.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\), s. 180, Sch. 14](#); and by S.I. 2002/1912, [art. 2\(b\)\(ii\)](#), [Sch. 1 Pt. 1](#) (subject to [Sch. 2](#)), it is provided that the repeal of the definition of "qualifying tenant" in s. 10(6) is commenced (26.7.2002 for E.) and by S.I. 2002/3012, [art. 2\(b\)\(ii\)](#), [Sch. 1 Pt. 1](#) (subject to [Sch. 2](#)), it is provided that the repeal of the definition of "qualifying tenant" in s. 10(6) is commenced (1.1.2003 for W.)

Status:

Point in time view as at 05/12/2005.

Changes to legislation:

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