



Housing Act 1996

1996 CHAPTER 52

PART III

LANDLORD AND TENANT

CHAPTER III

LEASEHOLD REFORM

Scope of rights

105 Low rent test: nil rateable values.

- (1) In section 4(1) of the ^{M1}Leasehold Reform Act 1967 (meaning of “low rent”) —
- (a) in paragraph (i) (cases where rent limit of two-thirds of rateable value on later of appropriate day and first day of term applies), for the words from “or (where” to “that date” there shall be substituted “ , or on or after 1st April 1990 in pursuance of a contract made before that date, and the property had a rateable value other than nil at the date of the commencement of the tenancy or else at any time before 1st April 1990, ”,
 - (b) in paragraph (ii) (other cases), for the words from “is entered” to “1990),” there shall be substituted “ does not fall within paragraph (i) above, ”, and
 - (c) in paragraph (a) (definition of “appropriate day” by reference to section 25(3) of the ^{M2}Rent Act 1977), there shall be inserted at the end “ if the reference in paragraph (a) of that provision to a rateable value were to a rateable value other than nil ”.
- (2) In section 4A of the ^{M3}Leasehold Reform Act 1967 (alternative rent limits for the purposes of section 1A(2) of that Act)—
- (a) in subsection (1)(b) (cases where rent limit of two-thirds of rateable value on the relevant date applies), for sub-paragraph (ii) there shall be substituted—

Status: Point in time view as at 01/10/1996. This version of this provision has been superseded.

Changes to legislation: Housing Act 1996, Section 105 is up to date with all changes known to be in force on or before 19 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)

- “(ii) the property had a rateable value other than nil at the date of commencement of the tenancy or else at any time before 1st April 1990,” and
- (b) in subsection (2), for paragraph (b) there shall be substituted—
- “(b) “the relevant date” means the date of the commencement of the tenancy or, if the property did not have a rateable value, or had a rateable value of nil, on that date, the date on which it first had a rateable value other than nil;”.
- (3) In section 8 of the ^{M4}Leasehold Reform, Housing and Urban Development Act 1993 (leases at a low rent)—
- (a) in subsection (1)(b) (cases where rent limit of two-thirds of rateable value on the appropriate date applies), for sub-paragraph (ii) there shall be substituted—
- “(ii) the flat had a rateable value other than nil at the date of the commencement of the lease or else at any time before 1st April 1990,” and
- (b) in subsection (2), for paragraph (b) there shall be substituted—
- “(b) “the appropriate date” means the date of commencement of the lease or, if the flat in question did not have a rateable value, or had a rateable value of nil, on that date, the date on which the flat first had a rateable value other than nil;”.

Modifications etc. (not altering text)

C1 S. 105(1)(2) restricted (22.8.1996) by S.I. 1996/2212, art. 2(2), Sch. para. 3

C2 S. 105(3) restricted (22.8.1996) by S.I. 1996/2212, art. 2(2), Sch. para. 4

Marginal Citations

M1 1967 c. 88.

M2 1977 c. 42.

M3 1967 c. 88.

M4 1993 c. 28.

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